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Wednesday, 22 August 2007

L J OSMOND
CHIEF HANSARD REPORTER

N J LAURIE
CLERK OF THE PARLIAMENT

WEDNESDAY, 22 AUGUST 2007

The House met at 9.30 am.

ABSENCE OF MR SPEAKER

The Clerk informed the House of the absence of Mr Speaker for the morning session.

The Deputy Speaker (Mr John English) read prayers and took the chair as Acting Speaker.

The honourable member for Keppel was nominated by Mr Acting Speaker as Deputy Speaker.

Mr ACTING SPEAKER (Mr John English, Redlands) acknowledged the traditional owners of the land upon which this parliament is assembled and the custodians of the sacred lands of our state.

PRIVILEGE

Local Government Reform

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.32 am): I rise on a matter of privilege. Yesterday in answer to a question from the Leader of the Opposition on the issue of council amalgamations and referendums I said—

The important thing is that both the minister and I have indicated that that part of the legislation will not be enforced ... It will fall off the statute books—if I can use that general term—by itself by March next year.

After the House rose I double-checked the legislation and I draw to the attention of the House that the final part of my answer was not correct. As members would be aware, the bill canvassed matters of importance both prior to the March 2008 council elections and post the elections, hence my confusion. That includes things like the protection of employment for council employees for three years through the transition until 2011. Obviously the referenda provisions have no practical effect from 2008 when the local government elections will be held, but as it stands that section is carried forward through the transitional period to 2011.

To make it absolutely clear so that I have not misled the House in any way in relation to the Leader of the Opposition's questions, we will get rid of the section regarding polls and later today the minister for local government will either introduce a regulation or a bill into the House to do just that.

As I said on Sunday, we will not be taking any action against councils who decide to hold a poll on the reform issue. The amendment to the bill will clarify the matter and remove any doubt. We are going to move on. We are taking legal advice as to whether it requires a regulation to do it or whether it is required by statute, but I did not want to mislead the House in relation to the Leader of the Opposition's question.

PETITIONS

The following honourable members have lodged paper petitions for presentation—

Local Government Reform

Ms Lee Long, from 482 petitioners, requesting the House to allow the four Tableland Councils to continue to serve their shires in their existing forms.

Public Paedophile Register

Mr Dempsey, from 1,238 petitioners, requesting the House to establish a public paedophile register stating the names of convicted child sex offenders and the areas in which they live.

Gympie, CityTrain Service

Mr Gibson, from 348 petitioners, requesting the House to instigate additional CityTrain services to and from Gympie.

Sarina State Preschool Centre

Mr Malone, from 1,010 petitioners, requesting the House to remove the former Sarina State Preschool Centre from the public disposal list.

MINISTERIAL STATEMENTS

South-East Queensland Storm Activity

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.35 am): It was a wild night for people living on the Sunshine Coast with strong winds gusting at more than 120 kilometres an hour bringing down powerlines and trees and damaging some homes. The severe weather conditions were caused by a low-pressure system that moved progressively northwards from the Gold Coast yesterday and overnight.

About 80,000 Energex customers have lost power since the severe weather started to affect south-east Queensland. Most of these customers had power restored within two hours. The largest number of customers without power at any one time was 30,499 on the Sunshine Coast at around 10 pm last night. At 9 am this morning almost 8,000 customers were still without power—4,800 of those were on the Sunshine Coast.

SES crews were also kept busy overnight. All up about 130 volunteers from the Gold Coast, Brisbane and Sunshine Coast have responded to calls for assistance. These jobs ranged from leaking roofs caused by the rain or fallen trees to trees across driveways. Calls are continuing to come in this morning.

Other Emergency Services, such as the Queensland Fire and Rescue Service and Police, also responded to a number of jobs, the most serious of which was sheets of roofing falling from a cooling tower in my electorate of Fortitude Valley. But it was not all bad news. The severe weather also brought some good rain, with about 7,500 megalitres—or an extra two weeks water supply—expected for the Wivenhoe, Somerset and North Pine Dams. Let us hope that there is more rain to come.

Gold Coast University Hospital

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.36 am): I would like to inform the House today that consultation will begin immediately on an alternative site for the new $1.23 billion, 750-bed Gold Coast University Hospital. Queensland Health and the Department of Infrastructure will consult landholders and others affected by a proposal to build the new hospital on the northern end of Parkland Drive. As is the normal process, detailed studies by the Office of Urban Management have found that, while the original site was more than adequate for the project, there is potential to avoid spending more than an additional quarter of a billion dollars with this alternative site and it would be irresponsible of this government not to consider it.

Investigations have found that the new site will avoid the need to spend more than $260 million in transport infrastructure costs while still ensuring the new facility remains integrated with the Griffith University campus. Not only will the proposed new location improve existing and future transport access at a much lower cost; it will allow for more flexibility in how the hospital campus grows. It will also enhance integration with the planned Gold Coast rapid transit project and deliver an improved flight path for emergency helicopters away from local residents.

Gold Coast members have been briefed on the details of this. I met with them last night. Consultations will begin immediately with affected landholders, including Griffith University, the Gold Coast City Council, the Salvation Army, the Church of Christ and the Parklands Trust. The primary concern expressed by the members on the Gold Coast—and a very reasonable one—was that there be no delay in the delivery of this hospital. All members made that clear to me. They also wanted to ensure that the important link with the university was maintained to ensure research and training synergies. I have assured the government's Gold Coast members that there will be no delay in the delivery of the Gold Coast University Hospital. It will be delivered by late 2012 as per our 2006 election commitment.

The member for Southport, Peter Lawlor, also stressed with me the need for appropriate support and fair compensation for the affected landholders. As a result, I have asked Queensland Health and the Department of Infrastructure to ensure that this is part of the early consultation process to reassure stakeholders that the government will support them through this process.

The Parklands Drive site is currently occupied by a range of facilities, including a Church of Christ church, a warehouse and drug rehabilitation facility run by the Salvation Army, and a greyhound track and car park operated by the Parklands Trust. We will also continue the negotiations with Griffith University on the relocation of the existing medical and dental schools adjacent to the new hospital and carefully plan to minimise transport impacts around the site. The new hospital's location close to the university will create an ideal environment for producing the state's new crop of doctors, nurses and allied health professionals. The Deputy Premier, Anna Bligh, the Minister for Health, Stephen Robertson, and I will keep our local members on the Gold Coast fully informed.

Green Turtle Rookery, Raine Island

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.39 am): The world's largest known green turtle rookery, at Raine Island off Cape York Peninsula, will be safeguarded following an historic national park scientific agreement between the Queensland government and traditional owners. The island's new status gives it the highest level of protection possible under Queensland's nature conservation laws which care for species or habitats of exceptional scientific value. Not only does Raine Island have the largest known green turtle rookery in the world; it is home to the endangered herald petrel bird and the vulnerable red-tailed tropic bird and is arguably the most significant seabird rookery on the Great Barrier Reef.

By upgrading Raine Island from nature refuge status to National Park (Scientific), we are preserving its special values and adjacent cays and ensuring nature conservation research can continue. The declaration of Raine Island is just the eighth national park in Queensland to be declared scientific. This is a rare status and the Raine Island declaration is the first in six years. With this declaration 52,000 hectares across Queensland containing some of the planet's most precious flora and fauna are now subject to the highest level of protection we can offer.

To make this possible, the Queensland government signed an historic new Indigenous Land Use Agreement with Aboriginal and Torres Strait Islander traditional owners, the Wuthathi people from Shelburne Bay, and with the people of Darnley Island, Stephen Island and Murray Island, who also identify as native title holders of the area. I want to thank everyone involved in this process—including the environment minister, Lindy Nelson-Carr, and other ministers—which was convened through the National Native Title Tribunal. This agreement protects the meaningful involvement of Aboriginal and Torres Strait Islander people in the management of this new national park. Because of its importance, I seek leave to incorporate more details in *Hansard*.

Leave granted.

The traditional owners will work with the Queensland Government to manage and conserve the island's values. Under this agreement the traditional owners will not take flora or fauna from the new national park.

The agreement does however allow for the limited take of fish and invertebrates from the surrounding three nautical mile zone.

It is vital that we continue our protection of the green turtle—through the monitoring and conservation of the tens of thousands of turtles that come ashore on the island each year to nest.

Under this Raine Island National Park (Scientific) agreement, access is limited to scientific purposes and essential management and only then on a permit basis.

Recycled Water, Public Opinion

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.41 am): In relation to south-east Queensland's need for water infrastructure and recycled water, I am happy to report that, while this week's welcome rain continues to fall, the construction of the western recycled water pipeline continues apace—on track to provide the first supply of recycled water to Swanbank later this month. The provision of purified recycled water is a significant part of the government's plan to ensure south-east Queensland does not run out of water, despite the failure to have several successive rainy seasons.

Today I can inform the House of the latest research conducted on behalf of the Queensland Water Commission regarding the community's view about the use of purified recycled water as part of our drinking water supplies. The Queensland Water Commission monitors public opinion as part of its responsibilities regarding water management in the south-east corner.

Total support for recycled water remains extremely high, with 74 per cent of the 1,000 south-east Queenslanders surveyed in July reporting support for the use of recycled water. The survey was conducted across the 12 council areas currently subject to level 5 water restrictions. Support is strongest amongst men, with 76 per cent compared to 72 per cent for women surveyed—and that figure for women is very strong as well.

Respondents were also asked for the first time in this survey if they were comfortable—and 'comfortable' is important—drinking pure recycled water. Again the response is heartening, with 71 per cent of all respondents saying yes. So I want to thank Queenslanders for that. I table a release from the Queensland Water Commission.

Tabled paper: Copy of media release, dated 22 August 2007, by Queensland Water Commission titled 'Support for Purified Recycled Water'.

I seek leave to incorporate more details in *Hansard*.

Leave granted.

As part of that role an estimated 12,000 people visited the Commission's display at the Ekka earlier this month to taste-test purified recycled water. The response was, I am informed, overwhelmingly positive with thousands of people happily trying the water and reporting a positive response.

This is in keeping with the latest research conducted on behalf of the Commission in which South East Queenslanders were asked if they would support or oppose purified recycled water being added to our drinking supply.

The first time this question was asked in December last year 74 per cent of respondents indicated support. I am pleased to report that some 7 months later that support has solidified.

By age group the strongest positive response was 81 per cent of all people under 30 but support is high among all age groups with the lowest being 71 per cent for people aged 60 and over.

And across the South East support is consistent—77 per cent of people living in the Brisbane metropolitan region support purified recycled water being added to our drinking water supply.

The Gold Coast had 63 per cent and the Sunshine Coast response was 71 per cent in support.

The highest comfort levels are reported by men—74 per cent compared to 69 per cent for women. All age groups reported high levels of comfort—over 63 per cent and as high as 79 per cent for the under 30's.

I thank the people of South East Queensland for their open minded support for this vital water supply.

The Western Corridor Recycled Water pipeline is on track to begin adding purified recycled water to our dams by October 2008.

The first recycled water from the Bundamba treatment plant component of this project will be used later this month in the Swanbank Power Station.

Fuel Subsidy

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.43 am): I am pleased to announce that, as part of the new independent fuel inquiry announced by the Deputy Premier and me yesterday, public hearings will be held in major regional centres across Queensland. We expect the hearings to be held within the next few months and they will be widely advertised in each region. This issue affects all Queenslanders so it is important to cast the net across the state. Our announcement already has generated many calls to my office and that of the Treasurer, with Queenslanders keen to pass on their ideas. I am not surprised. This issue hits the hip-pocket and people want to get involved. So I would encourage everyone to come along and have their say at the forums.

After the initial consultation with industry groups yesterday, it is already clear that diesel is also an issue people want examined. Truck drivers in particular say they are not getting the full benefit of the diesel rebate. That was made clear to the Deputy Premier and I when we met with stakeholders yesterday. Therefore, so that the issue is clear, we will ask Mr Pincus to focus on pricing anomalies for diesel as well as petrol, as he tries to determine why Queenslanders are missing out on up to $125 million a year in fuel subsidies. Initially, the fuel subsidy, as we know, went directly to wholesalers, then to retailers and neither of these approaches have been 100 per cent effective. I seek leave to incorporate more detail in *Hansard*.

Leave granted.

The task force unearthed that the payment of the subsidy had slipped over the past six months.

Already we have received suggestions from the public that drivers could keep receipts and send them in once a year, like you do with your tax.

It may be that something like a smart card can be used when fuel is bought.

That way, once or twice a year money could be paid directly to motorists.

It would be like getting your tax return—a little bit a week that adds up to a handy bonus when it arrives.

We'd have to look at the administration costs and other matters but we are not ruling anything in or out.

What we are doing is trying to determine the best formula to get this money into the pockets of Queensland motorists, where it is supposed to be.

Mr Speaker, we will also be watching the Australian Competition and Consumer Commission Inquiry closely.

Yesterday it was revealed at the inquiry that 'independent service stations are being told by SMS, email and fax what petrol prices to set as the giant oil companies try to force each other out of the Australian market.'

Why has the Howard Government not given the ACCC the teeth to investigate this before?

They have had 11 years and they have done nothing.

As a result Australians are paying record prices at the bowsers.

Telstra National Art Awards

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.44 am): Three of Queensland's talented Indigenous artists have won accolades at the 24th National Aboriginal and Torres Strait Islander Art Awards. I seek leave to incorporate more detail in *Hansard* as an acknowledgement of their contribution.

Leave granted.

Dennis Nona, from Badu Island, won the major prize of $40,000 for his detailed bronze crocodile sculpture.

Congratulations go also to Alick Tipoti, from the Torres Strait, and Laurie Nilsen, who is originally from Roma and now in Brisbane, for each winning $4,000 prizes in their categories.

In addition, Indigenous artist and lecturer Danie Mellor, who was born in Mackay, was highly commended.

Mr Speaker, winning prestigious awards like these and exhibiting in major galleries and art spaces around the world is helping to grow a deep appreciation for our very talented Queensland Indigenous artists.

Last year, on my trade mission to the United Kingdom, I was delighted to present work by Dennis Nona on the Badu Island Story to the British Museum.

In May this year, during my trade mission to the USA, I launched the book "Our Way" by the Lockhart River Art Gang at Stony Brook University in New York.

The Queensland Government supports a range of initiatives that promote and generate global market interest in our Indigenous artists because doing this will deliver real economic returns to Indigenous communities.

Townsville Growth and Expansion

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 am): I visited Townsville last week. Along with my ministers and local members, we were on hand to open a new facility at the family operated Bestlan Group. It is a $5 million operation which has to be one of the smartest food-processing plants on the planet. I know the member for Thuringowa supports this, as does the honourable minister for the environment. Bestlan has expanded from bananas to almost every fruit.

While we were there last week, I announced that work starts in September on the next stage of the $119 million Townsville Ring Road project. We also opened two power control centres—one in Rockhampton and one in Townsville.

Mr Schwarten interjected.

Mr BEATTIE: Yes, the member for Fitzroy, Jim Pearce, filled in for you. These centres have control of electricity during times of cyclones. I seek leave to incorporate details in *Hansard*.

Leave granted.

Mr Speaker, business ingenuity is synonymous with the Smart State and I want to congratulate the family-operated Bestlan Group for its contribution.

Last week I opened the company's $5 million operation which has to be one of the smartest food processing plants on the planet, and it is backed by creative problem solving.

Bestlan has expanded from bananas to almost every fruit—processing mangos, paw paw, berries, citrus and orchard fruits.

But that's not all. It is processing other countries' produce, such as cranberries from the USA, and exporting them back again.

Next year, Bestlan plans to go one step further by launching its first product which just so happens to be another first, the first processed edible banana fibre for the food industry.

The Townsville region is definitely making its mark.

On two related matters, Mr Speaker, while visiting the region last week I announced work starts in September on the next stage of the $119 million Townsville Ring Road project.

It will give the community a direct link to the Bruce Highway north of Townsville; easier access to facilities like Townsville Hospital, James Cook Uni and Lavarack Army base; and provide a city bypass.

Mr Speaker, the region is also now served by two world-class power control centres in Townsville and Rockhampton.

For the first time, these centres have control of almost all of the electricity supply network.

That's around a million power poles, 150,000 kilometres of powerlines and over 300 substations.

These super control centres mean that if there's a cyclone in Townsville, for example, Rockhampton can take control.

Mr Speaker, Ergon Energy is spending almost $800 million on capital expenditure this financial year, with a focus on areas of growth.

More than $80 million is earmarked for vegetation management and $10 million for cyclone-prone communities.

Community Cabinet at the Ekka

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 am): I want to report on the community cabinet we held at the Ekka. It was our 106th community cabinet and the ninth time we have held it there. I seek leave to incorporate more detail in *Hansard*.

Leave granted.

The Ekka is a celebration of the State's products and its people.

It is a traditional point of contact between the city and the bush and has developed into an important trade fair for our primary industries.

Every day was something different, with judging of all the entries for produce, animals and people.

From showjumping and sheep dog trials, to fruit cakes and fruit wines, to bush poets and blacksmiths.

There were more than 30,000 entries across 25 competition categories and more than 10,000 trophies and certificates were awarded.

Once again, Ministers and I took the opportunity to meet participants and visitors at the Ekka after Cabinet met.

I particularly enjoyed talking part in the hamburger "cook-off".

One of the highlights of this year's Ekka was the awarding of the 2007 RNA Show Legend Award to woodchop favourite Mr Noel McGregor.

I extend my congratulations to Mr McGregor, who has contributed to the woodchop section for more than 50 years.

Other highlights were the new Animal Boulevard, the new SkyView Observation Wheel, and the Ekka concerts and fashion parades.

The Government Pavilion focussed on the theme of climate change—"Be ClimateSmart at home, at work and while travelling".

More than 24 Departments and Government Agencies were represented in the pavilion which had informative and interactive displays on what people can do to be ClimateSmart.

Queensland Government Infrastructure Update

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 am): I want to report on our infrastructure update, which I table for members of the House. I seek leave to incorporate the details in *Hansard*.

Tabled paper: Queensland government document, dated August 2007, titled 'Building tomorrow's Queensland today: key projects for South-East Queensland'.

Leave granted.

Queensland is booming and the infrastructure projects we have underway to support the continuing growth of our state are rolling out in every region.

This month my Government is up-dating Queenslanders on the roll-out of the biggest infrastructure program ever undertaken in their State.

No matter where you live, work or holiday it's hard to miss the evidence of the hard-work which underway as part of the delivery of our 20-year infrastructure plan.

Earlier this month we published the latest up-date on key projects in South–East Queensland—inserting the document "Building tomorrow's Queensland today' in nearly 520,000 copies of the Sunday Mail—reaching an estimated 1.1 million people in the South East.

In addition each of the regions across the State are being provided with an up-date on infrastructure projects in their area through local newspapers.

Over the next 12 months we will spend $14 billion on infrastructure—we're building the water infrastructure, hospitals, education and training facilities that Queenslanders need.

We're planning to combat the impact of climate change and we're making sure Queensland has the electricity infrastructure it needs to keep growing—bringing prosperity to Queensland families.

Of course transport and roads are vitally important and this report provides an up-date on important projects including the construction of the $366 Million South West Arterial, the provision of four lanes on the New England Highway through Highfields and the work on the Airport Link.

Information on the progress of all these vital infrastructure projects are provided in the August 2007 update of 'Building Tomorrow's Queensland Today'—I commend this important report to members of the House.

Change a Light Bulb Day

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.46 am): I want to support the announcement by the minister for the environment in relation to Change a Light Bulb Day. As part of our climate change strategy, we are moving to reduce greenhouse gas emissions. I want to remind members that 1 September is Change a Light Bulb Day in Queensland. I launched this campaign with the minister for the environment, Lindy Nelson-Carr, at the Ekka as part of the government's 12-month ClimateSmart Living campaign and, along with 5,500 other Ekka goers, pledged to change a light bulb on 1 September. I seek leave to incorporate details in *Hansard*.

Leave granted.

Mr Speaker, Change a Light Bulb Day is about encouraging all Queenslanders to change at least one incandescent light bulb with a compact fluorescent light to reduce energy consumption and greenhouse gas.

This is about small things making a big difference Mr Speaker.

One 60 watt incandescent light bulb, running six hours a day, produces 120kg of greenhouse gas each year. A compact fluorescent light, running for the same time, produces only 22kg.

If every Queensland household replaced just one incandescent light bulb with a compact fluorescent one, Queensland would save almost 155,000 tonnes of greenhouse gas emissions in a year.

Climate change is real Mr Speaker. What we do to combat it is critical and it's up to all of us to do our part to cut greenhouse gas emissions. Changing a light bulb is one easy way everyone can participate Mr Speaker and I encourage all Members of this House to take part.

Change a Light Bulb Day is the first in a series of state-wide action days encouraging Queenslanders to reduce greenhouse gas.

Further ClimateSmart Living promotions include "Cool it by Degrees" asking residents to check their refrigerator temperature for efficiency, "Climate Under Pressure" encouraging motorists to pump up their tyres to reduce fuel, "Splash and Dash Day" to encourage Queenslanders to cut time in showers, as well as "Queensland Unplugged" to encourage people to switch off appliances not in use.

Federal Budget Surplus

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.47 am): I noticed that the federal government yesterday announced a larger than expected federal budget surplus. It is $3.6 billion more than was predicted just three months ago, which is obviously money that should have been invested in health, infrastructure and roads in Queensland. I seek leave to incorporate in *Hansard* a suggestion to the federal Treasurer of how he can spend that money in Queensland.

Leave granted.

Yesterday Peter Costello announced a whopping surplus of more than $17 billion.

That is $3.6 billion more than was predicted just a little over three months ago.

Money that has come straight from our hip pockets courtesy of a record tax grab.

On top of rising interest rates and rocketing fuel prices the average punter is now paying more tax than they ever have before.

And what has Howard and Costello done with the money?

Have they given it to the States?

No.

A senior economist from the Macquarie Bank has found that even with the GST, real funding to the states has fallen from more than 7% of GDP in the 80s to 5% now.

Have they spent it on infrastructure?

No.

Have they spent it on health?

No.

Have they offered real tax relief for families or businesses?

No.

What have they done?

They have squirreled it away into their own election war chest.

And now on the eve of the election they are set to spend it in a marginal seat spending spree.

Already Costello has announced a $2.5 billion medical fund.

A fund that will cherry pick projects on new capital medical facilities such as surgical theatres and high technology medical equipment.

If he was serious he could commit the extra money to the next five-year Australian Health Care Agreement.

Canberra has short-changed Queensland public hospitals by $2.6 billion in Commonwealth health funding over the life of the current five-year agreement.

This year alone, my Government is spending $635 million on health infrastructure. We are building three new tertiary hospitals worth around $3 billion—not one cent of that is Commonwealth money.

If Howard and Costello are serious they could provide funding for just a few of the vital projects they have failed to fund in Queensland:

- $750 million to upgrade the Pacific Motorway on the Gold Coast—we have been asking for their fair share for more than two years.
- Funding for the development of the Toowoomba Bypass, they keep promising this will eventuate—well it's time to deliver.
- Funding for Bruce highway upgrades from Caboolture to Cairns—it is acknowledged as the worst stretch of national highway in Australia.
- Upgrades to the Gateway Motorway.
- Upgrading national freight routes along the Gore Highway
- Funding more aged care places.
- Reinstating Commonwealth funding to the states for free public dental services.
- $600,000 for tele-health services in the bush
- $1.8 million in Medicare funding for nurse practitioners
- $75 million for their half share of the broadscale clearing adjustment package.
- $60 million for half the cost of building the Nathan Dam on the Dawson River.
- $7.6 million to match our contribution to the cloud seeding trial in South East Queensland.
- $50 million for the Rural Water Use Efficiency Program, to assist farmers be more efficient with their water use.
- Funding for clean coal technology
- $120 million per annum for labour market programs.

The list goes on and on.

And if they are fair dinkum they can also cough up the money the Lord Mayor wants for infrastructure.

Like all Queenslanders, Campbell just wants a fair go from his Liberal Party Colleagues in Canberra.

Local Government Reform

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.48 am): The majority of councils are moving forward on the local government reform transition process. As I pointed out yesterday, of the 34 local transition committees, 22 have already been formulated or councils have indicated that they will be formed shortly. While they may not necessarily agree with the boundary changes, they are getting on with the job, and I thank them for their efforts. When their communities have strong councils that provide more opportunities, they will thank them as well.

Unfortunately, sadly, some councils continue to play politics, and I am disappointed in this. I was surprised to see today that the Winton Shire Council will hold a referendum on amalgamations. It is surprising because they are not being amalgamated with anybody. This is a gross waste of taxpayers' money. Taxpayers are being asked to fork out for a poll—and all Australians will pay for this—that will have absolutely no relevance and absolutely no impact. It is this type of silly stunt that led many people to question the effectiveness of some of our councils in the first place. It also begs the question of what political forces are driving some of their mayors. However, if Mayor Ed Warren wants to play this silly game, he should be fair dinkum about it and include a question asking whether council workers and other employees in town want to work under WorkChoices or not.

We just say to those mayors who want to play these National Party games—and let us be clear: this is simply the National Party organising a political campaign to waste taxpayers' money because there is no justification for a referendum in a council—

Mr Johnson interjected.

Mr Springborg interjected.

Mr ACTING SPEAKER: Order! Member for Southern Downs and member for Gregory!

Mrs Sullivan: A waste of taxpayers' money.

Mr BEATTIE: What an absolute waste of taxpayers' money. Here is a council that is not even being amalgamated yet the members are playing a political exercise. I say this to the Prime Minister: you now have people in Sydney, Melbourne, Perth, Adelaide and Hobart who are paying for a referendum where a council is not even being amalgamated. It is an absolute joke. The other councils should follow the lead of the Lake Macquarie council and see if this community supports the Howard government's push for nuclear power stations in our backyards.

I look forward to our councils—and any of the councils on the coast in particular—which want to have a referendum on these issues to include more than just one question. If they are fair dinkum, let us have a number of questions. If they want to have a vote, let us have a real vote. Let us have a question on whether we want WorkChoices.

Mr Johnson: Why didn't you have a referendum on local government?

Mr BEATTIE: The National Party is behind what is happening in Winton. We can hear that, and I see Mr Hobbs nodding in agreement over there. I want to make this point: I know this has been a difficult exercise. The government has made it clear that we will—

Mr Horan interjected.

Mr ACTING SPEAKER: Order! Member for Toowoomba South.

Mr BEATTIE: I know this has been a difficult question, but I do not think anybody in Australia would suggest that a council that has not been in any way amalgamated should be wasting taxpayers' money.

Mr Hobbs interjected.

Mr BEATTIE: You can try to shout me down but you will not succeed in this. I say to the Prime Minister: you started a political exercise and this has now got really silly.

Mr ACTING SPEAKER: Order! Please address your comments through the chair, Premier.

Mr BEATTIE: I will, Mr Acting Speaker. It is very difficult with these interjections to make a sensible point in the parliament this morning. What those opposite are trying to do is shout down my comments that are highlighting, through you, Mr Acting Speaker, to the Prime Minister how outrageous it is for a council that is not being amalgamated to be using taxpayers' money for a political purpose. The National Party is getting behind this campaign. If the Prime Minister does not step in and stop this now, we will have the Prime Minister using taxpayers' money to try to get re-elected.

Let us be really clear: this is a National Party campaign targeted to get rid of Bob Katter, and I do not believe any taxpayers' money should be used to do it. It is the same with the Senate hearings. We have made it clear that we are not proceeding with this legislation, yet the Senate proceedings are going ahead. Again, it is a waste of taxpayers' money on a piece of legislation that is no longer needed and

that is redundant. If Queenslanders wondered why we took the firm line on this, now they understand the silly political games being played by some of these councils that are determined to waste taxpayers' money. Let me make it clear—

Opposition members interjected.

Mr ACTING SPEAKER: Order! Members on my left!

Mr Johnson: You're grinning, Premier.

Mr BEATTIE: I am not at all. This is very serious. Do not say that; it is not true. Let me make the point that nobody in this House—National Party, Liberal Party, Independent or Labor—can justify a council using taxpayers' money to have a referendum on an issue that does not affect them. That is absolutely ridiculous. Let us be clear about it: the National Party is behind a campaign to have a referendum in a council area which is not being amalgamated. I call on the Leader of the Opposition today to disassociate himself from this waste of taxpayers' money. I say to the Prime Minister—

Mr HOBBS: Mr Acting Speaker, I rise to a point of order. I point out to the Premier that in fact all councils are impacted by this legislation, particularly the employees of Winton.

Mr ACTING SPEAKER: Order! There is no point of order. I call the Premier.

Mr BEATTIE: I think that gives a firm indication of what this is all about. It gives a firm indication that that is not only a nonsense but also a political exercise. I am saying very clearly to the Prime Minister: you have now provided a system where the taxpayers of Australia are being ripped off.

Opposition members interjected.

Mr BEATTIE: When they get caught out, Mr Acting Speaker, those opposite do not like it. You got caught out.

An opposition member interjected.

Mr BEATTIE: You got caught out, you see.

Mr ACTING SPEAKER: Order! Please direct your comments through the chair.

Mr BEATTIE: I am, Mr Acting Speaker.

Mr Rickuss interjected.

Mr ACTING SPEAKER: Order! Member for Lockyer.

Mr BEATTIE: You can squeal all you like, but the fact is that this is theft of taxpayers' money and the National Party is involved in a political campaign. I call on the Prime Minister to stop these silly games and stop them now.

Development Application, The Edge

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (9.54 am): I lay upon the table of the House a report prepared pursuant to section 3.6.9 of the Integrated Planning Act 1997 on a development application known as The Edge.

Tabled paper: Report by the Deputy Premier, Treasurer and Minister for Infrastructure pursuant to s3.6.9 of the Integrated Planning Act 1997 in relation to the call in of a development application for The Edge, and appendices.

In my role as infrastructure minister, I called in the development as a matter of state interest involving the South East Queensland Regional Plan on 17 April and refused the application on 13 June. The application lodged by Titanium Enterprises was for a major tourist resort in the Sunshine Coast hinterland hamlet of Kin Kin. It was to comprise 219 units, a golf course, an equestrian facility, a 100-room hotel, restaurants and conference facilities that would attract an estimated 3,000 people on peak days. It was my view that it was clearly inappropriate for the area and it contravened both the Noosa planning scheme and the South East Queensland Regional Plan.

At the request of the Noosa shire, I called in the application to head off a costly court battle between the council and Titanium that could have cost the ratepayers of Noosa hundreds of thousands of dollars. This is an excellent example of how our government works with councils to protect areas of environmental significance in Queensland.

As I have previously advised the House, our protection came without the support of the local Liberal and National Party representatives at both the state and federal level. In fact, the Hon. Warren Truss provided a letter of support for the development which they proudly display on their web site, such are their green credentials. For the benefit of members who have an interest in this, I identify that the material I am tabling, which I am required to table under the act, also includes the material that is on the centre table.

I am also pleased today to table the rural precinct planning guidelines for south-east Queensland councils to further assist them in defining sensible, sustainable development in non-urban areas. These voluntary guidelines will help south-east Queensland councils tailor rural precincts to suit local land use plans and the long-term needs of their communities. Councils will have the flexibility to apply specific land use controls that encourage investment in rural businesses while protecting the individuality of the precincts. Once the guidelines are in place, landowners will be given certainty about future development and they can plan accordingly.

To support the implementation of the guidelines, the Office of Urban Management will fund the establishment of four 'showcase' examples of what can be achieved in agriculture, nature conservation, intensive animal production and ecotourism precincts. I urge councils to work with us to build a better south-east Queensland, and I table the guidelines for the benefit of the House.

Tabled paper: Document, dated August 2007, by Office of Urban Management, titled 'South East Queensland Regional Plan 2005-2026: Implementation guideline No 6—Rural Precinct Guidelines'.

I would encourage all members who represent electorates in the south-east corner that are the subject of the South East Queensland Regional Plan and who have in their areas rural precincts to make themselves familiar with the guidelines.

Death of Mr Dale Cleary

Hon. PT LUCAS (Lytton—ALP) (Minister for Transport and Main Roads) (9.57 am): I want to pay tribute to Dale Cleary, the Main Roads worker tragically killed while carrying out his duties as a bridge inspector last Monday week night. Mr Cleary worked with Main Roads for more than 30 years—a remarkable achievement—serving right across the state. He was one of the department's most experienced and valued bridge inspectors.

I attended Mr Cleary's memorial service yesterday, and it was obvious from the touching and heartfelt tributes and the large turnout just how respected and valued he was as a friend, family man, husband, father to his sons and colleague. Dale Cleary will be remembered as the man who was always first on site and who always made sure that things were done right. Mr Cleary is one of the unsung heroes of Main Roads. He, and others like him, have worked tirelessly behind the scenes on inspecting and maintaining some of our most vital infrastructure. I want to pass on my condolences to his family, particularly his wife and sons, and friends, as well as my thanks for Mr Cleary's long years of service to Main Roads and to Queensland.

Captain Cook Bridge

Hon. PT LUCAS (Lytton—ALP) (Minister for Transport and Main Roads) (9.58 am): As members of this House would be aware, Main Roads takes the safety of its roads and bridges extremely seriously. The decision to close the Riverside Expressway last year is clear evidence of our commitment to safety. It is and always will be the No. 1 priority. In the *Courier-Mail* last Friday allegations were raised about work done on the Captain Cook Bridge as part of an Energex project to run power cables across the bridge. The allegations did not have any individual associated with the project making any statement on the record but we took them seriously, and the paper has made no allegations of structural problems with the bridge.

The *Courier-Mail* first told Main Roads of the allegations surrounding the work at 3.14 pm last Friday afternoon. Main Roads immediately began looking over the project files and put plans in place for an inspection of the bridge. A visual inspection was carried out on Friday by a senior design engineer and a senior bridge inspector as a precaution. Despite claims from some commentators this morning, I note that Friday's inspection confirmed the structure was safe and there was no evidence of structural cracking. Professor Peter Dux from the University of Queensland has agreed to carry out an independent inspection of the Captain Cook Bridge, and weather permitting this will begin tomorrow.

Main Roads will also conduct more detailed inspections of the work, including internal imaging of the steel bars adjacent to where the Energex gantry was installed. This is likely to take at least four weeks and possibly longer. Professor Dux will also be asked to verify that data.

Detailed specifications to ensure the structural integrity of the bridge were provided to the contractor by Main Roads and the work was supervised by a Main Roads superintendent, engineers and on-site inspector. Specifications allowed the contractor to core through no more than one vertical bar for each of the bridge's 182 box girder segments. Contrary to the allegations raised by the *Courier-Mail,* Main Roads inspectors advise there is no evidence the specifications were not met by the contractor. Claims by the paper that the contractor hid breaches of the specifications from Main Roads have also been referred to the CMC.

Can I make it clear to the House that we are treating these claims seriously. As soon as they were raised we acted. We will take the strongest possible action against anyone who has done the wrong thing. I note last Friday morning the Queensland Division of Engineers Australia backed the Main Roads approach to safety. In a media release, the organisation said—

Brisbane commuters using the Captain Cook Bridge, one of the city's major traffic thoroughfares can be reassured of its safety because of high standards of bridge engineering and asset management.

Spokesman Adjunct Professor Cliff Button said—

Given Main Road's commitment to first-class engineering practices and the level of engineering expertise attained by Main Roads from the engineering industry, motorists should continue to use the Captain Cook Bridge without concern.

I also note the editorial from Saturday's paper which indicated Main Roads took action with 'admirable speed'. Can I make it very clear not only to the *Courier-Mail* but to everyone using our major infrastructure that this is our standard approach. I also want to make it clear the paper has made no allegations that Main Roads has acted improperly. I urge anyone with any information about these matters to bring it forward to the relevant authorities so it can be investigated. As I said last week, if it turns out the contractor has done the wrong thing—and I stress if—or if any individuals have done the wrong thing we will throw the book at them.

Tabled paper: Copy of media release, dated 17 August 2007, by Engineers Australia Queensland Division titled 'Bridge Engineering Standards High'.

Consumer Protection

Hon. MM KEECH (Albert—ALP) (Minister for Tourism, Fair Trading, Wine Industry Development and Women) (10.01 am): The Beattie government has a strong record on consumer protection based on our commitment to sensible, effective and sustainable legislation. When it comes to consumer credit both the federal and state governments have responsibility for regulating lenders, whether they be mainstream banks or credit unions or fringe credit providers such as payday lenders.

Recent *Courier-Mail* reports criticising the Beattie government's lack of action on introducing interest rate caps for payday lenders show a clear lack of understanding of the complexities of this issue. I remain committed to introducing measures to ensure vulnerable Queensland consumers are not forced to borrow from payday lenders or fringe credit providers at exorbitant cost, but any regulation has to be effective.

The Beattie government has already taken steps to do this. We have brought fringe credit providers under the Uniform Consumer Credit Code. Now borrowers get a written contract setting out the costs of the loan. Lenders have to take into account the borrower's ability to service the debt.

Additional steps are currently being developed to further protect consumers. Demanding the immediate introduction of interest rate caps might make for a news story, but it will not make Queensland consumers any better off. There is no point in introducing legislation that will fail to do its job. That is what has happened interstate, and we will not repeat that mistake.

New South Wales was forced to amend its original legislation which just capped interest rates because lenders got around the laws by increasing fees and charges. Just yesterday Melbourne's most reputable journal *The Age* reported that one Victorian consumer who borrowed $1,500 to attend a funeral was charged more than $2,000 in fees—hardly an example of successful consumer protection. On the very same day the Queensland media was demanding the introduction of identical laws to those in Victoria. If I did that, I would be feeding Queensland consumers to the sharks.

During my own research into this issue, Queensland fringe credit providers quite arrogantly told me they would get around any laws we introduced. This is a lucrative industry and some lenders have tried every trick in the book to get around legislative approaches elsewhere. I am determined that will not happen here if we learn the mistakes of other states and draft legislation that offers Queenslanders the best possible protection.

If I adopted the approach demanded by some I would be making life easier for the shonks and tougher for Queensland's vulnerable consumers. I will not do that. I make no apology for ensuring we get it right. Unlike other states, the focus of Queensland legislation will be on limiting the total cost to consumers. The Beattie government has already provided a raft of consumer protections and there is more to come.

Water Charges

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland) (10.04 am): Yesterday in this House I was asked a question by the member for Darling Downs about water charges for Queensland irrigators. By his question the honourable member made it clear he does not understand the different charges that apply.

Mr Hopper: Why didn't you tell us yesterday? You didn't know.

Mr ACTING SPEAKER: Order!

Mr WALLACE: I told him yesterday that, basically, there is one charge for water and a separate charge for the infrastructure—the pipes and pumps—that supply this water. I also made it clear that the Beattie government already had announced assistance with water infrastructure charges—so called part A charges—for irrigators affected by the drought. I answered the honourable member fully and hoped to have put the matter to rest.

Irrigators need accurate information about the assistance available to them in this the worst drought on record. To misinform them would be a serious matter as they may miss out on funding. I was, therefore, dumbfounded late yesterday afternoon to see a press release by the member for Darling Downs again getting it totally wrong. The honourable member said I made it clear in this House that there would be no relief for irrigators. He said, unlike my counterparts in Victoria and New South Wales—

Mr Hopper interjected.

Mr ACTING SPEAKER: Order! Member for Darling Downs this is not a debate. I call the minister.

Mr WALLACE: He said, unlike my counterparts in Victoria and New South Wales, I would not be offering any relief for the part A infrastructure charges. I quote directly from my statement in the House yesterday—

In response to the drought we have a wide range of assistance programs to help irrigators. For instance, the Queensland Rural Adjustment Authority is coordinating assistance programs to irrigators affected by the drought ... Irrigators who are struggling can go to see our good friends at QRAA who are administering the scheme. They can apply for a rebate on part A of that charge.

Mr Hopper interjected.

Mr ACTING SPEAKER: Order! Member for Darling Downs, I warn you under standing order 253.

Mr WALLACE: The Beattie government's Irrigators Fixed Water Charges Rebate Scheme commenced in March this year. There have been approximately 1,000 applications for this rebate and more than $1.24 million has so far been paid out. Surely my statement in the House yesterday was clear enough even for the member for Darling Downs to understand. I ask the member to immediately correct his misleading media comments which could deter needy irrigators from applying for the drought relief available to them. With friends like the member for Darling Downs, Queensland irrigators do not need enemies.

State Schools of Tomorrow

Hon. RJ WELFORD (Everton—ALP) (Minister for Education and Training and Minister for the Arts) (10.07 am): One of the most important influences on a child's education is the quality of the schools in which they learn. That is why our government is investing a record $850 million in the State Schools of Tomorrow initiative for major school renewal and modernisation throughout the state. This is part of the $1 billion Tomorrow's Schools package—the largest one-off investment in education facilities in Queensland's history.

Over the past three weeks I have visited three local school communities to deliver the good news that they have been chosen to be part of this exciting initiative. We will be spending millions of dollars in the Inala, Wynnum-Manly and East Ipswich areas to modernise and redevelop groups of state schools in these communities.

Today, I am pleased to announce that the Innisfail community will be the fourth to benefit from this historic initiative. An estimated $20 million will be invested to help the local community create a new educational vision for Innisfail State High that will help secure the best possible opportunities for young people. As many members would remember, Innisfail State High School was one of the schools that bore the brunt of Cyclone Larry's fury last year.

We now have the opportunity to transform this school into a large, innovative 21st century learning environment. We want the local community to consider ideas about new curriculum choices, modern and innovative school design options and the types of high-quality facilities that can be shared with the wider community. Independent community consultation will begin shortly to gather ideas that align the school with the community's long-term educational needs. This is a once in a generation chance to create a sustainable, long-term educational vision for each of these four communities.

I believe there are three essential elements to effective schools: world-class facilities, professional and passionate teaching staff, and engaged communities. Our government's State Schools of Tomorrow program is integral to creating and supporting these three elements. I look forward to seeing the educational visions formed by each of these communities over the coming months.

Peak Housing Organisations

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Information and Communication Technology) (10.09 am): The government has decided to change the funding arrangements of peak housing organisations to ensure we are getting the best possible policy advice. Currently the government funds six different groups representing a mixture of interests. Members will be aware that over the past year we have been creating the one social housing system, a simpler and more streamlined way of allocating social housing. We now have to ensure the peak housing organisations we fund and are dealing with have the capacity and focus to engage with this system and the government. We want the organisations that the Queensland government is funding to be able to tell us how the housing system is responding to the interests of low-income Queenslanders. As a result, we are going to see some consolidation among the different housing organisations. Two organisations will receive additional funding to boost their policy capacity, but four organisations will not have their grants renewed when they expire on 30 September 2007.

The Tenants Union of Queensland will receive additional funding to represent social housing tenants. This is in addition to the funding it already receives to represent tenants in the private rental market in policy and law reform issues. I am pleased to announce that the Queensland Public Tenants Association has come to an arrangement with the Tenants Union of Queensland about working together in the future. Queensland Shelter will be funded to provide policy advice and systemic advocacy about the housing system as it relates to people on low incomes or with high needs. The Queensland Disability Housing Coalition, the Queensland Youth Housing Coalition, the Queensland Public Tenants Association and the Queensland Community Housing Coalition have each contributed in their own way in the past and I want to acknowledge that, especially the work of the volunteer board members. I encourage all to work and share their expertise with Queensland Shelter and the Tenants Union of Queensland in future and we will be calling on the QPTA to assist us in a new tenant participation program that we are going to announce shortly. I want to make sure that I am getting the best consolidated advice regarding low-income Queenslanders in a difficult housing environment, and that is what these new arrangements will achieve.

Indigenous Communities, Alcohol Management Plans

Hon. JC SPENCE (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (10.11 am): This government believes that the enforcement of alcohol management plans in Queensland Indigenous communities is essential in helping to reduce violence and crime. Police are determined to reduce the unacceptable levels of violence and will crack down on anyone bringing alcohol into these communities.

In recent days, 17 people have been charged with a range of offences resulting from police Operation Alcohol Restriction in Doomadgee which targeted liquor, dangerous drug and traffic offences. A total of 11 police from Doomadgee plus the Tactical Crime Squad and the Dog Squad intercepted 88 vehicles over the three days and searched 30 cars for restricted alcohol. Drivers were also breath-tested and 11 drivers recorded a blood alcohol level higher than the legal limit. Police confiscated a large quantity of alcohol and a quantity of drugs. In one vehicle alone police found 18 two-litre wine casks, 18 cartons of full-strength beer and four bottles of spirits. The 17 people charged are expected to appear in court today on charges including unlicensed driving, possession of liquor, possession of a dangerous drug, possession of a utensil, wilful damage and public nuisance.

This operation was in response to recent moves by the Doomadgee council to establish two wet areas within the alcohol management plan zone in recent months. This is an irresponsible action by the Doomadgee council which threatens the health and wellbeing of people in that community. It should be noted that police report local elders and the Doomadgee community justice group appreciated the efforts of the officers in keeping alcohol out of the community and reducing crime. Many locals know the benefits the alcohol management plan brings to the Doomadgee community. However, some members of the council continue to undermine authorities by encouraging locals to drink.

The Queensland government and police continue to punish anyone who brings alcohol into Indigenous communities. Since these plans were introduced in 2002, there have been nearly 2,800 breaches detected by police in the 19 Indigenous communities. While the federal government has had a belated interest in Indigenous communities in recent times, the Beattie government has been tackling the problems of alcohol and violence in these communities for some years now. Stakeholders, including police—and this year I visited the Aboriginal communities in the cape and talked to police—agree that there has been a reduction in the severity of serious assaults and in the degree of violence on the streets at night in most of our Indigenous communities.

Mr ACTING SPEAKER: Before calling the minister for state development, I acknowledge in the public gallery students, teachers and parents from Tullawong State High School in the electorate of Glass House, which is represented by the Government Whip, Carolyn Male.

WorkCover Queensland

Hon. RJ MICKEL (Logan—ALP) (Minister for State Development, Employment and Industrial Relations) (10.14 am): Queensland working families and employers stand to lose out under the Howard government's attempt to sabotage Australia's best workers compensation scheme. But just like WorkChoices, Queensland is fighting back. Last Sunday the Premier and I launched a campaign highlighting the benefits of the WorkCover Queensland scheme, which has the lowest average state premiums and is among the most generous for employees compared to the federal Comcare scheme.

A recent study by an independent actuarial group found that Comcare costs employers more and pays less compensation to working families. The fact is that Queensland has had Australia's lowest average premium rate for the past seven years. Queensland also offers flexible payment options, including a three per cent discount if paid in full by 16 September and interest-free periodic payments. The top 2,000 premium payers in Queensland account for 90 per cent of the pool. The movement of a number of these companies to self-insurance will result in pressure on the state system. Why should Queensland's working families and employers be punished by the Howard government's mad drive for power?

Queensland industry enjoys the lowest rate of claim disputes in Australia at just 3.8 per cent in 2005-06. The national average disputation rate was 9.2 per cent, with Comcare at 8.3 per cent. As our campaign will highlight statewide over the next few weeks, under Comcare working families are not covered for injury while travelling to or from work or during recess periods. They are in Queensland, where claims are settled quicker. In 2005-06, 90 per cent of disputes were resolved within three months, while more than half of Comcare disputes took longer than nine months to resolve.

Queensland also has the highest levels of benefits in Australia in the case of work related severe injury or death. Any way you look at it, the state scheme wins out. The safety of Queensland working families is also protected by comprehensive workplace standards and compliance overseen by 250 inspectors. By contrast, Comcare inspector numbers are reportedly increasing to a target of 50 Australia-wide—so 250 in Queensland alone; 50 Australia-wide under John Howard—which means the assistance and enforcement available cannot match Queensland's effort. The federal government is again creating havoc for employers and uncertainty for working families already hit by cuts to pay and conditions.

Storm Preparation

Hon. N ROBERTS (Nudgee—ALP) (Minister for Emergency Services) (10.17 am): I want to commend the residents of south-east Queensland who heeded the Bureau of Meteorology's severe weather warning yesterday and made preparations around their homes. As the Premier has noted, around 130 SES volunteers across south-east Queensland have been working from late yesterday afternoon and throughout the night responding to calls for assistance following the severe weather. I want to commend those SES volunteers and other Emergency Services personnel who were rapidly on stand-by to provide assistance to residents.

Across the region SES crews responded to over 50 requests for assistance, and more calls are coming in this morning. This weather event occurred outside of our traditional storm and cyclone season. However, it is a timely reminder that it is never too early to be prepared. That is especially true with the bureau forecasting that the wild weather could continue for several days, with damaging wind gusts of up to 90 kilometres per hour in the south-east corner today. I encourage all residents to clear their properties of loose items, put garden furniture and toys inside, shelter and secure animals, and ensure they have a portable radio, spare batteries and a first-aid kit available.

Those in the path of the predicted severe weather should try to stay inside and Those planning to go boating should reconsider their plans. If anyone needs assistance from the SES following the predicted storm, they should remember that the new statewide number is 132500. Of course, those faced with a life-threatening situation should always call 000.

On that note, I would like to commend the media for their efforts in promoting the new 132500 number. Yesterday staff processed around 90 calls, referring them to local SES units and also other agencies as appropriate. As members would be aware, this single telephone number replaced more than 1,200 numbers which have been used by members of the public across the state to contact their local SES. They now have a single number by which to do that.

The new number also has other benefits. For example, if an emergency call centre has been established in an area which is experiencing a particular emergency, calls from that area can be diverted direct to that call centre. I encourage all Queensland residents to take note of this new number and to keep it somewhere prominent for when they require help from the SES. Other helpful hints on how best to protect life and property during a storm can be obtained by visiting the department's web site.

Child Safety Department

Hon. D BOYLE (Cairns—ALP) (Minister for Child Safety) (10.20 am): I would like to inform the House about an interesting new strategy which should strengthen ties between the Department of Child Safety and the legal profession. Two law students recently spent a month working at the Brown Plains Child Safety Service Centre. From all reports it was a win-win situation. Child Safety staff benefited from their legal expertise and the students, both law graduates, gained valuable practical experience. In fact, the one-month stint counted towards their Graduate Diploma of Legal Practice which they must complete if they want to practise law.

These law graduates were certainly kept busy. They assisted in the preparation, research and drafting of applications and supporting affidavits for the Children's Court; they assisted as note takers at family group meetings and court ordered conferences; they assisted in a project to locate parents who had been difficult to contact; they assisted in preparing and coordinating matters to be mentioned at court; they assisted in trial preparation, post court tasks and drafting correspondence to external stakeholders; and, in a real bonus for the students, they both had an opportunity to appear at court after leave was granted by the magistrate. It is hoped that this initiative can now be repeated in Child Safety service centres across the state. As I have said, our staff gain by having someone assisting in court preparation and law students gain by improving their practical skills and their understanding of child protection legislation.

There is another benefit over and above these considerations. Sometimes people, including members of the legal fraternity, have misconceptions about the work of Child Safety officers. By spending a month in a Child Safety service centre, law students will have a much greater insight into and respect for the challenges faced by our front-line staff. In this way we can truly strengthen the relationship between solicitors and Child Safety workers. After all, our common goal should always be the protection of children.

Population Growth

Hon. AP FRASER (Mount Coot-tha—ALP) (Minister for Local Government, Planning and Sport) (10.22 am): Queensland is continuing to undergo historic, unprecedented population growth which in turn places us in the enviable but confronting position of leading the nation's growth. The department of local government and planning's Planning Information and Forecasting Unit will today release its latest analysis of population data based on the preliminary results of the 2006 census.

The analysis shows annual population growth in the south-east corner between the 2001 census and the 2006 census averaged 66,000 people. That equates to adding a city the size of Rockhampton to the south-east corner every year. Brisbane, with an extra 19,100 people, and the Gold Coast, with an extra 16,700 people, recorded the largest annual average growth of any local government area in the nation. They comprise a significant part of the 2.6 per cent growth across the south-east corner.

Caloundra grew at 4.1 per cent, Maroochy recorded growth of 3.7 per cent, while Crows Nest grew at 5.30 per cent and Cambooya grew at 3.9 per cent. Our regional cities also continued to record strong average annual growth, with Mackay experiencing a growth rate of 3.5 per cent, Hervey Bay a growth rate of 4.9 per cent and Thuringowa a growth rate of 3.6 per cent. Cairns, at the heart of the new FNQ 2025 Statutory Regional Plan, grew by 3,786 people to lead the growth outside the south-east corner.

To put all of that in context, the overall rate of Queensland's growth between the two censuses was 2.4 per cent. National growth was 1.3 per cent. In fact, two of our three fastest growing areas were outside the south-east corner. Weipa had an annual growth rate of 6.9 per cent while Nebo had a growth rate of 5.1 per cent. This is critical information for strategic planning, an essential part of which is building stronger, more sustainable councils.

The independent Local Government Reform Commission quite rightly used population growth, along with future population projects, in reaching its recommendations. The area immediately north of Brisbane, for example, which will be incorporated in the new Moreton Bay Regional Council will accommodate about 11 per cent of south-east Queensland's future population and housing growth over the next 20 years. That speaks volumes for the need for streamlined local government in those areas. It speaks volumes that our fastest-growing areas are in our resources corridor and along the coast where we need to create more robust councils.

The information being released today on the back of the census data is indispensable. It is crucial as we deal with our phenomenal growth to maintain all that is great about this state of ours for future generations.

Interruption.

PRIVILEGE

Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland

Mr HOPPER (Darling Downs—NPA) (10.25 am): I rise on a matter of privilege suddenly arising. The Minister for Natural Resources and Water has deliberately misled the House and cast aspersions on my character. The St George irrigators are not eligible for rebates simply because they do not work on a system of announced allocations. Instead, they work on a system of capacity share. We have an example of how a landholder is paying $125,000—

Mr SCHWARTEN: I rise to a point of order.

Mr ACTING SPEAKER: Order! Will all members resume their seats. If you are alleging that the minister has deliberately misled the House then you need to write to me on that matter seeking a referral to the Members' Ethics and Parliamentary Privileges Committee Other than that, we are not debating the essence of it. So are you making that allegation?

Mr HOPPER: I am making an allegation that the minister said that I was wrong and I am not. I am right.

Mr ACTING SPEAKER: Order! Are you making an allegation that the minister misled the House?

Mr HOPPER: I will write to you later.

Mr ACTING SPEAKER: Thank you.

Resumed.

MINISTERIAL STATEMENT

Commercial and Recreational Fishing

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries and Fisheries) (10.26 am): The Department of Primary Industries and Fisheries is continuing to focus on maximising the economic potential of Queensland's commercial and recreational fishing sectors while also ensuring sustainability. During the past four years this government has delivered across a range of fisheries sectors, including introducing extensive reforms to Queensland's fishing legislation which has resulted in a simpler fees and licensing system. These changes have provided commercial fishers with more business security and increased efficiencies.

The government is also securing Commonwealth export approvals for a range of Queensland fisheries through the ongoing monitoring of sustainability; negotiating draft management plans for tropical rock lobster, finfish and prawn fisheries in the Torres Strait; developing an operational plan for sharks on the east coast, which provides more security to the industry for continued access to shark stocks; developing a range of policies and management arrangements for the reef and harvest fisheries; supporting the industry throughout the Gladstone oil spill incident to ensure consumer confidence in the Queensland product; implementing new management arrangements for reef line, trawl, harvest, crab and freshwater fisheries; producing and implementing an oyster industry development plan to increase the production of rock oyster areas by establishing minimum production levels for oyster growers; progressing new management arrangements for shark, mackerel and mud crab in the Gulf of Carpentaria; reviewing the East Coast Trawl Management Plan; and commencing an extensive and transparent fisheries consultation which will lead to the development of a management plan for the East Coast Inshore Finfish Fishery.

This government and the Department of Primary Industries and Fisheries have also been strong advocates in supporting the commercial fishing industry in lobbying the Australian government and Biosecurity Australia to develop stricter risk assessments for imported green prawns.

Overall, Queensland's fisheries are in good shape. To achieve this, some difficult management decisions have been made. Some of these decisions have had significant impacts on the commercial and recreational sectors. Both sectors have worked with the government to achieve what is best for Queensland's fisheries and for this they should be commended. We will continue to work with all fishing sectors.

NOTICE OF MOTION

Local Government Reform

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (10.29 am): I give notice that I shall move—

That this Parliament ensure that, in the event of the amalgamation of Councils—

1. communities be allowed to appeal the decision to the Electoral Commission;
2. a no disadvantage test be conducted so that ratepayers can be assured that—
   - Rates will not rise above the CPI;
   - Council services will not be withdrawn or lessened; and
   - There will be no local job losses for Council staff delivering services.

DISTINGUISHED VISITORS

Mr ACTING SPEAKER: Order! Honourable Members, today it is my very pleasant duty to welcome to our public gallery a Commonwealth Parliamentary Association delegation from the United Kingdom. The leader of the delegation is the Right Honourable Kevin Barron MP and the other members of the delegation are Lord Alf Dubs, Ms Anne Moffat MP, Mr Edward O'Hara MP and the Right Honourable Sir John Stanley MP. I also welcome the delegates' partners and Mr Terry Sullivan, a former member, who is accompanying them today. I also advise honourable members that Mr Speaker has granted permission for photographs of the delegation to be taken whilst in the gallery.

QUESTIONS WITHOUT NOTICE

Queensland Ambulance Service

Mr SEENEY (10.30 am): My first question without notice is to the Premier. I table a copy of a recent Labor Party campaign brochure that features a Labor candidate together with Queensland ambulance officers and a QAS vehicle.

Tabled paper: Copy of photo captioned Kevin Rudd and Garry Parr—Fresh Ideas for Hinkler.

I ask: why is it appropriate for Queensland ambulance officers to feature in Labor Party campaign advertising when the Premier threatened to sack State Emergency Service volunteers for wearing their uniforms during traffic control at protest rallies against the government?

Opposition members: Shame, shame.

Mr BEATTIE: Members should be a little patient with their rehearsed lines.

Oppositions members: Oh!

Mr BEATTIE: Let us have a sensible answer. It is a fair question; let me give a fair answer. I shall start with the SES issue. No such threat was issued against anybody.

Opposition members: Oh!

Mr Seeney interjected.

Mr ACTING SPEAKER: Order! Leader of the Opposition, you have asked the question.

Mr BEATTIE: There was not a threat.

Mr Seeney: I'll get you the email, if you give me two minutes.

Mr BEATTIE: You can get me the Queen, the Pope or whomever you like, but I am going to give you an answer.

Mr Seeney: Don't tell lies.

Mr ACTING SPEAKER: Order! Leader of the Opposition, that is unparliamentary. Premier, please direct your comments through the chair.

Mr BEATTIE: Mr Acting Speaker, if I could I would and I will. Through you, Mr Acting Speaker, I make it very clear that there was no threat in relation to the SES. The issue was simply—

Mr Seeney: That is not right, Premier.

Mr BEATTIE: Mr Acting Speaker, can I actually answer this question?

Mr Seeney: I'll get you a copy of the email from your own department.

Mr ACTING SPEAKER: Order! Leader of the Opposition, I warn you under standing order 253.

Mr BEATTIE: What I am trying to say is that there was no threat to the SES officers, as I understand it. There was an indication from a departmental person, not from the government, as I understand it, and I do not have—

Opposition members: Oh!

Mr BEATTIE: Good heavens! They were told that they were not to be part of a political campaign. Indeed, I have been assured that no threats have been made to sack any SES volunteers if they take part in a rally against council amalgamations. I have no issues whatsoever with them taking part in a rally in an individual capacity. If they want to go as an individual they can. I put it on the record today that if anyone in the SES wants to attend in their private time in an individual capacity, they are welcome to do so.

In fact, the Deputy Executive Director of Emergency Management Queensland had written to the local controller reiterating the point and asking him to make sure that the local members were reminded of that fact. However, it is simply inappropriate for the State Emergency Service to be asked to provide official services to a political rally, be it Labor, National or Liberal. That is a longstanding practice.

I understand that the organisers of the rally appropriately applied to the Queensland Police Service for permission to hold the rally. I am advised that the application was approved and the police did provide control on the day. There are more than 9,000 SES volunteers across the state and I have nothing but the greatest admiration for them. I think that answers the question.

The basic premise of the Leader of the Opposition's question was wrong. I have now clarified that. I do not know of the circumstances behind the advertisement involving Kevin Rudd and Gary Parr. I do not know what the position was. I do not know whether they asked for permission. I do not know who asked for what. I am happy to find out and let the Leader of the Opposition know.

Local Government Reform

Mr SEENEY: My second question is to the Minister for Local Government, Planing and Sport. I refer to a claim by the minister yesterday in this parliament that he had universal support from his colleagues for his agenda of forced council amalgamations. In a letter sent to constituents, the member for Redcliffe said—

> The decision to amalgamate Redcliffe surprised and disappointed me. I supported Redcliffe City Council's submission to remain independent.

I ask: if the minister has total support from his colleagues, why are they taking one position in here and another position in their electorates?

Mr FRASER: I thank the Leader of the Opposition for his question and the opportunity to affirm to him that, to a person, the members of the Beattie Labor government are absolutely committed to dealing with the growth that is occurring in Queensland by building stronger councils. We have been absolutely clear from the start that this would cause us some political difficulties. The reason we are doing this is not that it is politically easy for us but that it is the right thing to do. The Leader of the Opposition would do well to learn from this government about what it takes to show real leadership.

The Leader of the Opposition takes the sort of position where he publishes letters to the editor all over the state saying, 'We're not saying whether the mergers are right or wrong. We'd like to know what people think about it. We think that mergers can work in some parts.' Ultimately the Leader of the Opposition should come clean on which mergers he thinks are appropriate.

Does the Leader of the Opposition think that every single merger proposed by the Local Government Reform Commission should not proceed? What does he think of the whole box and dice of reform? Does he think that every doughnut shire should continue? He should take a position on this rather than pretending that he is the only person outside of the opposition who does not include any of these issues in their public persona. He is as bad as the Prime Minister, who is out there—

Mr ACTING SPEAKER: Order! The minister will refer to members by their correct title.

Mr Johnson interjected.

Mr ACTING SPEAKER: Order! Member for Gregory.

Mr FRASER: He is as bad as the Prime Minister who says, 'I'm not expressing a view about mergers one way or another, but I think people should have a say.' The Prime Minister and the Leader of the Opposition are out there walking both sides of the street. It is like saying, 'I promise interest rates won't go up.' His lips are moving but he is not actually saying anything. If you want a justification for what we are doing—

Opposition members interjected.

Mr ACTING SPEAKER: Order! I am on my feet.

Mr FRASER: Thank you, Mr Acting Speaker.

Mr Johnson: You'd know about interest rates.

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

Mr FRASER: If members want a justification of why we have undertaken this difficult but right decision for Queensland, it is this. The data I released this morning shows that that is what is occurring in growth across Queensland. We are leading the nation. This is a map of what we are doing with council reform. That is what has happened in the last five years. That is what is going to happen—

Mr SEENEY: I rise to a point of order. Obviously the minister misunderstood my question. I want to know why his members are taking one position in here and another in their electorates.

Mr ACTING SPEAKER: Order! There is no point of order. The member will resume his seat.

Mr FRASER: They absolutely are not.

Mr ACTING SPEAKER: Order! The minister will direct his comments through the chair.

Mr FRASER: The only people taking different positions are the member for Kawana, the member for Caloundra, the member for Cunningham who said during the debate, 'I think the doughnut shires should actually be—'

Time expired.

Federal Government Funding

Ms NOLAN: My question is to the Premier. This morning it was revealed that the Howard government has been withholding funding for vital services. What does this mean for Queenslanders?

Mr BEATTIE: This morning Australians woke to the news that a leading economist had discovered what many of us had feared and, in fact, what I have been saying. The Howard government has drastically underfunded services vital to all of us.

Rory Robertson is an economist with Macquarie Bank and he has done an analysis of where the federal government has got its money and how it has been spending it. What he has found is bad news for Queenslanders who want an education, improved health care and dental care, or so-called safe federal highways. The Macquarie Bank has found that, despite record income from taxes, the Howard government has been sneakily cutting the money it gives taxpayers back through services.

This morning Mr Robertson told the ABC's radio program *AM*—

Canberra's tax to GDP ratio on any credible or consistent measure is hovering around all time highs—

that is, their tax is high—

while Canberra's net payment to the States are hovering around three-decade lows.

In other words, they have been underfunding the states. The truth is out.

In short, he has found that even with the goods and services tax—the GST—real funding to the states has fallen from more than seven per cent of GDP in the early eighties to just five per cent now. The GST turned out to be nothing more than a con. We have actually had the three-card trick played on the states. We are now worse off as a result. It means that in an economy like Queensland, where we have an additional 1,500 people every week, including interstate migration of 900—we have a million people moving into the south-east corner—the Commonwealth is not helping us fund it. I think that these revelations are not just depressing but highlight just how deceitful the Howard government has been.

In real terms, despite a massive growth in population, the Prime Minister has been short-changing Queenslanders by sneakily cutting the amount of money that comes back to fund vital services for our community. That is what it means. The real tragedy of this situation is that, while the Prime Minister is squirrelling away billions of dollars for pre-election pork-barrelling, Queenslanders are missing out on badly needed increases in federal funds. The next time someone waits to get into a hospital or gets caught in traffic or is worried about class sizes they should understand that we are doing our bit but the Commonwealth is not.

No-one can say that the Macquarie Bank is a branch of the Labor Party; quite the contrary. In short, Mr Robertson has found that, even with the goods and services tax, real funding to the states has fallen from more than seven per cent of GDP in the early eighties to just five per cent. This requires a restructuring of the Federation. This requires a re-examination of state-Commonwealth relations. We deserve a better go than this.

Your Rights at Work Campaign

Dr FLEGG: My question without notice is to the Minister for Health. I refer to a Queensland Health memo entitled 'Your rights at work campaign' dated 15 August 2007. The memo indicates that it has been issued with the support of the government and that the human resources branch of the department will coordinate a political campaign on behalf of Queensland unions. As part of that campaign, it is conducting a pilot study at the Princess Alexandra Hospital where nominated delegates will hold discussions with every worker over a period of several weeks and request workers to sign a petition.

Can the minister not see that this is an abuse of the Public Service within Queensland Health and an abuse of taxpayers' funds with his department conducting a blatant political campaign?

Mr ROBERTSON: The member will table the document, I take it?

Dr Flegg: I table the document.

Tabled paper: Copy of memo, dated 15 August 2007, from Mary Kelaher, Senior Director, Human Resources Branch, titled 'Your Rights at Work Campaign'.

Mr ROBERTSON: Because what that document shows is no such thing. Once again the Deputy Leader of the Opposition gets caught out with the truth. He remains a stranger when it comes to his relationship with the truth because that memo says no such thing. What that memo does, however, is give right of access to union officials to speak with workers about the dangers of the federal government's industrial relations WorkChoices. What is wrong with that?

Dr Flegg: You better read it.

Mr ROBERTSON: What is wrong with informing workers about their rights?

Dr Flegg: You better read it.

Mr ROBERTSON: What is wrong with workers in Queensland Health being made aware of the dangers of going down the federal government's WorkChoices path?

Dr Flegg: You better read it.

Mr ACTING SPEAKER: Leader of the Liberal Party, you have made that point.

Mr ROBERTSON: It will no doubt be part of the next round of the Australian Health Care Agreement. We already know that the agenda of John Howard is that when it comes time for the Australian Health Care Agreement negotiations next year—should he be returned to office—then one of the conditions that he will impose on Queensland Health and all other public health systems in this country is to sign up to WorkChoices. That is the real agenda and that is what you are apologists for.

Mr ACTING SPEAKER: Order! Minister, please direct your comments through the chair.

Mr ROBERTSON: Through you, Mr Acting Speaker, they are apologists for John Howard's WorkChoices legislation. If what it means is that Queensland Health workers are provided with knowledge and information about the dangers that are ahead of them if they are forced to go down the WorkChoices path then I have no problem with workers being informed about the truth. If you read that memo closely there is a guarantee of no disruption to work, no disruption to the running of our hospital system, but it does give right of access for union officials to talk to workers about their rights—something that you struggle with, something that you want to take away, something that you want to apologise for when it comes to your federal industrial relations agenda. That is your embarrassment.

Dr Flegg: It is run by your department.

Mr ACTING SPEAKER: Order! Leader of the Liberal Party. Minister, please direct your comments through the chair.

Mr ROBERTSON: Mr Acting Speaker, through you, what we have here is the coalition finally coming clean about its support for the federal government's industrial relations agenda. From time to time we have seen over the last 12 months those opposite come in here and try to straddle both sides of the barbed wire fence in relation to their support or otherwise for WorkChoices. But the Deputy Leader of the Opposition's question here today demonstrates in no uncertain terms that he supports the Howard industrial relations agenda and that is the simple message. I will be telling each and every one of the 62,000 Queensland Health workers in this state: vote for you and you get WorkChoices.

Mr ACTING SPEAKER: Order!

Mr ROBERTSON: Mr Acting Speaker, that is the agenda being pursued by the opposition here today.

Local Government Reform

Ms MALE: My question without notice is to the Premier and Minister for Trade. The Premier has indicated that the majority of councils are getting on with the job of local government reform. However, is the Premier aware of any cases where the process may be muddied by party politics?

Mr BEATTIE: The answer to that is yes, and I have already indicated this morning that one of the examples of that is Winton, where we have a council that is not being amalgamated but is running an amalgamation referendum. I think that highlights exactly the political nature of what the National Party is doing. But it is more than that. On the Gold Coast we have the Liberals using the reform process as an excuse to run a Liberal Party campaign against Ron Clarke. I make it clear today that the Labor Party will not be running a team on the Gold Coast, but the Liberal Party is. But as is typical within the Liberal Party, their factional fight continues. With no consultation with local members on the coast, the back office boys in Brisbane have decided to run a ticket in the 2008 election. How well has that gone down? In division 8, councillor and self-confessed member of the Liberal Party, Bob La Castra was outraged, stating that he had never supported politics being part of local government. If the local Libs are not happy about it then who is? My sources tell me the reason is that the Libs are furious that the Nationals are running in the seats of Fadden and Forde. We love three-party contests, we really do. What it is is a get square.

In fact, if there was ever going to be an amalgamation I think I might agree with the former Leader of the Opposition that there should be amalgamation of the National Party and the Liberal Party. That is the sort of forced amalgamation that might produce something better. You can always live in hope. If ever there was an amalgamation we should legislate for it is amalgamation of the National Party and the Liberal Party.

Mr Schwarten: Lawrence would agree with that.

Mr BEATTIE: Yes, Lawrence does agree with that. So there you go, Lawrence, you and I have something in common: we believe in forced amalgamations.

As the fallout from the three-cornered contest on the joint Senate ticket continues—we know there is a big brawl going on over there about the joint Senate ticket—what about poor old Ron Boswell in the death seat at No. 3? I hope he has his entitlements all sorted out. What happened in the National Party; he just rolled over to the Liberal Party. The first two seats go to the Liberals and the third goes to the Nationals. Poor old Ron—Ron 'I'm-praying-a-lot-for-everything-to-get-me-through-this-vote'.

When we look at the polls we see that Ron is not looking good. The latest Morgan poll that came out today shows that support for the National Party is just four per cent, down 0.5 per cent. You will not get a senator. I tell you what, this is bye bye, Ron. But not only that, look at this: support for Pauline Hanson, who made headlines last week with all sorts of controversial remarks, has support of five per cent. Really what Ron should do is run for One Nation—whatever they call themselves now, I have forgotten. Pauline keeps moving on. Pauline Hanson is at five per cent; the National Party is at four per cent. I have to tell you, poor old Ron is in a lot of trouble.

Mr Mickel: But who's selling the deal?

Mr BEATTIE: We know that the Leader of the Opposition supports the joint Senate ticket. He is a strong supporter of the joint Senate ticket and a great supporter of Ron Boswell. You will not be on Ron Boswell's Christmas card.

Mr ACTING SPEAKER: Please refer to the member by his title, Premier.

Miss Simpson: Mr Acting Speaker—

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (10.49 am): I move—

That the Premier be further heard.

Miss Simpson: That's arrogant abuse!

Opposition members interjected.

Mr ACTING SPEAKER: Order!

Division: Question put—That the Premier be further heard.

AYES, 51—Barry, Beattie, Bligh, Bombolas, Boyle, Choi, Croft, Darling, Fenlon, Finn, Fraser, Gray, Hayward, Hoolihan, Jarratt, Jones, Keech, Kiernan, Lavarch, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Pearce, Purcell, Reeves, Reilly, Roberts, Robertson, Schwarten, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wells, Wendt, Wettenhall, Wilson. Tellers: Male, Nolan

NOES, 28—Copeland, Cripps, Cunningham, Dempsey, Flegg, Foley, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, McArdle, Malone, Menkens, Messenger, Nicholls, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Elmes, Rickuss

Resolved in the **affirmative**.

Mr BEATTIE: This could all have been dealt with after about a minute. I do not know why the opposition wanted to highlight and help us make an issue—

Opposition members interjected.

Mr ACTING SPEAKER: Order! We have had a division on the issue. I call the Premier.

Mr BEATTIE: All you have done is highlight the issue we wanted to highlight: that is—

Mr Copeland: Your arrogance.

Mr BEATTIE: What we wanted to highlight—

Mrs Sullivan: You can't handle the truth.

Mr ACTING SPEAKER: Order! Member for Pumicestone!

Mr BEATTIE: The Senate is the states' house. What we have seen—and I thank the Leader of the Opposition for highlighting this by calling a division—is that the National Party dumped Ron Boswell. That is what they did. They put him in an unwinnable No. 3 spot. That is what they have done. It is unwinnable. Based on the latest Morgan poll, he could not win it even with Pauline Hanson's support. Do members remember Ron Boswell's slogan? It was something like 'Not pretty, but pretty effective'. What he is now is 'pretty well left out'. That is what has happened to him. And, Leader of the Opposition, you did it. That is why the joint Senate ticket has caused enormous tension over there. It is the split within the Liberal Party, within the National Party. You rolled over for the Liberal Party. I do not believe those—

Mr ACTING SPEAKER: Order! Premier, please refer to members by their title.

Mr BEATTIE: I did not refer to anyone.

Mr ACTING SPEAKER: You referred to him as 'you'.

Mr BEATTIE: Sorry. As I was saying, those opposition members over there—and I refer generally to them—rolled over and they did it over Ron Boswell. That is what happened. I am not going to allow the joint ticket or the nonsense of trying to politically interfere in the Gold Coast City Council to go without some reference to them.

One of the last points I will make in relation to this is the issue about why these council amalgamations are so important. If members look at the latest census figures which the minister for local government referred to, we will understand why they are necessary. In the census covering the five years from 2001 to 2006, the nation increased its population by 1.3 per cent. In Queensland, it went up by 2.4 per cent; in Victoria, by 1.3 per cent; in the Northern Territory, by 1.3 per cent; in the ACT, by 0.9 per cent; in Tasmania, by 0.8 per cent; in New South Wales, by 0.7 per cent; and in South Australia, by 0.7 per cent. In other words, we can see that Queensland is the growth state of Australia.

If we look at this map that I am holding—and I urge everyone to look at it—it shows the census comparisons. What we see are the hot spots and the growth areas. The largest growth is in red and that is in the south-east corner; that is quite clear. The orange colours show the second largest growth areas. The ones with the lowest growth are green. If we look at that map showing the growth areas and compare it with this other map which shows the council amalgamations—and the green on this map is the area that was untouched—we can see a plan for the growth of the future of this state. We have said that we need stronger—

Opposition members interjected.

Mr BEATTIE: What we have is not just a plan for now, we have a plan for—

Mr Rickuss: It's the colour of money.

Mr ACTING SPEAKER: Order! Member for Lockyer!

Mr BEATTIE: I am determined to make this point because it confirms exactly why we need stronger councils for a growing Queensland. This map I am holding up shows the council amalgamations; this other map shows the census figures. I say to Queenslanders that if you want to understand—

Mr STEVENS: I rise to a point of order, Mr Acting Speaker. The Speaker of the House has made a definitive ruling that he would not stand for people waving around brochures in the House.

Mr ACTING SPEAKER: I have sought advice and the ruling of the Speaker referred to protest material. Maps and newspaper articles were allowed to explain arguments.

Mr BEATTIE: Can I reiterate this again and say to Queenslanders: this map shows the census growth and where the growth in Queensland is, and this other map is a dovetail, if you like, of our local government boundaries and where the independent commission recommended there be amalgamations. This proves beyond doubt—it is absolute proof—why we need stronger councils for a growing Queensland.

In conclusion, I want to make this point. I know there are considerable tensions on the other side of the House. We know there are fights within the Liberal Party and the National Party about the joint Senate ticket and the preselections on the Gold Coast. But I have to say that the behaviour of the House today, through you, Mr Acting Speaker—

Mr Horan interjected.

Mr ACTING SPEAKER: Order! Member for Toowoomba South, I warn you under standing order 253.

Mr BEATTIE: I want to make this point: the opposition has sought at every occasion today to try to disrupt any sensible argument put to this parliament. I would hope the Leader of the Opposition would provide some leadership and let this parliament do what it is supposed to do. If you want to ask questions, let us be given a chance to answer them. Through you, Mr Acting Speaker, the behaviour of the opposition today is a disgrace.

Mr ACTING SPEAKER: Order! I acknowledge in the public gallery students, teachers and parents from the Logan City Special School in the electorate of Woodridge, represented in the chamber by the honourable Desley Scott, and also students, teachers and parents from Kings Christian College in the electorate of Mudgeeraba, represented in the House by the honourable Dianne Reilly.

Local Government Reform

Miss SIMPSON: My question is directed to the Minister for State Development, Employment and Industrial Relations. There has been no detail on the structure of the future employing authorities of the state's 37,000 council employees and the minister has given these council workers no guarantees of job security or job locality after three years. I ask the minister: what secret deal did he make with the unions involved for their silence during the amalgamation debate? Wasn't this deal about giving away the rights of individual workers to live and work in their local communities in exchange for a union power grab over membership?

Mr MICKEL: The question lost nothing in imagination, that is for sure.

A government member: And fact.

Mr MICKEL: And probably in fact. Let me say a couple of points about the union movement and local government. I think it was the National Party candidate for Flynn who as mayor of the Banana shire wanted to put all his workers on WorkChoices. Wasn't that right?

Mr Pearce: That's it.

Mr Hoolihan: That's right.

Mr MICKEL: What happened there was that the workforce through the union movement stood up and said, 'We've had a look at this, and we're against it.' There was a backdown then not only by the National Party candidate for Flynn but also throughout local government.

The second point I would make is that our position on WorkChoices with respect to local government, unlike the federal government, has been very consistent. We are opposed to it. That is why we joined in the action against the Etheridge Shire Council in the court system. Previously the federal government had a view—that is, when it was not facing calamity in the polls—that local government was the province of the state government. That is the position we have consistently put. I know that the new IR minister, Mr Hockey, probably under pressure from the Prime Minister, now has a different view.

The member asked specifically about the local government amalgamations. I think the honourable minister for local government has made it quite plain: 40 per cent of the local authorities were under some financial pressure. The point is this: if you are under financial pressure, you cannot grow. One of the decent things about the new amalgamation in Logan, and I know it has been criticised—criticised because it did not go far enough—is this: when I spoke to the people employed by Logan council they were absolutely delighted at the new challenges. In fact, I spoke with them last week. What they are keen to do is offer an enlarged workforce because now they will have a workforce that can be planned and new services that can be delivered, particularly in areas like Greenbank.

I noticed the opposition saying earlier that our backbench has some reservations. What about the reservations of the Deputy Leader of the Liberal Party, who said that he supported the amalgamation on the Sunshine Coast, whereas the member for Noosa said that he is opposed to it? The opposition cannot hold a consistent line between breakfast time and question time. Lack of leadership by the Leader of the Opposition does that. We have the faltering leadership of the member for Moggill, hanging as it is now, waiting for the member for Kawana to return from sick leave, when the member for Clayfield will dispatch him.

Time expired.

Fuel Prices

Mr McNAMARA: My question is for the Deputy Premier, Treasurer and Minister for Infrastructure. The Deputy Premier yesterday announced that the government has established a fuel commission of inquiry headed by His Honour Justice Bill Pincus. Can the Deputy Premier detail any further developments in relation to that inquiry?

Ms BLIGH: I thank the honourable member for the question and for his well-known interest in the subject of not only petrol prices but also oil generally. I am pleased to advise the House that Brisbane barrister Peter Davis SC has accepted the appointment as counsel assisting the fuel commission of inquiry. Mr Davis has undertaken significant commercial litigation, including in the areas of bankruptcy and insolvency. He has appeared before both the Federal Court and the Supreme Court of Queensland, and earlier this year was engaged to assist former New South Wales Chief Justice Sir Laurence Street in providing an opinion relating to a death in custody on Palm Island. He was subsequently instructed by crown law to undertake a prosecution in that matter. I am very confident that Mr Davis will be a very able assistant in the deliberations of Mr Pincus and his inquiry.

Yesterday the government did announce that it would be embarking on a commission of inquiry under the Commissions of Inquiry Act to get to the bottom of what is an increasing trend where the differentials being paid by Queensland motorists for their petrol are declining compared to those paid in both New South Wales and Victoria. Sometimes we come into this House with a great deal of confidence that the programs we are embarking on will enjoy some bipartisan support. So I have to say I was somewhat surprised yesterday to find the member for Callide, the Leader of the Opposition, being so negative about this commission of inquiry because this whole issue has quite a long history. I have done a check now and can advise the House that all opposition leaders going back to Rob Borbidge have called for a royal commission of inquiry into fuel or petrol pricing. So Rob Borbidge has called for a commission of inquiry, Mike Horan has called for a commission of inquiry and supported one, and Mr Springborg has called for a commission of inquiry and supported one. Rob Borbidge back in May 2000 was demanding one. Mike Horan in December 2001 called for one. Liberal leader Bob Quinn in January 2003 spoke very fondly of one.

A government member interjected.

Ms BLIGH: Yes, the last time the Liberals had a leader, Bob Quinn in 2003 spoke very fondly of one. Mr Springborg in 2003, 2004 and 2005 in varying forms called for one. In fact, Mr Springborg was so enamoured with the idea of a commission of inquiry into petrol that at the last election he took the Nationals to the election campaign on the promise that he would establish a special petrol price commissioner who would have permanent royal commission powers and would be doing this every day, every year onwards forever. The member for Gregory was so supportive of the member for Southern Downs's idea that in January this year he renewed calls for a special petrol price commissioner. They do not stand for anything.

Tomorrow's Schools

Mr COPELAND: My question is to the Minister for Education and Training and Minister for the Arts. I refer to the Tomorrow's Schools project and the minister's assertion that this program is intended to renew and modernise our schools in consultation with parents in the school community. Why has the minister now specifically flagged proposals to relocate, amalgamate and merge schools in the bayside, Inala and east Ipswich clusters—and I presume Innisfail with this morning's announcement—when in estimates he declared that he did not have any particular outcome in mind with clusters of schools? Is this just Education Queensland's version of forced amalgamations?

Mr ACTING SPEAKER: Order! I acknowledge in the public gallery school leaders from Miami State High School in the electorate of Burleigh, represented in the chamber by the honourable Christine Smith.

Mr WELFORD: It is only too predictable that the opposition would take this tack. Clearly he has not been paying attention to what I have been saying.

Mr McNamara: He must try harder.

Mr WELFORD: He must try harder, yes. It is B-minus for you, boy. This is about consulting with communities and ensuring that we get the best possible outcome for these communities. We are looking at renewing whole clusters of schools. It is an opportunity for these communities to work together to identify the best way to deliver education to their communities.

That does not rule out any options. I am not dictating anything to these communities. I am not going to dictate that there be any school closures. School closures are not an essential part of the Tomorrow's Schools program but it may be one of the consequence of schools choosing to identify ways to maximum the dollars that are available to invest in 21st century facilities and get whole new schools.

There may well be circumstances where two schools in old weatherboard farm shed type buildings with dwindling numbers of students identify the opportunity to get a bigger site and work together to get a school facility that is light-years ahead of where they currently are. This is part of the consultation that these communities will go through. We are not going to dictate to schools what the solutions will be.

Certainly the Tomorrow's Schools program is not about closing schools. If we wanted to close schools we could close them any day of the week according to established principles that the department of education has for schools that are declining in numbers and cannot justify being kept open. A number of members of the opposition in rural areas will be familiar with the process that is gone through before any school is closed. There is extensive consultation with those communities before they close. All the students of those schools and the families of students in those schools are looked after in terms of their ongoing schooling needs.

We will do exactly the same in this process. If there is one thing that embarrasses me when I move around the state and look at our facilities it is the stark contrast between our newest schools and our oldest schools. It is grossly unfair that we have many students struggling to learn and teachers struggling to teach in schools that are over a century old while other students are enjoying the benefits of 21st century facilities.

Mr ACTING SPEAKER: Order! Before calling the honourable member for Cleveland, I would like to acknowledge in the public gallery high school leaders and teachers from Bribie Island State High School and Caboolture State High School in the electorate of Pumicestone, which is represented in this place by the honourable Carryn Sullivan. I call the honourable member for Cleveland.

Queensland Police Service

Mr WEIGHTMAN: My question without notice is to the Minister for Police and Corrective Services. Much has been made of the number of police supposedly leaving the Queensland Police Service of late. Can the minister clarify for the House what the case is as well as inform us what strategies the Queensland Police Service has been using to recruit more police officers?

Ms SPENCE: I thank the member for Cleveland for the question because it gives me the opportunity to put on the record some facts about these matters. I think the member for Cleveland, you, Mr Acting Speaker, and the member for Bundaberg are good examples of the fact that police officers do not necessarily leave the service because of dissatisfaction. Many police leave the service because they have different career aspirations.

Let me put on the public record today the figures on the number of police leaving the service. I want to table a graph of how many police have left the Police Service each month since 1999.

Tabled paper: Graph showing numbers of police leaving the Queensland Police Service 1999-2000 to date.

In July this year we saw 45 police leave the Police Service. Some 20 of those 45 police officers retired or retired for health reasons. Let us compare that to 1999 when we saw 42 police officers leave in July. Traditionally, July is the month when people tend to leave a job. This is for tax reasons. So July is obviously going to be different to other months of the year.

In 1999 there were 6,800 police officers and we saw 42 leave in July. Now we have over 9,500 police officers and we had 45 leaving in the month of July. Does that mean that police are leaving the service in flocks? Of course they are not. The attrition rate in the Police Service is generally the same as it has been over the last 10 years. I know we have had the union out there complaining and saying that police are leaving because of poor conditions et cetera but the facts of the matter simply do not warrant those kinds of allegations.

I am pleased to say that the Police Service has revamped its recruiting campaign. In May this year it developed a new campaign called 'We do not do boring'. It is actively out there recruiting not only in Queensland but also in other states. Since the recruitment campaign has been underway we have had a 20 per cent increase in the number of people who are applying to join the Queensland Police Service. So the Police Service is going to be in very good shape in the future.

Finally, I want to put to rest the nonsense that Queensland police are leaving to go to southern states. That is simply not the case. Last year we recruited and swore in 703 new police officers and 94 of them were from other states in Australia or other countries in the world. Rather than losing Queensland police we are getting them from other states.

I am happy to acknowledge that we have lost some of our SERT officers to the Federal Police. That is a huge drain and a huge loss to the Queensland Police Service. It is quite shameful that the Federal Police have been negligent in training their own SERT officers. They are the most expensive officers to train. It is shameful that they have to poach these Queensland police officers.

Time expired.

Medical Records

Mr FOLEY: My question without notice is to the Minister for Health. A constituent of mine whose confidential medical records were inappropriately released by Queensland Health has finally received an apology from the department after more ducking and weaving than Anthony Mundine starring in 'Rocky 27'. In light of this extraordinary breach of confidentiality, would the minister advise this House how many other patients of Queensland Health have had their records accessed without their authorisation?

Mr ROBERTSON: Obviously I would not have that kind of information available to me. I would certainly encourage the member, if he is sincere about his inquiry, to write to me and I will provide him with whatever assistance I can. Asking me for detail on such a matter during question time I do not think is particularly reasonable. However, I do note that, despite the length of proceedings in this particular matter, the member's constituent did receive an apology from Queensland Health. I believe that that is appropriate in the circumstances. I also think it actually sends a bit of a signal that the past culture of Queensland Health is in fact changing.

Something that is occurring under my ministership of Queensland Health is the promotion of the culture of openness and increased transparency. We do that in a number of ways. For example, we release publicly more information than has ever been made public before on the performance of our hospital system. Arguably we get penalised for that sometimes in terms of some of the commentary that is made. Nevertheless, we are committed to that increased level of transparency in the future.

One of the inquiries that is on at this point in time—and which the opposition spokesperson is a member of—is the committee to review the operation of the Health Quality and Complaints Commission. Again, that is another layer of transparency that has never existed before and it shows what we are trying to do to improve public health services in this state.

I make a regular comment in presentations I do about the approach that I take to this job, 'You can't change what you can't see.' The more we open Queensland Health up to increased levels of transparency—and indeed criticism—the more in the long-term that will benefit all Queenslanders and benefit Queensland Health as an organisation. It is a rough road we go down when we accept that kind of reform agenda but accept it I have and I have a determination to continue with that agenda.

We will go up a few dry gullies along the way—no two ways about it—but there will be a determination by me and the executive management team of Queensland Health to continue down this reform path. I realise that in terms of the member's constituent it may have taken some time. I appreciate that and I apologise for it, but at the end of the day he received an apology from an organisation that put its hand up and said, 'We did wrong.' That is a welcome change to the landscape that Queensland Health fills. It is one I support and I hope it will continue.

Skills Shortage, Overseas Workers

Mr HAYWARD: My question is to the Minister for State Development, Employment and Industrial Relations. I ask: as Queensland, like the rest of the world, is experiencing a skills and labour shortage, what steps is the minister taking to ensure some of the measures put in place by the Commonwealth to attract workers from overseas are not placing an excessive burden on Queensland taxpayers?

Mr MICKEL: The section 457 visa scheme, we acknowledge straight up, has a role to play in supplying skilled labour in cases where Australian workers are not available to fill jobs. However, our government has been concerned for some time that the scheme is not working out the way it was intended. Consequently, I am keen to ensure that we play a more active role in ensuring that the Commonwealth meets its obligations under the scheme.

I have decided to discontinue the Department of State Development's role as a regional certifying body. Up until now the department has played the dual role of monitoring the system and certifying documentation submitted by regional sponsoring employers seeking to fill vacancies with a skilled migrant. I am advised that the department in this role has certified only 10 positions for Queensland government agencies in 2006-07. Therefore, its resources can be better utilised elsewhere. The department therefore will cease taking applications on 31 August 2007 and aims to have all outstanding applications processed by 30 September. Employers who previously used the department's services will not be disadvantaged as they may seek certification from any one of the 12 remaining regional certifying bodies in Queensland. The department will of course discuss transitional arrangements with the Howard government to ensure that any impact on Queensland businesses is neutral.

The Queensland government has cooperated with the federal government to try to make the 457 visa scheme work, but Minister Andrews continues to let us down. The federal government has rejected requests by the states to consider the inclusion of English language testing, health testing and relevant public state education charges in the list of costs which should be borne by sponsoring employers. By default, therefore, these costs are being picked up by Queensland taxpayers. The architect of

WorkChoices is acting true to form by not protecting Australian workers from being made redundant and being replaced by 457 visa holders. Minister Andrews favours only a four-month moratorium after workers are made redundant, not 12 months. He also favours 457 visa holders being used as strike breakers.

Worker safety is also a concern, with Kevin Andrews refusing to support a request by the states for formal English language testing of workers in occupations where language difficulties could pose risks to workplace health and safety or the general public. Kevin Andrews is on notice. Queensland will use its resources to try to reduce cost shifting to Queensland taxpayers. We are going to protect worker entitlements and minimise risks to the safety of workers and the general public.

Department of Child Safety

Mrs STUCKEY: My question without notice is to the Minister for Child Safety. Yesterday I attempted to bring to the minister's attention a matter of children in care not being properly looked after by the Department of Child Safety. She stated that, for the sake of children, members should first ask questions privately and 'only when inadequate performance is demonstrated should it become a matter for argument in this House'. If the minister had listened to my question properly, she would have heard that the issued referred to a complaint faxed to her office on 27 July and confirmed as received on 1 August. I seek leave to table a deidentified copy of that correspondence.

Leave granted.

Tabled paper: (De-identified) copy of letter, dated 1 August 2007, from Gerard Carlyon, Senior Policy Advisor, Office of the Minister for Child Safety, to Mrs Stuckey.

Mrs STUCKEY: There is no doubt that the minister's department has performed less than adequately in this case to protect these children, and I ask: what steps is the minister going to take to address the alleged misconduct by departmental staff and the serious breaches of section 122 of the Child Protection Act?

Ms BOYLE: I referred yesterday to the serious harm that was caused—the embarrassment and the shame—by the identifying of people and particularly the children in the question—

Mrs STUCKEY: I rise to a point of order. There was absolutely no identification of these children. The minister is misleading the House and I ask her to withdraw.

Mr ACTING SPEAKER: There is no point of order.

Ms BOYLE: Thank you for allowing me to finish the sentence. I was going to say in the question the member asked in the last week of parliament.

Mrs STUCKEY: I rise to a point of order. Under standing order 117, clearly these children were not identified and neither was the area, and the minister herself declared it a rural area.

Mr ACTING SPEAKER: Order! Member for Currumbin, there is no point of order. Frivolous points of order will be dealt with as a contempt of the parliament. I call the minister.

Ms BOYLE: I am absolutely dismayed that the member opposite will still not check with the member on the other side of the House who is the local member to accept that what I am saying to the parliament is true—that is, that incidentally these children have been identified and so have been the foster-carers and there has been embarrassment and shame caused to them in their own community. With regard to the question that the member asked yesterday, may I let members know that we had replied to her, as we should, with a letter informing her that the information had been received and that we would investigate. We received 18 pages from the member. It is a very complex case and the matter goes back very many years. Solicitors and other court proceedings are involved. The matter is being properly investigated and I will reply to her further when that has been done thoroughly and I have answers.

I caution the member, however, and others in the House in taking up a complaint from a parent whose child has been removed. Our department can be criticised not for taking children unnecessarily but, if anything, not taking them often enough and soon enough from parents who are not adequate. I have numbers of times mentioned that parents do not admit their abuse and continue to attempt to blame others whereas foster-carers are those who of course come to help out these children in very difficult times. Rather than automatically assuming that a complaint from a parent whose child has been taken from them for abuse is correct, she should wait patiently while I properly investigate and inform her of the facts of the situation so far as I am able without further shaming, embarrassing or traumatising the children.

Mr ACTING SPEAKER: Before calling the member for Kurwongbah, I acknowledge in the public gallery a second group of students from Kings Christian College in the electorate of Mudgeeraba, which is represented in this chamber by Di Reilly.

Foster-Carers

Mrs LAVARCH: My question is to the Minister for Child Safety. Minister, I understand that there are an estimated 7,300 children in care in Queensland and most of these are in foster care. Can the minister tell me what support her department provides to foster-carers?

Ms BOYLE: I am pleased indeed to do so. Supporting our foster-carers is a job that all members of this parliament should take on and give time to. As all members know, we need more foster-carers to assist us with those children who are in our care and the children who will in the years to come be in our care. Accordingly, the department has produced a summary booklet called *Support for foster and kinship carers* that provides an easy track for foster-carers to discover the huge range of supports that we do provide for foster-carers these days. Further, we are finding that the booklet is very handy for assisting local members and others in informing those who may potentially become foster-carers. I suggest to all members on both sides of the House that they have a look at this booklet.

The sorts of support we provide go on and on and cannot be outlined in two minutes. In fact, it is $100 million a year worth of support, such as fortnightly allowances to cover the costs of caring; support workers, either from the department or a community organisation who provide day-to-day advice and training; regular visits from a Child Safety officer; training for all carers and specialist training for carers looking after kids with special needs; over $500,000 a year to Foster Care Queensland to provide information and advice and advocacy for carers; access to Child Safety staff 24 hours a day for urgent matters; general support after hours through the after-hours phone help line; foster care agreements so that people have a say straight up about how many children they can care for; education support plans; child health passports; and many other things, including statewide recognition and celebrations during Foster and Kinship Care Week in March.

I have called on the national government to declare a year of foster and kinship care. I hope that it will soon take that submission and affirm it.

Mr ACTING SPEAKER: That completes question time.

MINISTERIAL STATEMENT

Political Advertising

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (11.30 am), by leave: In question time the Leader of the Opposition asked me a question in relation to an advertisement for the federal election campaign involving Kevin Rudd and Gary Parr. I indicated to the House that I would provide more information. In doing so, I table a political advertisement from Ted O'Brien, the Liberal candidate for Brisbane. His material has included a police officer and vehicle.

Tabled paper: Copy advertisement for Ted O'Brien, Liberal for Brisbane

I also table for the information of the House an advertisement from the Liberal candidate for Forde, Wendy Creighton, who has done the same thing.

Tabled paper: Copy advertisement for Wendy Creighton, Liberal for Forde

I also table for the information of the House an advertisement used by the Liberal Party—and these are all Liberal Party ads—used against Desley Boyle, the member for Cairns, in the last state campaign, which has done the same thing with a police officer.

Tabled paper: Copy advertisement for Bob Manning

I admit freely that the faces of the police officers in these advertisements are not facing as directly to the camera as the ones in the advertisement in which the ambulance officers are concerned. However, I indicate by way of passing and nothing more that I have seen the original pamphlet that was used against Desley Boyle and I recognise who the police officer was. He is quite well known.

But that is not the point. The point is that both sides of politics have been involved in this. The Leader of the National Party and Leader of the Opposition has suitably been embarrassed by my tabling of those documents.

Mr Seeney: Rubbish.

Mr BEATTIE: I know you do not like the Liberal Party, but they are Liberal Party documents.

Mr ACTING SPEAKER: Please direct your comments through the chair.

Mr BEATTIE: In terms of the material, it is a longstanding policy that Emergency Services personnel do not take part in any political campaigns in uniform. The Queensland Ambulance Service Commissioner has issued a number of directives statewide reiterating that fact. I am advised that he will issue the directive again today reminding all staff of that policy ahead of the upcoming federal election, and I support that strategy.

I recall during the last federal campaign there was an advertisement placed in relation to Peter Dutton who, as members know, was a former police officer. There was an advertisement placed by the Police Federation of Australia. There is no difficulty with that at all. I want to make that clear. That organisation represents unions and I have no difficulty with that. The reason I highlight that advertisement is that the police commissioner at the time, Bob Atkinson, put out a statement indicating that the Police Service was not aligned with any political party.

I do this to highlight the fact that both the police commissioner and the ambulance commissioner have issued directives in relation to these matters. I support both of those issues. Of course, the Leader of the Opposition is being hypocritical in terms of these matters, as demonstrated. My view is that I do not support police officers or ambulance officers appearing in political material unless it is in their own time, in their own circumstances, and not in uniform.

MOTION

Sessional Orders

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (11.33 am): I seek leave of the House to alter the terms of the notice of motion standing in my name in accordance with alteration No. 2 circulated in my name, viz—

Omit **5**. and insert:

"**5**. Insert new Sessional Order 3.(1):

3.(1) A member who is not a Minister may introduce a Bill during time set aside in the Order of Business for Private Members' Statements. In such a case the Member introducing the Bill may either:

(a) speak on the Bill for the time allotted each member (two minutes) and then incorporate the remainder of their second reading speech, so long as the speech has been shown to the Speaker in accordance with Standing Order 25(2); or

(b) speak for a maximum of 15 minutes, in which case any time spoken in excess of the time normally allotted (two minutes) shall:

- in the case of a non-government Member, be deducted from the time normally allocated to non-Government Members in the total time allocated for Private Members' Statements; or
- in the case of a government Member, be deducted from the time normally allocated to government Members in the total time allocated for Private Members' Statements;

(c) speak for any time remaining for:

- in the case of a non-government Member, the time normally allocated to non-Government Members in the total time allocated for Private Members' Statements; or
- in the case of a government Member, the time normally allocated to government Members in the total time allocated for Private Members' Statements"

Leave granted.

Mr Seeney: Where is it?

Mr ACTING SPEAKER: Order! I call the Leader of the House.

Mr Seeney: You couldn't run a chook raffle.

Mr ACTING SPEAKER: Order! Leader of the Opposition.

Mr Hobbs interjected.

Mr ACTING SPEAKER: Order! Member for Warrego, I warn you under standing order 253. I remind the Leader of the Opposition that he has already been warned and that he is skating on thin ice.

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (11.33 am): I move—

That the Sessional Orders of the 52nd Parliament be amended in accordance with the motion, as altered, circulated in my name.

1. In Sessional Order 1.(b) under "9.30am—10.30am (each day)—" omit:

"Private Members' Bills (Introductions)

Private Members' Statements"

2. In Sessional Order 1.(b) omit:

"11.30am—1.00pm (Wednesday and Thursday)—

Government Business"

and insert:

"11.30am—12.00pm (Wednesday)—

Private Members' Statements (Leader of the Opposition or nominee having first call)"

"12.00pm—1.00pm (Wednesday)—

Government Business"

"11.30am—1.00pm (Thursday)—

Government Business"

3. In the Heading to Sessional Order 3, omit:

"Debate of"

4. Renumber Sessional Order 3.(1) as 3.(2) and renumber Sessional Order 3.(2) as 3.(3)

5. Insert new Sessional Order 3.(1):

3.(1) A member who is not a Minister may introduce a Bill during time set aside in the Order of Business for Private Members' Statements. In such a case the Member introducing the Bill may either:

(a) speak on the Bill for the time allotted each member (two minutes) and then incorporate the remainder of their second reading speech, so long as the speech has been shown to the Speaker in accordance with Standing Order 25(2); or

(b) speak for a maximum of 15 minutes, in which case any time spoken in excess of the time normally allotted (two minutes) shall:

- in the case of a non-government Member, be deducted from the time normally allocated to non-Government Members in the total time allocated for Private Members' Statements; or
- in the case of a government Member, be deducted from the time normally allocated to government Members in the total time allocated for Private Members' Statements;

(c) speak for any time remaining for:

- in the case of a non-government Member, the time normally allocated to non-Government Members in the total time allocated for Private Members' Statements; or
- in the case of a government Member, the time normally allocated to government Members in the total time allocated for Private Members' Statements".

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (11.34 am): I second the motion. Could I reserve my right to speak or do you wish me to speak now? I am happy to wait.

Mr ACTING SPEAKER: I call the Premier.

Mr BEATTIE: What we are seeking to do here is to guarantee members of parliament on both sides a guaranteed time in which to make two-minute speeches. At the moment, we all know that government business in the first hour takes precedence. It depends on the circumstances that exist and what events are unfolding at the time. If we have a Cyclone Larry, we may have weather issues. We may have emerging issues such as an announcement of a petrol fuel subsidy inquiry and those sorts of things. Government business may take up the first hour.

That does not guarantee the Leader of the Opposition or other members of this parliament an opportunity on a regular basis to make two-minute speeches. That has been the source of some complaint from the opposition. The Leader of Opposition Business has raised this matter with the Speaker, who has written to me, and we have had a discussion. We think there is a way to overcome the concerns of the opposition and that is to give them a guaranteed time slot. That guaranteed time will be for 30 minutes straight after question time every Wednesday.

Under the proposal, that means that the Leader of the Opposition would be the first member to speak. So at 11.30 am on every Wednesday he will be able to get up and speak. The cameras will still be here. This is not at midnight, it is not at 2.30 pm, it is not at five o'clock in the afternoon; it is at 11.30 in the morning. It is prime time. The Leader of the Opposition will be able to get up here as soon as question time is over and be guaranteed two minutes in which to speak.

In fact, there will actually be time for eight speakers from the opposition to speak. Seven opposition members will be able to speak for two minutes and one opposition member will be allowed to speak for one minute. The Leader of the Opposition will go first. I think that is a fair thing. The Leader of the Opposition would be in the advantageous position of having listened to question time on Wednesday. He could also respond to events that occurred on Tuesday. He will be able to respond specifically to those events. It is at prime time. It is guaranteed time. It means that for half an hour each side will have 15 minutes in which to speak.

But, more importantly, this time guarantees that the Independents will be able to negotiate a sensible share of that time every week. It is guaranteed time. It also means that every Wednesday government backbenchers and opposition frontbenchers will be guaranteed a share of the allocated time for two-minute speeches. In other words, they will be guaranteed eight opportunities in which to speak, which they do not have now.

Mr Horan interjected.

Mr BEATTIE: Could the member for Toowoomba South stop being rude? He and the member for Warrego would have to be the rudest people in this place. I am trying to explain this. If they actually give me a minute, I will. Let me finish.

We have guaranteed time—15 minutes each—for both the government members and the opposition members. That means seven two-minute speeches and a one-minute speech. It is guaranteed time. That is important.

I know that the opposition will ask, 'What about private members' bills?' If they want to use that whole 15 minutes to introduce a private member's bill, they can do so. Currently, opposition members get 30 seconds, or two minutes, or three minutes in which to present bills and then they have to incorporate the rest of their second reading speech. That is what happens.

Opposition members can use this time in two ways. They can use two minutes of that 15 minutes to introduce a private member's bill and then incorporate the remainder of their second reading speech, because the standing orders as moved by Robert Schwarten, the Leader of the House, provide for that. So opposition members get a chance to speak for two minutes in which they could incorporate their second reading speech and then seven of their colleagues and the Independents will get an opportunity to share the remaining time.

If opposition members want to use the whole 15 minutes, presumably they can. But that is not fair for the Independents. This is overcoming what I believe is a legitimate point and that is that the opposition wants to have guaranteed time. This is giving them guaranteed time in prime time. That is a reasonable outcome.

Mr Seeney interjected.

Mr BEATTIE: The Leader of the Opposition says 'Rubbish'. He does not regularly get a chance to make a two-minute speech. This guarantees him an opportunity to make a two-minute speech.

Opposition members interjected.

Mr BEATTIE: The Leader of the Opposition is worried about himself. He is not worried about all the other frontbenchers opposite. I understand why the members opposite are opposed to it. They are opposed to it because it would mean that the opposition frontbench would have to do some work and they are not capable of doing that. It would mean that every Wednesday we would see whether they were any good or not, because they would have to turn up here and try to make sense. The Leader of the Opposition is basically saying that the opposition members do not have the capacity or the intellectual firepower to make eight contributions once a week. Straight after question time on Tuesday, the Leader of the Opposition gets 10 minutes, and that is in prime time. He has all that firepower on Tuesday and he has guaranteed firepower on Wednesday. On Thursday he is on his own and, frankly, that is not a bad thing. This is sensible.

As I said, the opposition and the Independents have eight opportunities. It also means that there is a guaranteed time for private members' bills. If the Leader of the Opposition is worried about getting on television with either a private member's bill or his two minutes, all he has to do is what he does now: tip off the television networks—and parliament is now broadcast on the net—that he is going to bring the government down at 11.30 am on Wednesday. He can turn up and try to bring the government down at 11.30 am. If he wants to, he can have another go at 11.32 and then at 11.34. He can have eight goes if he wants.

However, I know why he does not want this. He does not want to share with his colleagues. The fact is that this proposal gives the opposition frontbench a chance that they do not get now. If the Leader of the Opposition is worried about performing, that is his problem. The opposition's performance, or lack if it, is a matter for the Leader of the Opposition and not for me. We have to give them the opportunity.

We are offering them eight opportunities that currently they do not have, yet all they want to do is whinge. It does not matter what we try to do to help or to support them, they will whinge about it. This is 15 minutes of guaranteed time. I wish to address the Independents.

Opposition members interjected.

Mr BEATTIE: It would be appropriate if the Opposition learnt a few manners. I make this point to the Independents: I know there is always argy-bargy about who gets what, but under the current system the Independents get very little when it comes to two minuters. If there is guaranteed time, at least they will be able to argue legitimately that they get a share of it.

Mr Springborg interjected.

Mr BEATTIE: The member for Southern Downs should not be rude. I am trying to talk to the Independents. I know he thinks the world—

Mr Springborg interjected.

Mr BEATTIE: Actually, this is not about the member for Southern Downs. This is about the Independents. This gives the Independents a fairer go. They will get a better opportunity to put their views to the parliament. It will also provide a better opportunity for shadow ministers and government backbenchers. They are the winners from this. We have now taken half an hour of what is government business and handed it over to the parliament. We have given up half an hour of government business in prime time.

I do not buy the argument about the lost opportunities associated with private members' bills. The Leader of the Opposition can go to the media—which he cannot do now—and say, 'On Wednesday next week I will introduce a bill to make cow pats illegal.' He will have the opportunity to do that. He can come

in here and put that to the parliament. Currently, sometimes the Leader of the Opposition tips the press off about a private member's bill that he will introduce into the parliament on a certain day, but then does not get the chance to do so because of what happens with government business. We are guaranteeing the Leader of the Opposition the time to introduce a private member's bill. As I said, if he wants to do it more than—

Mr Messenger interjected.

Mr BEATTIE: The member for Burnett is a great asset to us. We love him. Again I ask the Leader of the Opposition to please promote him, because we want to see more of him on television.

I wish to make a serious point about this. Not only are we guaranteeing when private members' bills will be introduced, but also members can be confident that they will get their two minuters. I would be the last person to give tactical advice to the Leader of the Opposition as I know General Custer runs Opposition tactics and I would not want to interfere with General Custer, but from a tactical point of view this enables them to run a strategy. Depending on what happens with the Independents, the opposition will have a number of opportunities to hit the government on a series of issues. They can go bang, bang, bang, bang, bang, bang.

I have to be honest: when I talked to the Leader of the House about this, I thought that he had gone soft when he recommended that we give up half an hour of government business time. If I did not know him better I would have thought he had gone soft. I know that the Leader of the Opposition is going to object to this and that he will say, 'I don't get my two minutes every day.' The reality is that he does not get that now. This gives him a guaranteed two minutes in addition to his MPI, which happens every Tuesday. This also gives every one of the shadow ministers a go. If the Leader of the Opposition is scared of them not being up to it, that is his business.

Mr Schwarten: He doesn't want them overshadowing him.

Mr BEATTIE: The problem is that the Leader of the Opposition is worried that his shadow ministers will not make sense repeatedly on a Wednesday. That is not my problem.

The Independents and the government's backbenchers are getting a guaranteed amount of time. We get criticism from our own backbench members who want to raise issues. My backbenchers regularly say to me, 'I want to be guaranteed a time to raise an issue.' For example, the member for Redcliffe has concerns about the fishing issues in Redcliffe.

Opposition members interjected.

Mr BEATTIE: Opposition members are easily excitable. If they were fish, they would not get past the tiddler stage. They would all get hooked.

The member for Redcliffe has issues about amalgamations. She has been in my ear about that, as well as what is happening with fishing. The same goes for the member for Cleveland. Indeed, Mr Acting Speaker, you have issues in relation to what is happening with fishing as does the member for Sandgate. We are giving members the chance to raise those issues in that time. This time has been allocated to private members, to empower them and to let them have a greater say.

We consulted with the opposition on this and the initial reaction was a little more positive than the final one. When the the final message came back that the answer was no, I scratched my head. I have to be honest and say that I do not understand why the opposition is opposing us giving up 30 minutes of government business to the private members of this House, particularly the Leader of the Opposition. We are offering to give them guaranteed time.

I could have understood it if we were suggesting that we do this at 8 o'clock at night. If we had suggested 2.30 in the afternoon I could have understood their reaction. However, we are offering them a real hit at 11.30 in the morning. If they tell the media to stay, they can be on television at 11.32 am. I do not get it.

Sometimes members opposite are so impossible to deal with that we shake our heads. We try to make this responsive. They have tried to abuse every reform we have ever brought in. I introduced a limit of three minutes for answers to questions without notice, and they raise stupid points of order every 30 seconds. They disrupt the three minutes.

Thinking back to when I first came to this place, I know that the parliament now is more receptive to the opposition than it has ever been. I know exactly what the rules were under the National Party when I first came to this place. I know exactly what the rules were under Mr Borbidge's government. Now the opposition has more opportunities than ever and we are offering to give up 30 minutes of government business time. For the life of me, I do not understand the Leader of the Opposition's serious opposition to it. If it is some political stunt, that is fine. I understand that. However, this is about giving members in this place a greater opportunity. I hope that the Independents will support the government, because we believe that this will advance them as well.

Mr ACTING SPEAKER: Order! I acknowledge in the public gallery a third group of students and teachers from Kings Christian College in the electorate of Mudgeeraba, represented by the honourable Dianne Reilly.

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (11.47 am): What an incredible address by the Premier. A number of times he talked about being honest, but he was not honest from start to finish. He did not say one honest word in his whole address.

This motion is about denying the opposition the opportunity to address the House when it is fully assembled. The House is fully assembled for two hours every morning and this motion is about denying the opposition a chance to address the House in those two hours.

Under this proposal, every morning the government will have one hour to put its propaganda to the House. We will have to sit here and listen to that, as if we were in a lecture theatre. The government is trying to deny the opposition two minutes to respond. It will have an hour and it is trying to deny us two minutes, and that has been the situation for some time now. The opposition has been granted two minutes and the only person who has the opportunity to make a private member's statement is the opposition leader. He is allocated two minutes to respond to the government's hour-long dialogue.

It never used to be like that. That position has been arrived at as the government has consistently shut down the opposition's opportunities. If we look back at the records of this parliament, the government's time finished at 10.10 am. There was then a 20-minute block each day for three days for the opposition and other non-government members and government backbenchers to respond, which equated to 60 minutes. There was an hour-long block for members on this side of the House and government backbenchers to make private members' statements.

Over a period of time the current government has pushed that back to a situation where over the last few months the opposition leader has only had two minutes a day to address the House when it is fully assembled—six minutes a week to respond to the three hours a week that the government takes. Now the government wants to take that away from us. I suppose I should take that as some sort of a compliment. Have my private member's statements been so devastating that the government wants to shut me down? Have my two minutes of rebuttal been so devastating that they cannot sit and listen anymore? Ministers get an hour to come in here and read ministerial statements that some bureaucrat up in George Street writes for them, and some ministers even struggle to do that. They struggle for 58 minutes through these ministerial statements that they clearly do not understand. I get two minutes to respond and they want to take that away from me, not just me personally but they want to take that away from the Leader of the Opposition.

It really is an indication of the lack of courage and the lack of self-confidence that the member for Rockhampton and the Premier have in their own performance. If their performance was at all satisfactory, they would be prepared to sit there and listen to the opposition leader for two minutes a day. In reality it should be 20 minutes a day. The government has reduced what used to be 20 minutes a day to two minutes a day. Now it wants to take away those two minutes a day.

The Premier made a great play of the fact that this new proposal would give opportunities to other members and to Independents in the House. They are opportunities that those members always had under the previous protocols of this House. If ministerial statements were to be curtailed at 10.10 am, members on this side of the House, including the Independents, would get an opportunity every day, and so they should. There should be that 20-minute opportunity every day in this House, as there was for many years under previous governments and previous Speakers. That 20 minutes allowed members on this side of the House, non-government members, and government backbenchers to make private members' statements. To suggest that somehow or other anybody who is not a member of the government is better off under this new proposal is blatantly wrong and blatantly dishonest. The Premier's tedious repetition of that claim does nothing to make it any more honest or any more credible.

There is no doubt that this is about shutting down and curtailing the opposition. There is no doubt that this is about protecting the government from the scrutiny that should be the right and proper function of this place. That is what this place should be about. I have spoken about this a number of times in a number of debates in this House. I personally feel very strongly about the importance of this parliament and the functions that it has in our democratic system. Through a number of initiatives this government has sought to wind back and curtail the functions of this parliament.

Irrespective of who sits where, irrespective of whether it is me, the Labor government or whoever it is in this parliament at whatever time, the parliament has a function in our democracy. The key function of the parliament is the necessity to subject the government to the scrutiny and challenge of the opposition every day. That is as important now as it ever has been. The government has to subject itself to that scrutiny. If a government has confidence in its performance and has confidence in its capabilities, and if ministers are competent, then they should be able to withstand that scrutiny. Unless the opportunity is there for that scrutiny then the sort of incompetence that we have seen from the Labor government continues to grow and becomes a characteristic of the government that goes unchallenged.

Of course the opposition will oppose this motion because it entrenches, if you like, the removal of that right that we had to speak within the first two hours of parliament when the parliament is fully assembled. This motion gives us instead a half-hour block on Wednesdays after question time when there is much less scrutiny of what is happening in the House, and it certainly cannot be construed under any circumstances to provide greater opportunities for the opposition. The opposition gets few enough opportunities in this House. I think the members of the general public would be appalled if they understood just how few opportunities those of us in opposition get. All of us on this side of the House have people ask us when we go to public functions, 'Why don't you do this?', 'Why don't you do that?', 'Why don't you bring this up in parliament?' and 'Why don't you say this to him?' The reality is that we do not get any opportunities in this parliament to do the sorts of things that the people who send us here expect us to do.

When this proposal is passed later today, the sum total of my opportunity to speak as the opposition leader, as the leader of the alternative government, will be in the matter of public interest debate on Tuesdays after question time, one two-minute speech on Wednesdays after question time and that is it. I do get an opportunity to ask two questions a day. We all know that question time by its very dynamic is a forum in which the opposition is always going to come off second best because we sit over here and we bowl the questions up. We get 30 seconds to ask the questions and the ministers get three minutes to answer them and they say anything they like. With three minutes to answer of course the ministers are going to berate the questioner, as they always do when they cannot answer the question. The only opportunity that the opposition has traditionally had in this House to raise issues is private members' statements every morning—the two-minuter, as it is referred to. Two minutes a day is all the time that the opposition leader has had in the last 12 months. The government has curtailed the system so much that only the opposition leader gets that time.

Mr Horan: We are restricted with bills now too.

Mr SEENEY: Exactly. The government has used a whole range of other mechanisms to try to prevent wide-ranging debate and to deny members of the opposition the opportunity to raise issues. There is a requirement to stick to the subject of the bill. In the years that I have been here the consideration in detail stage of the bill has certainly been restricted to make it much harder to raise issues that are not directly related to the bill.

The point needs to be made, and made very clearly, that there has traditionally been 20 minutes a day, 60 minutes a week, for private members' statements. If we look back over the years of this parliament at previous governments and previous Speakers, that time gave an opportunity not only for the Leader of the Opposition but also for members of the opposition and Labor backbenchers to make public members' statements every morning. This government has curtailed that. Over the last 12 months it has forced us back to a position where the opposition gets two minutes a day to respond to the 58 minutes that the government takes to read its ministerial statements. Now it wants to take away the opposition's two minutes a day because it cannot stand sitting there for two minutes listening to an alternative view, listening to the real truth about its abject failures and its underperformance.

The government wants to take those two minutes a day away and give time to us when the House is not fully assembled and when the scrutiny and the attention is not there. I believe this is an admission of the government's own failure. It is an admission that the government does not have the capacity to withstand the proper scrutiny that this House should provide to any government. It is an admission that the government cannot stand the scrutiny that any competent government should be able to withstand in our democratic system. Of course we will oppose the motion.

Hon. KR LINGARD (Beaudesert—NPA) (12.00 pm): This type of action shows exactly what happens when a group gets a majority in a House. When there is a majority of 59 in an 89-member House, then quite obviously it is hard to be humble. But, as I have said before, it is easy to be arrogant and this is an obvious example of arrogance. The Premier was trying to say that the government is giving, but this is not giving, this is taking. This is taking the first hour of parliament and making sure that the opposition has no input into it at all, including by way of interjections, and then taking the next hour for question time and then the ministers walking out of the House as a group and paying absolutely no attention whatsoever to backbenchers and members of the opposition. This does not apply only to opposition members; it applies to backbenchers. Backbenchers are not entitled to make their two-minute contributions at the start of the day and talk to ministers and tell the government the problems that are occurring in their particular electorates.

The history of this is that in 1997 the legislation was changed so that the first hour of the day was divided into half an hour for government members and then half an hour for the opposition side. Clearly, when we look at the first six months of that when Neil Turner was the Speaker and Tony Fitzgerald was the government leader, we did not go past five minutes past 10. We had 35 minutes at the most, and therefore the opposition and the backbenchers were given the next 25 minutes in that period. What the government is doing now is trying to take that 25 minutes. I have continually fought against it and I have continually asked the Speaker about it. As members know, I took a point of order recently when we did

not have any time in that first hour, and the Speaker said, 'Yes, I am embarrassed by it too. I will approach the Premier and the Leader of the House.' This is the end result of the Speaker approaching the Premier and the Leader of the House. This end result does not give this side any input in the first hour of parliament.

In the future, when someone gets hold of what is happening now and looks back at the history of this parliament, they will say, 'What happened to democracy in that period?' People will see that opposition members and backbench members were forced to come in here at half past nine, they were forced to bow to the Speaker, they were forced to put their name on a sheet of paper which went out to the public, they were forced to listen to the Premier, they were then forced to listen to the ministers and they were not allowed any input at all in the first hour. They were then told to sit there in question time and ask five or six questions. They were controlled very, very strongly by the Speaker at that time, and I have no great opposition as far as that is concerned. Then, at the end of two hours, the ministers walked out and left the backbenchers and the opposition people to themselves to have a bit of a chat until 4.30 am, with no input whatsoever to the ministers and no input at all to the government. That is what the government is doing to us.

This is not about what government members are giving; it is about what they are taking, and they know they are taking. They are taking that first hour of the parliament, they are taking that second hour of the parliament and then they, as a group of ministers, are walking out and saying, 'Have a chat by yourselves. Have a talk to yourselves. Talk through until 4.30 am, but we are not going to take any notice of you.' So do not talk about giving; this is taking.

The last thing I want to point out is that the Leader of the House and the Premier have not gone through the Standing Orders Committee at all. They have not even had a meeting of the Standing Orders Committee. This is all decision making by the executive government. There has been absolutely nothing in this parliament about the standing orders. At the last Standing Orders Committee we went to, the Premier himself promised, promised, promised—and I remind him of this—that he would fix it up.

Mr Springborg: Hear, hear!

Mr LINGARD: Mr Springborg has said, 'Hear, hear!' because he was the leader at that time. We left the last Standing Orders Committee meeting with a promise that this would be fixed up. How have they fixed it up? They have taken the whole first hour of the parliament and the whole second hour of the parliament and then they nick off and do not do anything for the rest of the day and leave the backbenchers and the opposition members here by themselves. This is obviously taking, not giving.

Dr FLEGG (Moggill—Lib) (12.04 pm): Have a look at the state of the House and who is left in here from the government. This is what this House looks like at 11.30 after question time. The ministers get up and walk out. They schedule media conferences and have other appointments. This motion is all about controlling the media cycle. It is all about the government never having to face up to the opposition making a statement. During ministerial statements and question time, there is no opportunity for the opposition to make a statement or develop an argument. Then the media cycle moves on as the government moves on and various things happen.

I saw the Premier here address his remarks through the Deputy Speaker to the Independents and I would do the same. The reason Independents and other opposition members are not getting opportunities to speak is that the government has had a policy of filling in the first hour so that we are deprived of that opportunity. But Independents would like to address this House with government members present, just as members of the opposition would like to address this House with government members present. Getting up to an empty House when ministers have moved out and the day has moved on is little different—if different at all—to making a speech during the adjournment debate and sending your *Hansard* around afterwards. This is about the government not having to face up to an argument which is developed by the opposition.

There is no opportunity under these new rules for the opposition to be able to respond to some of the things that come up in ministerial statements, and many ministerial statements are absolutely outrageous. We sit here and listen to some absolute drivel coming across the chamber in ministerial statements, and the only limited opportunity to respond in the House to any of that is being taken away.

What we have seen here, particularly over the last 12 months, is the Premier developing a media strategy. He comes in with a story planned for the day. He has planned where he is going to do it, which is in either his ministerial statements or his dorothy dixers. We even see him look up towards the cameras and say the grab that he wants put on television that night. This move is designed to make sure no-one on this side of the House knocks that grab out of the media.

We sit here day after day when this House meets and we listen not to ministerial statements which are of importance to the public of Queensland or which give us information; we listen to minister after minister attacking federal government campaigns. In particular, we listen to attack after attack of a personal nature on members of this side of the House. Almost no day goes by without these attacks.

One of my favourite tricks from ministers—and it is one of the cutest little tricks that ministers on the other side get up to and, Mr Deputy Speaker, you have been here awhile and you have heard it the same as we have—is that they deliver a nasty personal attack and then they say, 'I ask you about that. You get up and tell us.' They know full well that the rules of this House say that we cannot get up and respond. If we try to get up and respond and take a point of order or a point of privilege simply as a mechanism to get a point of view across, we are sat down immediately.

Government members interjected.

Mr Rickuss: It happened this morning.

Dr FLEGG: It happened again this morning.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! If we could hear the speaker without constant interjections and prompting, it would be appreciated. We will have some order.

Dr FLEGG: Thank you, Mr Deputy Speaker. We see this here on a daily basis, and it is a bitterly cynical exercise that we see coming from the other side. We see them trying to con members of the media and the public by challenging us to respond to things that they know full well we are not allowed under the rules of this place to challenge. People outside this place do not understand that. They do not know that we are unable to get to our feet and address an issue; that we are unable to answer a challenge. All they see is the tirade coming from the other side which will now be completely unanswered. The last vestige of an opportunity to respond to anything is being taken away.

The Leader of the Opposition, who represents members of the opposition on this side, had—and until recent times usually got—three opportunities a week. We work in a business that is a day-by-day business. It has an issue of the day. It has a media cycle of the day. It has a newspaper of the day. It has a television story or stories of the day. Three times a week, once for each sitting day, the Leader of the Opposition had an opportunity in just two minutes to put some sort of an argument or some sort of a view from this side of the House. That is gone. That has been taken away.

There is one opportunity now, but it is an opportunity after the cycle of the day and the issue of the day have moved on, after members of the media—and I see nobody in the media gallery at the present time—have been called away to do various press conferences and various interviews, and after they have filed their reports and their articles of what has happened in the morning. That is what this is about. It is a bitterly cynical effort to silence the opposition and make sure that the government controls the agenda and that Premier Beattie has his daily media program uninterrupted by an annoying view being expressed in this place by the opposition. This is an outrageous effort. Following on from trying to silence and threaten councillors, the government is now trying to silence the opposition in this place and we are vigorously opposed to it.

Mrs CUNNINGHAM (Gladstone—Ind) (12.11 pm): I rise to speak to the motion. I have a great deal of respect for the member for Beaudesert and his contribution. He has a long history in this place, and that does not mean I do not respect the other speakers who have spoken previously in this debate. The member for Beaudesert and others have commented on the principles of this place—the principles of freedom and democracy and the principles of fairness. My recollection of Speaker Turner and his role as Speaker was that at about 10 past 10 or a quarter past 10 he would start to give the evil eye to any ministers who tried to rise to speak. If they started at 10 past 10, when they completed their contribution he would then go into what we call the two-minuters. He was very fair—in fact, exceptionally fair—in his administration of time in this chamber when the numbers were so very close.

Whilst it has not been to my knowledge since I have been in this parliament—and that is part of the qualification—part of the standing orders, it was certainly a protocol that Neil Turner consistently applied. I can understand the opposition's frustration at moving these two-minuters to half past 11. I believe it will be incumbent on the media to ensure that they pay attention to the contributions between half past 11 and 12, because there will be things that are pertinent to the community that need reporting. However, the reality is that the numbers in this chamber mean this motion will go through in spite of the objection and in spite of the concerns that have been expressed.

From an Independent's point of view, since the last election we have had four two-minuters—if my collection of notes is correct—since November last year. Opposition members would have had, I would expect, consistently more than that. So it has been very difficult for us as Independents to have an opportunity to contribute in the two-minuters and that concerns us greatly. The proposal will ensure that we get one or perhaps two opportunities every week and that is a marked improvement.

I acknowledge the comments of the members of the opposition in relation to media involvement and government involvement. My only consolation is that most responsible ministers have people monitoring the contributions in this chamber to be able to follow up on any pertinent issues—and I say 'most responsible ministers'; those who do not just show their lack of application to their portfolio. I would hope that the media would also follow the debate to be able to take up those appropriate and important issues that are raised at that period of time. On the basis of the opportunities provided in the motion moved by the Leader of the House, I will be supporting the motion but I do concur with the concerns that the member for Beaudesert and others have raised.

Hon. RE SCHWARTEN (Rockhampton—ALP) (Leader of the House) (12.15 pm): Can I say at the outset that if I were to put a motion that this House acknowledges that Christmas Day falls on 25 December I reckon the Leader of the Opposition would find fault with it and vote against it.

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! Members of the opposition.

Mr Messenger interjected.

Mr DEPUTY SPEAKER: Order! Member for Burnett, I warn you under standing order 253.

Mr SCHWARTEN: And these people have the hide to lecture this side of the House on parliamentary conduct. The fact is that this was a genuine effort by me to try to address a concern raised by members opposite who believe they are not getting a fair go in the two-minuters, and this extends to members of my own backbench and Independent members.

Mr Messenger interjected.

Mr DEPUTY SPEAKER: Order! I remind the member for Burnett that you have already been warned. Any further comment and you will be asked to leave the chamber under standing order 253.

Mr SCHWARTEN: It is childish antics. Every time I get to my feet he indulges in childish, little boy activities.

The reality is that I have a responsibility to this parliament to ensure that the business of the day runs as thoroughly as it possibly can. We hear a lot about what the opposition gets in this parliament, but by and large ministers on this side get three minutes a week to tell the people of Queensland their portfolio responsibilities. Understandably, every day I get complaints from ministers who say to me that they did not get a matter up in this parliament that is—

Miss Simpson interjected.

Mr SCHWARTEN: Mr Deputy Speaker, I am trying to speak here. The member for Maroochydore continues with inane, idiotic, embarrassing comments. I heard the other speakers in silence and I would ask that the same courtesy be extended to me.

I will go through some of the issues which ministers have raised this week and let members opposite tell me that they were not worth talking about. What about the Captain Cook Bridge? I read all those stories in the *Courier-Mail*. Shouldn't the minister get up in this parliament and put before the people of Queensland what the story is? Those members opposite do not want to hear that—of course not. They do not want to hear through this parliament what the CMC had to say about child protection workers in Queensland. They do not want to hear about the testing at Kogan Creek. They do not want to hear about the major boost to tourism, employment and the Queensland economy with the new flights that are available in Queensland. They do not want to hear about the Queensland minimum wage, but I am sure that all those people out there in Queensland who are going before the Industrial Commission will want to hear about the Queensland minimal wage.

We talked about Seniors Week and Minister Pitt drew to the attention of the House yesterday an excellent demonstration by kids from the detention centre, and he went on to talk of a number of issues in his portfolio. Is that of no interest to anybody either? I hear this drivel that comes from the other side, but I challenge any one of them to tell me that any of those statements—including my own statement this morning where I talked about new arrangements for funding peaks in housing—is not worthwhile and it is not a responsible thing to do.

The reality is that since I have been Leader of the House there have been time limits—unlike the days when that lot sat over here and we had ministers going on ad nauseam with no limit to their ministerial statements.

I remember the member for Gregory actually pushing Santo Santoro down because he went on and on. He made a ministerial statement for something like 20 minutes. That is the sort of thing that happened in those days. We are limited in how we can answer questions. Talk about democracy. We have three minutes to answer a question. In the days when the tories sat over here were the answers limited to three minutes? No, they were not. They went on and on. The opposition got to put three or four questions up.

We have made this as fair as we possibly can. The Leader of Opposition Business says that we have two hours to ourselves. Excuse me, question time is the time when the opposition puts us on our mettle. It is not our time. The only time that ministers get to report to this parliament is in ministerial statements. We do not do MPIs, we do not do two-minuters, we do not move motions such as the one that will be moved tonight. That did not happen under the tories—back in the Joh days—when they were on this side. If anybody wants to read the history of this parliament and talk about democracy then they should remember the days when the tories were here and they used to answer the questions the day

after they were asked. The opposition leader would stand up and ask his question and the minister would come in the next day and read the answer. That is the story of democracy under those opposite. Do not lecture us about this.

They have MPIs and two-minuters that we have enshrined in government business time. As the Premier said, we have given up a half an hour of government business time to allow this to happen. The fact is that I have never heard a two-minuter made by the Leader of the Opposition that would overwhelm anything that a minister has had to say in reporting to this parliament. Ministerial statements are necessarily brought before this parliament so that issues can be brought to the attention of the public. The journalists who sit up there and report on these matters—

Mr Hobbs interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Warrego, I remind you that you have already been warned.

Mr SCHWARTEN: The journalists who sit up there and report on these matters write the stories based on what comes out of here. They put the heat on the ministers to report on things. Imagine if we continued to curtail the number of ministerial statements. We would be told that we are trying to cover up. Those opposite are always saying that we are trying to cover up and all the rest of it. We come in here and talk like the minister for transport did this morning about the Captain Cook Bridge and like the Minister for Child Safety did yesterday in bringing a warts-and-all CMC report into this parliament.

Do those opposite seriously believe that a cabinet minister of this state should get only three minutes a week and the Leader of the Opposition should have as much time as he thinks he should? What other opportunities do they want? They have the adjournment debate. No minister speaks then. No minister speaks in the MPIs. No minister has the right to move a motion in this parliament to be debated on Wednesday night. It is guaranteed that they get that time to have their say on an issue. The Leader of the Opposition will today talk about amalgamation.

Do those opposite think that if the minister for local government came into this parliament this week and did not make a ministerial statement about the progress of amalgamations he would not be open to a charge from the opposition that he was ducking for cover and that he did not want to reveal to this parliament the statistics that he has?

An opposition member interjected.

Mr SCHWARTEN: They do not want to hear it. I know that. This is their attempt to silence this government, these ministers on issues—

Opposition members interjected.

Mr SCHWARTEN: Yes, it is. It is nothing short of that. There are a number of issues that I just raised. There are a number of them that have not got up as yet and they would not get up if those opposite got their way and had a limit on that.

As the member for Gladstone rightly points out, this is not in the standing orders. One of the ministers cheekily pointed out to me before, 'Why don't we send a few people over there to help them out and vote this down so we can keep doing what we are doing now.' I get the call every day on when the ministerial statements will finish. The standing orders do not provide for this parliament to stop at any time to allow any of that to happen.

As I understand it, the member for Burnett this morning had a private member's bill to put before the parliament. He did not have the courtesy to come and discuss it with me, but that is par for the course. The reality is that I made sure that it did not get up this morning because we had ministerial statements to make. Under this system the member for Burnett today—had they had any nous over there; instead of debating this now—would be introducing his private member's bill in this time. That is what this time is set down for. It is to allow a private member's bill to be brought in without the Leader of the House necessarily giving it the veto, which is what I did this morning. I did it for very good reason. We had plenty of good stuff that we needed to be out there talking about and that the public is interested in.

I have to say, if the Leader of the Opposition believes that his two-minute performance has us quaking in our boots over here, then he is sadly mistaken. I cannot remember one sensible or articulate thing that he has said that would grasp the people of Queensland let alone grasp us in here. They are nauseatingly repetitive, they are mostly abusive and they are mostly unintelligent. The fact of the matter is that those two-minuters of themselves do not guarantee those opposite a front-page story in the *Courier-Mail* or the lead for Channel 9 or Channel 10. What would guarantee that is if those opposite could come up with the issues and put the hard work into it. If they have a two-minuter on a Wednesday that is going to bring this government down, let me tell them, they will have the gallery up there swarming with journalists.

Why would they do that? They do not just sit around, as we all know, waiting for Jeff Seeney to get to his feet in the vain hope that there might be some cataclysmic conclusion to this government. That is not going to happen. Step No. 1 is question time. Get in there with that rabbit killer question straight off in the morning. He has two questions every morning. Over here we get the sight of the wet lettuce leaf being wriggled around in front of us. That is the nature of the question.

If he cannot make it with the two-minuter he has the MPI. Again, they are mostly abusive, always negative, always threatening—all those things that he does. Now on Wednesday he will have the two-minuter straight up. As the Leader of Opposition Business knows, I had the Clerk redrafting this so that it ensures that the Leader of the Opposition gets first bite of the cake on Wednesday. How much fairer can I be than that?

He was complaining about it and whingeing about it. He wanted to have two bob each way. He said, 'If you are going to do it, make sure I get the first bite of it. Make sure I get the first hit. Never mind about the Independents or anybody else.' Graciously, as I am very gracious, I allowed him the privilege of doing that. I bent over backwards to try to help. The poor old Clerk was nearly in dizzy spells trying to change this as they rocked and rolled over there.

The reality is that this is part of the evolution of this parliament. When I came in here—

Miss Simpson interjected.

Mr SCHWARTEN: We have had plenty of rude people like you for a start. The member is out there lecturing people about behaviour. You want to grow up, woman!

Opposition members interjected.

Mr SCHWARTEN: People who behave like that do need to grow up. She just sits there persistently interjecting with inane, inappropriate and stupid remarks. She does it every day and wonders why she is still sitting in the same place and why Jeff Seeney would not give her an office in the first place. I do not blame him.

The final point is very simple. When I came in here—and people like the member for Southern Downs will remember this—we had ministers in the Goss government who had one question on notice and one without notice. There were people who just got up and read questions and ministers would take them as they pleased. We had motions that came from the other side. Terry Mackenroth used to sit here and say, 'Not formal'. That is what happened. That is what the opposition got as a say. It was a hybrid of what came out of the Joh times. The opposition got absolutely no say whatsoever.

We have evolved from that time to see things like private members' bills given time. The two-minuters are now guaranteed. As the member for Gladstone rightfully points out, they are now guaranteed. So again that is part of an evolution. They are not at the discretion of the government of the day. They are not at the discretion of the Leader of the House as they currently are. What it does is bring in a reform that the government gives a half an hour of its time on a Wednesday to allow that process to happen in much the same way as MPIs evolved 25 years ago or whenever they came into this parliament.

Enough of the nonsense. Enough time of the parliament has been taken up with this. I commend the motion to the House as part of the evolution of the democracy of this parliament.

Division: Question put—That the Leader of the House's motion be agreed to.

AYES, 53—Attwood, Barry, Beattie, Bligh, Bombolas, Boyle, Choi, Croft, Cunningham, Darling, Fenlon, Foley, Fraser, Gray, Hayward, Hinchliffe, Jarratt, Jones, Kiernan, Lavarch, Lawlor, Lee, Lee Long, Lucas, McNamara, Miller, Moorhead, Mulherin, Nelson-Carr, Pearce, Purcell, Reeves, Reilly, Roberts, Robertson, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wellington, Wendt, Wettenhall, Wilson. Tellers: Finn, Nolan

NOES, 24—Copeland, Cripps, Dempsey, Elmes, Flegg, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, Lingard, Malone, McArdle, Menkens, Messenger, Nicholls, Seeney, Simpson, Springborg, Stuckey. Tellers: Rickuss, Stevens

Resolved in the **affirmative**.

GAMBLING LEGISLATION AMENDMENT BILL

First Reading

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (12.35 pm): I present a bill for an act to amend acts administered by the Deputy Premier, Treasurer and Minister for Infrastructure. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (12.36 pm): I move—

That the bill be now read a second time.

The bill I present to the House today amends the seven principal gaming acts—namely, the Casino Control Act 1982, the Charitable and Non-Profit Gaming Act 1999, the Gaming Machine Act 1991, the Interactive Gambling (Player Protection) Act 1998, the Keno Act 1996, the Lotteries Act 1997 and the Wagering Act 1998. The bill makes various miscellaneous amendments to the acts. However, the main objectives of the bill are to strengthen the government's stance against minors entering and gambling in casinos, provide for the review of agreements between third-party operators and eligible associations in the conduct of the more significant art unions, to introduce a licensing regime for those persons who test gaming equipment, and to implement certain recommendations arising from a review of the gaming machine operating authority reallocation scheme for hotels. In view of the other legislation that I have to introduce, I seek leave to have the remainder of my second reading speech incorporated in *Hansard.*

Leave granted.

I will now consider each of these main objectives in more detail before outlining the remaining amendments made by the Bill.

The Bill amends the Casino Control Act 1982 to further limit and discourage minors' involvement in casino gambling. Currently, it is an offence for a casino operator, employee or agent of the operator to allow or suffer a minor to enter or remain in the casino and is punishable by a maximum of 20 penalty units. To reflect the seriousness which the Government places on this issue, the penalty will be increased to 100 penalty units, for casino operators, and to 40 penalty units for employees and agents of the operator.

The Casino Control Act 1998 currently provides for two defences to this offence in addition to the defence of mistake of fact contained in the Criminal Code. Of relevance, it is a defence if the defendant had a reasonable belief that the person was 18 years of age or more.

A new offence for a casino operator, employee or agent of the operator to allow a minor to gamble or attempt to gamble in the casino will be introduced. Where a minor is found gambling or attempting to gamble in the casino, the casino operator, employee or agent of the operator must immediately prevent the minor from continuing or attempting to gamble. It is not intended that dealers be required to check identification of each person who wishes to play at the dealer's table since dealers are not trained in checking identification. However where a prospective player appears to be underage, the dealer should alert an appropriate superior. The maximum penalty for an offence against this provision will be 200 penalty units, for casino operators, and 40 penalty units for employees and agents of the operator.

It will also become an offence, separate to the party offences of the Criminal Code for a person to knowingly aid or enable a minor to enter the casino. This offence will be able to target those persons who lend their own identification cards to minors or who attempt to "smuggle" minors into the casino by blocking a security guard's view of the minor.

The Bill amends the Charitable and Non-Profit Gaming Act 1999 to allow the chief executive to obtain and review agreements between third party operators and eligible associations in the conduct of the more significant art unions. The Government is interested in assessing these agreements under which the third party operator is engaged by an eligible association to sell art union tickets, collect and bank money from the sale of art union tickets, and account for the proceeds of sale. Such an assessment will primarily focus on whether the arrangement is in the best interest of the eligible association, whether the agreement has been made at 'arms length' and whether payments made under the agreement are reasonable. These agreements will be reviewed as part of the investigation of the suitability of the third party operator to be associated with the holder of a category 3 gaming licence under the Act.

Before such an agreement is executed, the eligible association will be required to submit a copy of the proposed agreement to the chief executive for review. After the agreement is executed, the eligible association must provide a copy of the agreement to the chief executive. Any material changes made to the unexecuted agreement must be notified to the chief executive. Where an executed agreement is amended, a copy of the amended agreement must be given to the chief executive. Similarly, the eligible association must notify the chief executive if the agreement is to be replaced or terminated. These amendments reflect the Government's continuing commitment to ensuring appropriate standards and levels of accountability are set and maintained.

Following a successful trial in which private testing facilities were authorised to evaluate gaming equipment, the Bill will amend the Gaming Machine Act 1991 to introduce a licensing regime for evaluators, who will now be known as licensed testing facility operators. The licensing regime will be based on the current provisions which apply to licensed monitoring operators, major dealers and secondary dealers. By introducing a licensing regime, the State will be able to place greater controls, conditions and reporting requirements on these persons than the current approval process allows. The new licensing regime will ensure that the Government and the community can continue to have confidence in the gambling industry in this state.

The amendments will also implement changes to the Gaming Machine Act 1991 resulting from the review of the gaming machine operating authority reallocation scheme for hotels. This includes removing the restriction on the number of machines which a hotel licensee can decrease at one time and making hotels subject to the same conditions as clubs for decreasing the approved number of machines in the hotel. The need to provide the date of the most recent sale of operating authorities on a gaming machine licence is no longer required and is removed.

I will now briefly describe the remaining amendments contained in the Bill.

The Bill amends the Charitable and Non-Profit Gaming Act 1999 to ensure that eligible associations retain control over licence applications and general gaming and that an applicant for a category 3 licence employs suitable corporate governance principles with respect to conducting significant art unions.

Additionally, the chief executive will gain a power to make guidelines about general gaming. The provisions have been modelled on the guideline provisions contained in the Gaming Machine Act 1999. These guidelines would inform persons about the attitude the chief executive is likely to adopt on a particular matter or how the chief executive administers the Act.

A new offence provision will be created for persons who give the chief executive a report which the person knows is false or misleading in a material particular.

General gaming records will need to be kept for five (5) years after the relevant game ends.

A penalty will be introduced for a breach of the advertising provisions. Although this amendment will have general application, it is particularly targeted towards one-off games where the prospect of being denied a future general gaming licence is of little concern to the operator.

Provision will be made to take prosecution action against certain officers of associations who commit offences and against whom it is not currently possible to take prosecution action.

The Bill amends the Casino Control Act 1982 to increase the penalty for cheating to 500 penalty units or five (5) years imprisonment where the amount illegally obtained is more than $50,000. This increase reflects the seriousness of the offence and also allows police to place a restraint over the money involved. Where these larger cheating cases are prosecuted summarily, rather than on indictment, the Court will be able to impose a maximum penalty of 300 penalty units or three (3) years imprisonment.

The provisions relating to drop box, deposit receptacle, count room and storage area security will be amended to cater for developments in technology. The amendments will allow a casino operator to apply to the chief executive for approval of a security device.

The Bill amends the Gaming Machine Act 1991 to remove the requirement for a statement about the licensee's compliance program to be lodged with the application for a gaming machine licence. The objectives of the Act can be achieved without the need for this statement to be lodged. This amendment does not affect the current legislation which requires a compliance program document to accompany the application.

An associated gaming machine licence will not be automatically cancelled when a licensee surrenders a general liquor licence as a result of the licensee being issued with a special facility liquor licence. The legislation already provides for an associated gaming machine licence to be retained in the reverse situation, that is, where a licensee surrenders a special facility liquor licence as a result of the licensee being issued with a general liquor licence.

It will be clarified that a club cannot hold more than one gaming machine licence. This has been the Government's long standing policy. The amendment does not affect the current legislation which allows a club's gaming machine licence to apply to additional premises.

Exemptions relating to the ability of a person to serve on a club management committee or board will be notified on the regulator's website rather than in the Government Gazette. This will enable the information to be more accessible to those who seek it.

The Bill amends the Keno Act 1996 to prohibit keno subagents and their employees from taking part in keno gaming where the keno subagent conducts keno gaming. This will bring keno subagents and their employees in line with the prohibition currently imposed on keno agents and their employees.

The Bill amends the seven principal gaming Acts to vary the requirements for a person to be appointed as an inspector. The requirement that a person meet certain training or experience requirements to be appointed as an inspector will be replaced with a requirement that the person either have, or have an ability to quickly acquire, the necessary expertise.

Lastly, the Bill amends the definition of "problem gambler" contained in those gaming Acts which contain gambler exclusion provisions to reflect the national definition of "problem gambling" recommended by Gambling Research Australia.

I commend the Bill to the House.

Debate, on motion of Mr McArdle, adjourned.

REVENUE AND OTHER LEGISLATION AMENDMENT BILL (NO. 2)

First Reading

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (12.37 pm): I present a bill for an act to amend acts administered by the Treasurer. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (12.38 pm): I move—

That the bill be now read a second time.

The Revenue and Other Legislation Amendment Bill (No. 2) 2007 amends the Duties Act 2001 to provide the necessary legislative support for implementation of the Office of State Revenue's revenue management system for duties; the Taxation Administration Act 2001 and the Fuel Subsidy Act 1997 to clarify the application of the Electronic Transactions (Queensland) Act 2001 for state revenue matters; the Gaming Machine Act 1991 to implement changes to the hotel gaming machine operating authority

reallocation scheme and provide increased time for clubs and hotels to install approved gaming machines before the approval lapses; and the Energy Assets (Restructuring and Disposal) Act 2006 to revive the powers of the minister to facilitate the divestment of the wind farms and associated sites of Stanwell Corporation Ltd and Tarong Energy Corporation Ltd and the Queensland Power Trading Corporation, trading as Enertrade, gas business. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

The Office of State Revenue (OSR) has developed RMS which consists of a major systems redevelopment to replace existing aged systems, providing greater capacity to manage the revenue base. RMS Release 1 enabled pay-roll tax clients to transact business with OSR electronically, and was successfully implemented with 80% of pay-roll tax clients now lodging electronically. This represents 90% of pay-roll tax revenue collected.

It is now proposed to extend RMS to modernise and streamline duties administration consistent with pay-roll tax, and provide e-functionality for duties. The changes are of an administrative nature. No changes will be made to substantive taxing provisions, including tax rates or exemptions.

The Bill amends the Duties Act 2001 to provide for the Commissioner of State Revenue to either impress stamp or endorse instruments, clarify the information required in an endorsement on self assessed instruments, and introduce a new self assessor penalty for incorrect or obscured endorsements on self assessed instruments which will complement existing penalty provisions targeting self assessor behaviour.

The penalty will only be relied on where client eduction and support fail to address a self assessor's non-compliance or in cases of deliberate or serious non-compliance.

To facilitate the electronic lodgement and payment functionality for duties, amendments to the Taxation Administration Regulations 2001 are being made contemporaneously with this Bill.

Amendments to the Taxation Administration Act 2001 and the Fuel Subsidy Act 1997 are to be made to clarify that the Electronic Transactions (Queensland) Act 2001 applies for state revenue matters which will assist in facilitating further electronic business by OSR in the future.

The Bill also amends the Gaming Machine Act 1991 to give effect to some of the recommendations resulting from a review of the gaming machine operating authority reallocation scheme for hotels. Other recommendations from the review are to be addressed in a separate Gambling Legislation Amendment Bill.

This Bill amends the Gaming Machine Act 1991 to extend the timeframe for the installation of gaming machines at a new site from one year to two years. The timeframe for the installation of additional gaming machines at an existing site will be increased from 6 months to one year. In both cases, a 12 month extension is available in exceptional circumstances. This provision is to apply to both hotels and clubs. These amendments reduce red-tape and are designed to assist both industry and the regulator.

The amendments will also provide for some flexibility to permit the transfer of operating authorities from a surrendered gaming machine licence, due to circumstances beyond the control of the licensee, to the gaming machine licence for the licensee's new hotel premises. This is subject to the new premises being within the same authority region and local community area as the original premises. Although such circumstances are likely to arise only rarely, this measure has a significant beneficial impact for those licensees who might face, for example, the compulsory acquisition of their site for infrastructure works.

The Bill amends the Energy Assets (Restructuring and Disposal) Act 2006 (EARDA) used in the sale of the retail energy entities in 2006 for use in the restructure and sale of the Queensland businesses and assets of the government owned corporations' wind farms and associated sites (and development opportunities) owned by Stanwell and Tarong and the Enertrade gas business. It also provides for the State of Queensland to become responsible for Enertrade's residual liabilities.

The Bill empowers the Treasurer to facilitate the restructure of the businesses, assets and liabilities of the GOCs to maximise the return to the State, such as issuing transfer notices and project directions. These powers are limited to Enertrade, Stanwell, Tarong and their subsidiaries, concern Queensland based assets and will cease on 30 June 2008.

The Bill also permits the Treasurer to issue, amend, transfer, cancel and accept the surrender of special approvals to permit certain sales entities to be appropriately licensed under the Electricity Act 1994.

The Bill also adopts other provisions of the EARDA contained in part to facilitate due diligence and sale processes, which affect the following third parties' commercial rights, such as excluding judicial review or obtaining the consent of third parties to the release of confidential information or to the transfer of contracts.

Given the State's proposed timeframe and the need for certainty and speed in which things need to be done for this project, any unreasonable delay or legal proceedings could adversely affect the sale process. This is a significant commercial project and the purchasers of the energy entities and their customers require certainty. Further, the State would suffer a significant financial detriment if it was delayed in implementing restructuring steps and their subsequent sale.

I commend the Bill to the House.

Debate, on motion of Mr McArdle, adjourned.

URBAN LAND DEVELOPMENT AUTHORITY BILL

First Reading

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (12.39 pm): I present a bill for an act for the development of land in particular parts of the state, and for related purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (12.40 pm): I move—

That the bill be now read a second time.

Today I am pleased to introduce the Urban Land Development Authority Bill 2007. One of the key initiatives in the bill is the establishment of an Urban Land Development Authority for Queensland, announced as part of the Queensland Housing Affordability Strategy. On 25 July 2007, the Premier and I released the Queensland Housing Affordability Strategy. The strategy specifically seeks to improve the planning and development system, land supply and infrastructure funding systems to assist in improving housing affordability in Queensland. The strategy outlines actions to improve the operation of the land supply pipeline from raw land to completed development; to improve the efficiency of the integrated development assessment system; to enhance the level of involvement of the Queensland government in the land supply pipeline; to improve the monitoring of the land supply; and to improve the operation, transparency and accountability of infrastructure funding and charges for new development. The strategy's primary deliverables are listed as a set of immediate actions that identify those priorities that need to be met by government over the next six months.

This bill implements those immediate actions that require a legislative basis, including the establishment of an Urban Land Development Authority. In addition, the bill proposes a number of amendments to the Integrated Planning Act 1997—or IPA—to support the government's Housing Affordability Strategy. These amendments, whilst limited in number, are significant in effect and represent a number of accelerated amendments to IPA ahead of the broader reform of the IPA commenced by the government last year. They focus primarily on removing logjams and process inefficiencies, bringing land to market in priority areas in a timely manner and ensuring fair apportionment of infrastructure costs. They are, however, entirely consistent with the government's broader reform goal of improving the performance of the state's planning and development assessment system under IPA. Further announcements on this reform package are expected to be announced by the planning minister shortly.

The bill establishes the Urban Land Development Authority to plan, carry out, promote, or coordinate and control the development of land in certain designated areas declared as urban development areas. The main purposes of the act for these urban development areas are—

- to facilitate the availability of land for urban purposes;
- to facilitate the provision of a range of options to address diverse community needs;
- to plan for and facilitate the provision of infrastructure for urban purposes;
- to facilitate planning principles that give effect to ecological sustainability and best practice urban design; and
- to facilitate the provision of the ongoing availability of affordable housing options for low to moderate income households.

The membership of the authority will consist of nine persons made up of a chair, the chief executives of the Department of Infrastructure and Treasury or their nominees and other persons with extensive knowledge of and experience in the areas of local government, architecture, urban design or planning, social policy or community development, law, economics or accounting, the construction or development industry, or natural resource and environmental management. Members may be appointed by the Governor in Council for a period of up to five years.

The authority will have the power to acquire and consolidate land in urban development areas suitable for new housing and ensure that it is moved quickly to the market. The authority will undertake planning, management and delivery of strategic urban redevelopment sites initially at Fitzgibbon and North Shore at Hamilton, Bowen Hills and Woolloongabba in Brisbane and at the Mackay Showgrounds.

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

Leave granted.

The Authority will have carriage to improve the land and plan and control development within the designated area to deliver Government policy, including where appropriate, requiring developers to include public and affordable housing on these designated sites.

The Authority will enable the Government to be more effective and proactive in providing land for urban development, particularly through major strategic infill and redevelopment sites. It will be one of the ways that Government will deliver Transit Oriented Development (TOD) projects throughout the State.

Whilst it is not proposed that the Authority would operate in greenfield areas, the Authority will have the ability to take responsibility for major greenfield sites in locations where there are considered to be significant land supply pressures, if so allocated by government.

The Authority will have the power to voluntarily acquire and amalgamate land within the urban development area and to make the land "development-ready".

The Bill provides that the Governor in Council may give a written direction to a government entity (other than a Government Owned Corporation) or local government entity to provide or maintain stated infrastructure in, or relating to an urban development area. Existing arrangements under the Government Owned Corporations Act 1993 will remain for GOCs.

The Bill provides that the Authority must make a development scheme for the urban development area as soon as practicable after it has been declared. The development scheme must provide for any matter that promotes the proper and orderly planning, development and management of the area. A development scheme prevails over any inconsistent planning instrument or plan, policy or code under the Integrated Planning Act 1997 or any other act to the extent of that inconsistency.

Affected landowners will be afforded an additional right to make a submission to the Minister after master plans have been developed by the Authority. The Minister must consider this submission and then make a determination.

The Authority is also empowered to assess and decide development applications for the urban development area.

Following completion of development contemplated by the development scheme, the Bill provides that the declaration of the land as an urban development area will be revoked and the Authority will hand back planning control for the site to the relevant local government.

The accelerated components of the IPA Reform agenda relate to two broad areas; namely:

- planning and development assessment processes; and
- transparency and equity of infrastructure charges

With regard to the planning and development assessment process the amendments:

- Expand existing Ministerial IDAS directional powers to decide conflicts and directing a decision be made within a stated time;
- Introduce a State Planning Regulatory Provision which can apply in a number of ways including affecting the operation of a planning scheme, implementing a regional plan and applying to master planned areas;
- Introduce Master Planned Areas and a streamlined process to better coordinate land use planning, infrastructure planning and funding and development in declared priority areas; and
- Give the proposed FNQ Regional Plan statutory recognition.

The expanded Ministerial IDAS directional powers will allow the Planning Minister to issue a notice of direction to an assessment manager to decide a development application or issue a negotiated decision notice within a stated time. The expanded power will also allow the Planning Minister to issue a notice to a concurrence agency to decide a development application within a stated time, resolve conflicts between two or more concurrence agencies or address issues of jurisdiction.

The Planning Minister will also be able to issue a notice to an applicant to take a stated action within a stated time period to comply with the requirements of the integrated development assessment system (IDAS).

These expanded direction powers allow the Planning Minister to ensure that development applications which can contribute significantly to regional land supply are not delayed through the development assessment system and can be processed as quickly as possible to enable the land to be brought to market in a timely manner.

In addition the Bill also creates a new tool for the State to address issues of land supply consistent with a regional plan or master plan for priority growth areas and to effect amendments to a local government planning scheme as quickly as possible to address housing affordability issues.

This new tool, called a State Planning Regulatory Provision (SPRP) is intended for use in a number of instances including:

- To implement a regional plan;
- To implement a master plan in a priority growth area;
- To effect the operation of a local government planning scheme; and
- To apply a State Regulated Infrastructure Charges Schedule in master planned areas.

A State Planning Regulatory Provision can affect development assessment levels, prohibit development or apply a relevant code to development across the State. The Bill contains a process for their preparation and includes provision for certain State Planning Regulatory Provisions to be tabled in Parliament.

Consistent with the Government's commitment to roll out structure planning across the State similar to what occurs for Major Development Areas in SEQ, the Bill proposes a process for Master Planned Areas in priority growth regions. Whilst new, this process really reflects existing practice and the master planning that already occurs for these areas including for Major Development Areas in SEQ. To ensure consistency, Major Development Areas in SEQ will be transitioned in time to become Master Planned Areas.

Mr Speaker, this is a State-wide process under IPA which will apply to significant and strategic sites that can contribute to land/housing supply in a region or subregion.

It is proposed that Master Planned Areas be identified by the relevant Minister (Planning Minister or Deputy Premier as Regional Planning Minister in SEQ) and Local Government to be the subject of detailed master planning.

Areas to be master planned can be protected by State Planning Regulatory Provisions while the initial Master Plan is being prepared to ensure the area's contribution to land/housing supply is not compromised by inappropriate development.

The initial Master Plan will become part of the local government planning scheme and is prepared by local government with significant State involvement through a modified Schedule 1 plan making process. The Department of Local Government, Planning, Sport and Recreation (DLGPSR) and the Department of Infrastructure (Office of Urban Management) will play a key role in coordinating State agency input to the preparation of this initial Master Plan.

The initial Master Plan will require community consultation and detailed planning effort up-front to address relevant State and local planning and infrastructure issues and can set development requirements, levels of assessment, code requirements etc. for the master planned areas.

However, once the initial Master Plan is prepared, applicant initiated subsequent applications can be lodged and assessed by the relevant local government against the approved Master Plan through a modified form of the integrated development assessment system.

The key advantage of this master planning process is to build in State requirements up-front which relieves the need for referral to State agencies in subsequent development assessment. This in turn can lead to significant time savings from commencement of the planning process to development occurring 'on the ground'.

It also provides greater certainty for developers of the development entitlements applying to master planned areas.

The Bill also gives statutory recognition for the proposed FNQ Regional Plan which is an existing Government election commitment. Statutory regional plans are one way in which the Government is ensuring that growth regions are appropriately planned to ensure sufficient land exists for urban growth whilst also protecting regional environmental and physical values and assets.

Generic amendments to the IPA are proposed in the Bill to allow for the possibility of additional statutory regional plans in the future. It is proposed that future regions to be the subject of a statutory regional plan would be designated by regulation.

Further, the Bill fulfils the Government's election commitment to ensure fair and transparent infrastructure charges by making provision for the Minister for Planning to seek independent advice from the Queensland Competition Authority (QCA) on local government infrastructure charging schedules prior to their approval.

The Bill also contains timeframes for ensuring advice is received in a timely manner from the QCA.

The Bill expands the role of the Building and Development Tribunal to hear disputes about how infrastructure charges are applied to specific development applications.

Finally, the Bill inserts a new part 3 into Chapter 5 of the Integrated Planning Act 1997 that deals with contributions for State infrastructure.

The purpose of this amendment is to ensure funding for State infrastructure is a transparent and equitable process as identified in an existing Government election commitment.

It formalises the Government's intent to collect contributions towards state infrastructure in high growth areas as signalled in the SEQ Regional Plan 2005-2026.

These accelerated components of the IPA reform agenda will contribute in a tangible way to assisting with housing affordability in Queensland by making existing planning and development assessment processes more efficient, ensuring priority growth areas that can contribute to land/ housing supply are planned in a comprehensive and timely manner and ensuring that infrastructure charging is fair and transparent.

Mr Speaker I commend the Bill to the House.

Debate, on motion of Mr McArdle, adjourned.

STATUTE LAW MISCELLANEOUS PROVISIONS BILL

Second Reading

Resumed from 28 November 2006 (see p. 614).

Hon. KR LINGARD (Beaudesert—NPA) (12.44 pm): The opposition will support the bill. The purpose of this bill is to make amendments to various Queensland acts through one omnibus bill. I think there are more than 50 pieces of legislation to be amended. Obviously, the only thing that we need to do is make sure that this is a true omnibus bill and that it does not contain major changes to legislation. Quite honestly, we believe that these amendments have arisen only through changes to legislative drafting practice, updated cross-referencing and the need to correct minor errors or the need to provide greater clarity.

We appreciate the report of the Scrutiny of Legislation Committee. The committee had concerns about three amendments in particular. I note the minister's proposed amendments Nos 1 to 3 to remove a number of sections of the Survey and Mapping Infrastructure Act. The removal of those amendments ensures that the making of survey standards will continue to be notified by gazette notice. We appreciate the concern that was raised in that regard.

The opposition has some concerns about the proposed amendments to the Commission for Children and Young People and Child Guardian Act 2000 simply because some of the amendments made to that act are considered to be a little bit more than mere technical changes. We are concerned about amendment No. 2 to that act, because it seeks to affect section 102B of the act by no longer requiring the commissioner to notify a person of their review rights if a negative notice of their application for a blue card has been made under section 102(6)(a). The opposition is very concerned that the blue card remains. Certainly, we have to support the integrity of the blue card.

In this regard, under the current act the commissioner is required to issue a negative notice under section 102(6)(a) if the commissioner is aware that the person who applied for a blue card has been convicted of an excluding offence, that is a serious child related sex offence under section 99E, and the court has either sentenced the person to a period of imprisonment for that offence or made a disqualification order under section 126C, that is, that they never hold a blue card again.

In his second reading speech to this bill the Leader of the House stated that this amendment was necessary as—

It is considered illogical for the commissioner to be required to provide these applicants, who are automatically issued with a negative notice for their blue card application, with details of any appeal rights as there are no appeal rights that apply.

I initially had concerns about this amendment but, after reading that statement that no appeal rights applied in that particular circumstance, I would say that whilst I express concern, the opposition will not be moving any amendments against that clause.

Amendment No. 5 amends subsections 122B(1)(a) and (b) and amendment No. 6 amends section 122B of the Commission for Children and Young People and Child Guardian Act 2000 by extending the operation of section 122B to applicants for a blue card. Specifically, amendment No. 5 provides that section 122B applies if the police commissioner, an employee or another person gives notice to the commissioner that police information about the employee has changed or if the commissioner otherwise becomes aware of changes to the employee's police information. Amendment No. 6 also clarifies that an employee now includes an applicant for a blue card. The effect of these amendments is that the commissioner considers that the change in the employee's police information may be relevant to child related employment. The commissioner must give written notice to the employer bringing this change and information to their attention.

I notice that in his second reading speech the Leader of the House summarised these amendments as follows—

... to allow the commissioner to issue a notification under the section to an employer where a blue card applicant may be working with children pending assessment of his or her application and has had a change in his or her police information. This enables the employer to implement appropriate risk management strategies while the application is assessed.

I also notice that the Leader of the House stated further—

The commissioner currently has the power to issue a notification under section 122B to an employer in relation to a blue card holder who has a change in his or her police information but not in relation to a blue card applicant.

As I just said, some people believed that we should oppose this amendment but, as I say, when I read the second reading speech of the Leader of the House I believe that we are maintaining the blue card's integrity. It is very important to maintain the blue card's integrity. Therefore, I am prepared to agree that this amendment be included in this omnibus bill. We recommend that the bill be supported.

Motion agreed to.

Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Schedule (Amended Acts)—

Mr SCHWARTEN: I move—

1 Schedule (Amended Acts)—

At page 37, lines 13 to 19—

omit.

2 Schedule (Amended Acts)—

At page 38, lines 7 and 8—

omit.

3 Schedule (Amended Acts)—

At page 39, lines 13 to 18 and 22—

omit.

Amendments agreed to.

Schedule, as amended, agreed to.

Third Reading

Question put—That the bill, as amended, be now read a third time.

Motion agreed to.

Long Title

Question put—That the long title of the bill be agreed to.

Motion agreed to.

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 19 April (see p. 1411).

Mr McARDLE (Caloundra—Lib) (12.51 pm): I rise to make some comments in relation to the bill before the House. First of all, in his second reading speech the Attorney-General said—

> This bill contains miscellaneous amendments to statutes in the Justice portfolio to improve operational efficiency of the legislation.

The first sentence of the explanatory notes to the bill states, 'The objective of the Bill is to make minor amendments to legislation administered by the Department of Justice and Attorney-General...'. However, when we look to the bill that the House has just passed, in his second reading speech the Attorney-General stated—

> The Statute Law (Miscellaneous Provisions) Bill 2006 is essentially an omnibus bill that makes amendments to 49 acts, where the amendments are concise, of a minor nature and noncontroversial. Most of the amendments have arisen through changes to legislative drafting practice, updating cross-references, providing greater clarity, correcting minor errors and making other minor amendments.

There is no possible way that this bill could be considered concise, of a minor nature and noncontroversial in relation to its contents. There are significant amendments to a number of acts, particularly the Magistrates Act 1991. I will come to those in due course. As a consequence, there are controversial elements contained in the bill.

Because of that and because of the attempt to ram-rod this through the House on the principle that it is an omnibus bill, as the Attorney-General's second-reading speech and the explanatory notes to the bill purport, we will not be supporting the legislation. We cannot do so because there are significant and major issues contained in it, and there will be detailed examination of a number of clauses as a consequence of their contents.

Some of the amendments are far reaching and have very serious impacts upon how the criminal justice system and other areas of the Attorney-General's portfolio operate. The bill amends 32 pieces of legislation. If it was a true omnibus bill it would follow a format or at least a layout and content similar to the bill just passed by the House. It is far from that. This bill removes the rights of appeal, it alters the Births, Deaths and Marriages Registration Act, it creates new judicial officers and gives them powers and impacts in a major way on another 29 pieces of legislation.

The bill was introduced in April this year and, despite a number of requests for briefings from then until Monday of this week, it was not until Monday of this week that we were able to obtain a briefing on the contents of it. The bill has long-term impacts and, in my opinion, it is an attempt by the government to ram-rod issues through the House in an attempt to cover up its inadequacies and incompetence.

One act—but by no means the only one—that the legislation deals with is the Magistrates Act 1991. The bill provides for the creation of judicial registrars positions in the Queensland Magistrates Court. It amends the Bail Act 1980 allowing for bail applications to be dealt with by telephone, radio or other forms of communication in circumstances where the defendant's remote location makes it difficult for them to be brought before the court. In no way could that issue be said to be a simple, straightforward matter. The bill radically alters the judicial process that we have had in this state from year one. The bill also abolishes the geographical requirement that a person on bail nominate as a residential address an address within 25 kilometres of the court in which the defendant is required to appear.

The third act dealt with is the Births, Deaths and Marriages Registration Act, and it allows a Registrar-General to accept an application for a registration of the birth of a child that is only signed by one parent. Again, that is a major alteration to the law as it currently stands in this state. The bill also facilitates the online registration of marriages and deaths by marriage celebrants and funeral directors respectively. In relation to that particular act, I will come back to the circumstances where one person may request registration and the other party will not be required to sign. Again, that is a significant alteration to the legislation as it currently stands in Queensland.

The Criminal Code is amended by providing for the appointment of animal valuers by the chief executive rather than the Governor in Council. The Children Services Tribunal Act 2000, regarding the composition of the tribunal, is also amended.

The bill goes on to deal with the Guardianship and Administration Act 2000 regarding the composition of the tribunal and creating the requirement that the tribunal consider and exhaust all familial possibilities before a guardian is appointed to support an impaired adult person. Again, that is a significant amendment to a piece of legislation contained in a bill that deals with 32 separate acts. The bill also amends the maximum amount of time that an interim order can be made over an adult's affairs. This maximum time has now been reduced from six months to three months.

The Industrial Relations Act and the Anti-Discrimination Act in relation to trade union activity in prework and work areas have also being amended. Again, in my opinion that is a critical issue given the current state of play in politics and legislation in this country. Again this bill impacts significantly on the current law as it stands.

The Judicial Review Act 1991 is amended to abolish the avenue of judicial review from decisions of adjudicators under the Building and Construction Industry Payments Act. This is a major move based upon the determination by a Supreme Court, if my memory is correct, to allow reviews from that tribunal. This act does away with that under the pretext that it is an omnibus bill or at least a bill that deals with minor pieces of legislation. That review has been enshrined by the courts and has now been removed by this bill.

The Corrective Services Act 2006 and the Drug Court Act 2000 are also amended in relation to intensive drug rehabilitation courses. The Justices Act is amended to permit a magistrate to determine certain matters by way of video link. The Supreme Court of Queensland Act is also altered through the abolition of the position of judicial registrar in the Supreme Court.

The Ombudsman Act is altered to provide that the Ombudsman may inform a complainant in any way that he considers appropriate that he will not be investigating a complaint. Again, that is a major move. It is a significant shift from the current processes that are in place under which the Ombudsman deals with people here in Queensland and with the issues that they bring to his attention. It is inappropriate to try to ram that through in a bill of this nature.

The bill goes on to deal with the Mental Health Act with regard to the remand of classified patients. The bill deals with some 32 pieces of legislation and, if time permits, I will move on to them individually.

Sitting suspended from 1.00 pm to 2.30 pm.

Debate, on motion of Mr McArdle, adjourned.

LOCAL GOVERNMENT AMENDMENT BILL

First Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Minister for Local Government, Planning and Sport) (2.30 pm): I present a bill for an act to amend the Local Government Act 1993. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Minister for Local Government, Planning and Sport) (2.30 pm): I move—

That the bill be now read a second time.

The bill seeks to remove provisions preventing local governments from undertaking polls about local government reform. This is consistent with the position formally on the record in this House that the government—together with the great majority of Queensland councils—is moving on and making local government reform happen. The laws have been passed, the boundaries are in place and we are looking to the future. Smart councils have started the transition to more stable, more sustainable and more streamlined local governments.

These councils are to be commended for taking a lead in transitioning local government arrangements for the communities they were elected to serve. This bill confirms the stated position of the government and I commend it the House.

Debate, on motion of Mr McArdle, adjourned.

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed.

Mr McARDLE (Caloundra—Lib) (2.32 pm): Before the break I outlined a number of the acts with which this bill deals. If I could now turn in detail to some but not all of the clauses contained in the bill. Perhaps the most far reaching is what will be contained in the Magistrates Act whereby the position of judicial registrar is created. The bill introduces the position of a judicial registrar into the Queensland

Magistrates Court system. These new officers will be introduced by way of a pilot program and will hear the less complex or perhaps more procedural matters that divert large periods of time and resources away from what is universally agreed to be Queensland's busiest court. The target is to decrease the heavy backlog in the court at this point in time.

Clause 116 of the bill, which inserts section 53J into the Magistrates Act, provides that the precise jurisdiction of the registrars may be prescribed by the Chief Magistrate by way of a practice direction. I note that the Attorney-General in his second reading speech on the bill stated that it is proposed that the registrar will determine such matters as minor debt claims and small claims which are under $7,000 in value; civil chamber applications; domestic violence adjournments; temporary orders and orders by consent; bail applications where the prosecution does not oppose the granting of bail; hand-up committal hearings which encompass committals where there is no oral evidence or cross-examination of witnesses and where the defendant consents to committal for trial or sentence; examinations under the Commonwealth Corporations Act and what are called mentions whereby a matter is simply adjourned to a further date without bail being opposed in those matters.

There are a couple of matters that arise from that. I do note that the JR will have some jurisdiction with regard to domestic violence matters; not in regard to final orders, but certainly in regard to temporary or what may be termed interim orders and also orders by consent. This House has heard on many occasions the issues associated with domestic violence and what that brings to a family. These matters do not normally proceed by this method into the Family Court and can have a long-term impact on the final determination made by a Family Court judge or the registrar of the Family Court.

My concern with temporary orders is that they are orders that can impose a regime where a husband or a wife who is seen by the court as the perpetrator of the domestic violence can be asked to leave the home so as to protect the other members of the household. That court can also make orders that do not impact or directly affect contact orders made under the federal jurisdiction, but certainly they do have an impact in an indirect way on contact orders. These orders are far reaching and I am somewhat concerned that this power is being taken away from a magistrate, given the long-term effect they could have not just in that court but also in the Family Court.

The other point that I raise in relation to these matters is that it may well be that a situation arises where the judicial registrar believes at first hand that he or she can and will deal with temporary or interim orders. As I have said here in the past, a number of legal practitioners have appeared in this jurisdiction and have had matters on an interim basis that have dragged on for some time, even going to an interim hearing, depending upon the circumstances that have arisen. There could then be a matter of an interim order being sought before a JR, the JR then determining on the basis of the information before them that it is not one that they should deal with and the matter then should go to a magistrate. In those circumstances I would like to, if I may, request the Attorney-General, through you, Madam Deputy Speaker, to address that issue. It does worry me. I imagine that what in fact would happen is that Tuesday would be the normal sitting day for DV matters and the Friday of each month or second month would be the trial date for DV matters, which is what normally occurs. But what happens when there is a matter that the JR determines cannot or should not be dealt with by them and they wish to refer it on to an appropriate magistrate?

The other matter, of course, relates to hand-up committals. There have been many instances in the past where practitioners have gotten to the door of the court for a hand-up committal and suddenly been presented with a statement by a witness they were not aware of and, though it may well be a breach of the guidelines, the court will still want to proceed with the matter on that day. It may well be that that new statement then enlivens in the practitioner a desire to cross-examine that witness. It then moves from a straight hand-up to a hand-up with cross. You therefore have a situation where the JR hearing the matter initially determines that they can no longer hear that particular matter and then refers it on to the magistrate. In both those instances, the DV matter and the hand-up committal, it might be the case that the other magistrates are engaged that day and, given most magistrates' diaries for the rest of the week, it could in fact push out matters even further if there is not something in place to rectify those concerns.

I note that the bill does say that these matters will be dealt with by the registrar. But, of course, it is still up to the Chief Magistrate to make a determination by way of practice direction before that jurisdiction can be activated and, in fact, which of those areas he wishes to nominate at this point in time is a matter for him.

The library has prepared a brief on this bill, and I certainly recommend the contents of that brief to members of the chamber. That brief deals in particular with the workload of the Magistrates Court. It says that the Magistrates Court deals with about 96 per cent of all criminal matters together with other offences outside of the Criminal Code, including regulatory offences under the Summary Offences Act and offences such as unlicensed driving or driving under the influence of alcohol or drugs. The Magistrates Court also deals with civil matters up to $50,000 and small claims and minor debts up to $7,500, plus domestic violence and some family law matters.

I also note that the JRs will not be dealing with family law matters, as I understand the legislation. That, again, is a very complicated area of law and has very far-reaching consequences. If it is the case that JRs will not deal with family law matters, that may also be a reason why they should not deal with domestic violence matters—again, arcing the two together and emphasising the importance of orders made at this level in regard to ongoing proceedings in the Family Court.

The issue in my opinion is this: how did we get to this point where we have to now appoint JRs? How did we get to the situation where this is an essential tool to deal with matters before the Magistrates Court? I have raised this consistently in the House, I have raised it at estimates and I have raised it in the debate on the estimates reports. It comes back to two very clear things. If the government does not fund and resource, we end up in the situation which we have here in Queensland at this time. We are facing, quite frankly, a crisis in the Magistrates Court. We have an escalating backlog in both the civil and the criminal jurisdiction, and I will give those figures again shortly. I do, however, wish to quote in some detail from my speech from the debate on the reply to the budget. I said—

As I said, for the fourth year this department has not met its capital acquisition statement goals. By failing to do this it does two things: it does not put in place the modern physical structures across Queensland in which legal issues can be resolved whilst at the same time providing a modern safe environment for all who wish or need to attend a court; and it fails to put in place an efficient process for legal issues to be dealt with quickly whilst at the same time maintaining the principle that the decisions are delivered with justice and equity.

Again, I said—

In 2003-04 this government failed to meet its capital acquisition in the Attorney-General's department by $14.775 million. In 2004-05 it failed to meet its target by $2.768 million. In 2005-06 the shortfall was $2.763 million. When we look at the 2006-07 figures we find that the estimated figure for property, plant and equipment and other capital acquisitions was $74,091,000. We find, however, that during the year the figure that was expended was $38,262,000—a whopping $35.829 million was missing or not put into infrastructure and other resourcing of the judicial system in this state. In total over the past four financial years the Attorney-General's department capital acquisition statement has had a total shortfall of $55.935 million. This cannot but have an impact on the delivery of justice services to the people of Queensland.

Regrettably, that is exactly what has happened. I later said—

But it gets worse. When we go back to 2003-04 we find the budget component for capital acquisition of the Attorney-General's department was $119,108,000. It has not been anywhere near that figure since that time. In 2004-05 it fell to $63,768,000. In 2005-06 it then dropped down $32.737 million. In 2006-07 it went to $74.091 million. In 2007-08 one would have hoped that the shortfall would have been picked up but it only moved to $101.842 million. We are still way under the 2003-04 budget figure of $119 million.

We have not been able to match the 2003-04 capital figure. This is a very sad indictment. It really puts into perspective where the justice system fits in this state government's order of importance. It highlights the inadequacies, inefficiencies and incompetence of this government in delivering justice to the people of Queensland.

I repeat those comments to highlight why we are in this position at this time. We are in this position because the government does not think it is necessary to spend the money that is required. We are in this position purely because money is not being expended in the judicial system as a consequence of this government's inability to realise it is important to fund this area.

I note that registrars have been operating in Victoria to fulfil a similar function to that proposed in this bill. The latest *Report on government services 2007* released by the Productivity Commission outlines that the Magistrates Court in Queensland has the highest backlog of both civil and criminal matters of all such courts in Australia. As at 30 June 2006, the Queensland Magistrates Court had a pending criminal case load of 34,626 matters, compared with the next highest backlog of 27,259 in New South Wales. There were 37,898 civil matters pending, compared with the next highest backlog of 29,037 in Western Australia. During 2005-06, Queensland also had the second lowest judicial officers full-time equivalent per 100,000 population ratio, with a ratio of 1.7 judicial officers. Slowly, over a long period, we have had an erosion that has led to this government suddenly realising that this backlog and delay in getting these matters through the court is costing the people of Queensland on a daily basis. It is as simple and as straightforward as that.

While the justification of 'backlog' is given for the introduction of JRs, consideration should be given as to whether this move will in fact greatly minimise the current court burden. It is argued that with more magistrates, more courthouses and more improved court resources the backlog could be drastically reduced, but we have not seen that and history, unfortunately, with this government tends to repeat itself. Consideration should be given as to whether this is another Labor attempt to be seen to be doing something about the problem rather than addressing the real issue—that is, the inadequate resourcing of court facilities in Queensland.

A foreseeable problem with introducing a new registrar jurisdiction is the situation where a matter is heard by a magistrate in a Magistrates Court yet for the reasons I have outlined and many others it is realised by the JR during the matter that it is more complex and therefore should be brought to the attention of a magistrate—thus ousting the JR's jurisdiction. Again, this could lead to the matter needing to be adjourned and being recommenced later before a magistrate. I do ask the Attorney to address what steps will be put in place so that that will not occur. Certainly, from the experience of many practitioners, that has happened on more than one occasion in the past.

Interestingly, while this part of the bill seeks to introduce the position of JRs into the Queensland Magistrates Court, the bill later amends the Supreme Court of Queensland Act by abolishing the position of JR in the Supreme Court 'owing to the position not being utilised'. Importantly also, the Attorney-General recently introduced a provision in the Land Court and Other Legislation Amendment Bill which sought to have retired magistrates recognised as magistrates. Such amendment seems to suggest that there is a crisis in the resourcing of the Queensland Magistrates Court and that the government is endeavouring to address the problem by recruiting retired officers and appointing a second tier of officers.

May I suggest that the issues could be just as well addressed by amending the retirement age of magistrates to 70 years rather than 65 years of age. Why do we not put in more regional courthouses, particularly in western and far-north Queensland? Why do we not appoint more and better qualified magistrates? And why do we not better resource the Magistrates Court? The whole issue can be summed up in that this government has been caught on the hop. It has been caught badly on the hop by its own abilities. It has been caught badly on the hop because it has had to pour billions of dollars into other areas—water, infrastructure, power and ambulance services—and the justice system has suffered as a consequence. This is nothing more than an attempt at the end of the day to play catch-up football by putting in place a tier of judicial officers that may be well intended but in my opinion on its own is short-sighted and can only be dealt with adequately by coupling it with significant other improvements in the system which this government appears incapable of achieving.

I also note that the position of JR is for a period of only two years. Although the sunset existence is reasoned on the grounds that it is a pilot program, it also indicates that they may well be a temporary solution to what is a very long-term problem. The government makes much of the fact that there are between 900 and 1,500 people per week pouring into south-east Queensland, and indeed Queensland. The other point to that is that the population increase brings with it a natural increase in crime, a natural increase in matters appearing before the courts and a necessity for long-term planning. No long-term planning in this jurisdiction has taken place. No long-term planning in this jurisdiction in regard to resourcing, finance or construction is in any way before the parliament or in any way before the public. Again, this is a temporary solution and, as with most temporary solutions, the potential for success is extremely limited.

I would like to thank the Attorney for the briefing that his staff members gave me in relation to this bill and also for the information received today regarding the pilot program. As I understand it, the pilot program for the JRs will place them at the Brisbane, Beenleigh and Southport Magistrates Courts for a period of two years initially. There will then be a review. There will be four JRs appointed. Each of those JRs will have a support clerk and a depositions clerk, so there will be an additional eight staff members outside of the JRs themselves. I wonder whether the Attorney in his summing-up could advise of the model under which this practice is being put in place. Have studies been done in relation to the model? If they have been done, have those studies and their success or otherwise been published, and if so where?

I note that funds are to be allocated as follows: in 2007-08, $658,000; in 2008-09, $1.48 million; and in 2009-10, $561,000. Will the Attorney confirm that those are the only funds directly or indirectly to be incurred by the department with regard to the appointment of JRs and the employment of additional staff or are there also funds outside of that dealing with such matters as time in court, outlays with regard to the court and superannuation contributions et cetera?

The bill also amends the Bail Act. One notes that the amendments to the act facilitate the making of bail applications by telephone, radio or other means of communication. Although a magistrate on the making of an application is reasonably satisfied in their discretion, because of the remote location of the defendant and/or long distance to travel to court there is a potential that bail applications by telecommunications could further lower the threshold of bail and/or create the perception that it is not a serious court process. By that I mean this: when a person appears in court, they know that they are in the presence of a magistrate or a judge. There is a certain demeanour associated with being in a court, just as there is in being in this chamber. That brings with it a certain degree of respect for the process that the person is going through. It is important to establish the standing of the law itself in the community as a whole. The point is this: is the standing of the law decreased if bail applications are dealt with in other than the formality that is normally associated with a court?

That is something that this House must be cognisant of and should be concerned about, because a reduction in the standing of the court in the eyes of the public is something that this House must always be cautious should never occur for any reason whatsoever. I am concerned about that because one could certainly imagine—certainly not being disrespectful to the court—that the place from which bail is sought and approved may not be conducive to the maintenance of the standing of the law in this state.

The bill also amends the Judicial Review Act to exempt decisions of adjudications made under the Building and Construction Industry Payments Act 2000 from judicial review. This amendment is said to be required to put the law back into the position it was in—that is, that the decision was not reviewable prior to several recent Supreme Court decisions that found that such decisions were. This

review process and other administrative appeals are fundamental processes in democratic systems and government. It has been said that the review, in particular, is so fundamental to liberal democracies that it forms part of the rule of law. The doctrine of separation of powers espouses the ideal that the three branches of government should operate as independent bodies, each independently subject to the review and scrutiny of the other. Without the review, the parliament and the executive branches effectively avoid the checks and balances—scrutiny that administrative appeal actions provide.

In Queensland the Judicial Review Act 1991 was enacted pursuant to recommendation of the Fitzgerald report on legislation enabling the judicial review of administrative decisions prepared and enacted. Further, the Electoral and Administrative Review Commission in its *Report on judicial review of administrative decisions and actions* observed at 1.8 as follows:

Judicial review has two main aspects:

(a) ensuring that duties imposed on administrators by parliament are performed. An administrator who fails to perform a public duty can be compelled by the court to perform it according to law upon application being made to the court by a person aggrieved by a failure to perform a public duty at all or a failure to perform it according to law;

(b) ensuring that administrators act within the limits of the general law and within the limits of the powers conferred to them by parliament, both as to procedure and as to the substance of what is done. In general the questions which arise in judicial review are whether the action is lawful in the sense that it is within the power conferred on the relevant Minister, official or statutory body; or the prescribed procedures had been followed; or that the general rules of law, including adherence to the principles of common law procedural fairness (natural justice) had been observed.

Judicial review is a fundamental part of the doctrine of the separation of powers. As the local amalgamation process has highlighted very recently, it is an essential accountability mechanism to limit abuse of power. What we have done is we have removed the right of review, acknowledged by the Supreme Court, of an individual to take a matter further. This parliament has therefore come between the right of the citizen and the right of the court in reviewing the determination.

The bill then goes on to provide a number of amendments to the Guardianship and Administration Act 2000 with regard to the composition of the tribunal and by creating the requirement that the tribunal consider and exhaust all familial possibilities before a guardian be appointed to support an impaired adult person. The bill amends the maximum amount of time that an interim order can be made over an adult's affairs. The maximum time has now been reduced from six months to three, but I note that the notes to the bill state the Queensland Law Reform Commission recommended the time limitation for interim orders should be 10 days. In the briefing provided by the Attorney-General's staff it was reported that that was not followed as there were some real practical problems—for example, time was simply insufficient to investigate fully and to carry out required steps between one court hearing date and another. I would like the Attorney to comment upon that further if he could.

The bill then amends the Births, Deaths and Marriage Registration Act 2003 by allowing the Registrar-General to accept an application for registration of the birth of a child that is signed by only one parent. The bill also facilitates the online registration of marriages and deaths by marriage celebrants and funeral directors. That is a provision that I will come to in the consideration in detail stage. I have some concerns in relation to the wording of that provision—in particular, the safeguards put in place for the person or parent who will not be included on the form at the request of the other parent and the safeguards that will be put in place by the registrar to ensure that information that he or she receives is both adequate and correct.

The Mental Health Act 2000 is amended to put beyond doubt the court's power to remand a classified patient in custody and to adjourn the proceedings from time to time. The notes to the bill further state—

A person awaiting the finalisation of a charge for a simple or indictable offence may, under a custodian's assessment authority or a court assessment order, be detained in an authorised mental health service ("a classified patient"). Upon a person becoming a classified patient, proceedings for the offence are suspended under section 75.

Several of the amendments also deal with the remand of patients on involuntary treatment orders for forensic reasons. Again, I will deal with those in greater detail during the consideration in detail stage.

The Industrial Relations Act 1999 and the Anti-Discrimination Act 1991 are amended by the bill in relation to trade union activity and pre-work and work areas. I think the consideration in detail stage is the most appropriate time to deal with those matters as well. The amendments make clear that the Anti-Discrimination Commission Queensland has jurisdiction to accept all complaints of discrimination on the basis of trade union activity in the pre-work area and on the basis of trade union activity in the work area.

The Ombudsman Act 2001 is also altered by the bill. It provides that the Ombudsman may inform a complainant in any way he considers appropriate that he will not be investigating a complaint. The concern with the provision is that it creates the possibility of the Ombudsman or a delegated officer responding to complaints in a cursory or appropriate manner. In terms of reporting complaints and keeping accurate records of those lodged and of the investigation carried out, there is a potential that such will not be done fully if the office can dismiss complaints in 'any way the Ombudsman considers appropriate'.

The Land and Resources Tribunal and the Land Court amendments raise the question of how they will be affected by the Land Court and Other Legislation Amendment Bill 2007 introduced in the House on 7 August 2007. That bill effectively amalgamates the jurisdiction of the Land and Resources Tribunal and the mining referee with the Land Court. There are also a number of amendments in the bill that allow the delegation of power to chief executives, including amendments to the Criminal Code and the Justices Act.

Of concern is that the bill seeks to retrospectively validate justices of the peace and commissioners of declaration appointments made between 22 April 2005 and 10 August 2006. The provision is said to be required to remove any doubt as to the validity of the appointments which may have arisen due to invalid or inadequate authorisation processes. The amendment also appears to be motivated by the fact that during that period—that is, between 22 April 2005 and 10 August 2006—the Attorney-General delegated responsibility to the chief executive officer who delegated, without authority, responsibility to a bureaucrat to approve appointments. I would ask the Attorney to comment on the rationale of that particular provision being inserted into this bill.

One of the amendments made by the bill to the Dispute Resolution Centres Act 1990 confirms that any person who makes or has made an evaluation of dispute resolution centres in Queensland is obligated to keep their evaluation secret and can only disclose information if authorised by legislation. It is not clear why this amendment is required. I ask the Attorney in reply to address that point. With regard to the evaluations that are undertaken, is there any information that is sensitive that should not be made available to the public or to the parliament? If so, there may be very good reasons why that is the case. I am asking the Attorney to provide further details or information on that.

As I said at the start of my speech, the bill is presented as an omnibus bill but it is in fact far from that. One needs to approach this bill with a great degree of caution, knowing the Beattie government's approach to problems is either to look as though you are doing something when in reality it is all smoke and mirrors or perhaps, more appropriately, to wait until the crisis hits and scramble to try to do something to fix it when a planned and ordered approach would have been the best method to tackle the concerns. This bill is one more sad attempt by this government to rush to a solution without proper planning and inadequate resourcing.

As I have raised many times in this House, the justice system in this state under this government is crumbling. There are significant issues that need to be addressed. The bill, instead of dealing with the major issues facing the state, tinkers with ad hoc and at the very best juvenile solutions to major concerns. Instead of acknowledging the problem it has created by its indifference, inadequacy and incompetence, this government is again attempting to ram through a bill with a view to placing a bandaid over problems being experienced in our system. The bill is a poor attempt at drafting and, more importantly, deals with the issues in such a perfunctory manner that the coalition, after weighing all the concerns and taking into account all considerations, cannot support the bill. It deals with matters which are of great importance to this state now and into the future in a manner that is both juvenile and, unfortunately, ridiculous.

As I said at the start of my speech, this bill is not an omnibus bill. This bill does not deal with minor amendments and minor changes. It deals with significant amendments and significant issues facing this state that will have an impact for many years to come. It should never have been presented to this House in this form. A real omnibus bill deals with very minor amendments to wording or drafting. That is what a true omnibus bill should be. This is not. It is simply an attempt to put everything in one gladbag and ram it through the House.

Mr MOORHEAD (Waterford—ALP) (3.07 pm): I have not been in this House for long—

Mr Reeves: You've got a hard act to follow.

Mr MOORHEAD: I do have a hard act to follow. I sat here while the member for Caloundra quoted himself to support his own proposition. He then quoted a part of his speech which is recorded in *Hansard* and read it into *Hansard* again. I say to the member for Caloundra: to quote oneself as an authority for oneself does not contribute to the debate and consideration of the matters before the House.

I start my contribution by speaking to the Scrutiny of Legislation Committee *Alert Digest No. 5* which raises three issues for this House to consider concerning the manner in which this bill affects the rights and liberties of Queenslanders. The first issue raised by the Scrutiny of Legislation Committee in report No. 5—an insightful report, if I might say so—deals with the limitation of the Judicial Review Act in its application to decisions under the Building and Construction Industry Payments Act 2004 at parts 2 and 3.

The provisions in question provide for a speedy and effective interim resolution of disputes and overpayments in the building and construction industry. That is eminently sensible. That system means that subcontractors and their contractors are not driven to the wall while they wait for payments and litigation to be finalised in respect of construction work that has been ongoing.

Obviously the construction industry is one that requires significant capital outlay by subcontractors and their subcontractors before proceeding and before payment for that work can be received. But while judicial review is limited in that regard, that in my view is entirely consistent with the nature of the provision. The interim adjudication provided by the tribunal in this case does not affect a party's right or any interest they have and their ability to pursue those claims through the courts. This is simply about payments that are disputed and are made through a rapid adjudication system to ensure that our construction industry can continue in an efficient manner. While the committee did refer that matter to the parliament, in my view that is an entirely appropriate amendment to be making and I think clause 91 of the bill deals with that quite well.

The Scrutiny of Legislation Committee's report No. 5 of 2007 also deals with the recognition that the bill does retrospectively impose amendments to the Justices of the Peace and Commissioners for Declarations Act 1991 and the requirement that the form be endorsed by a local, state or Commonwealth member of parliament or by a business nominator when they cannot obtain the signature of their local, state or Commonwealth member of parliament. While this is retrospective in nature, this is one of those occasions where retrospective legislation is there to cure a defect of an unintended legislative consequence from previous amendments to the act.

While some people may have had their applications to become justices of the peace or commissioners for declarations rejected on this basis, I understand the practice to be that the registrar responsible would provide to the applicant a further opportunity to take their application to their state member for endorsement, and I am sure that process provides little inconvenience to those who do it. Like, I am sure, other members of the House, I quite regularly interview applicants and complete their form. In my view we are not retrospectively taking rights off people; we are legislating to fix a technical defect that has existed in the law and, importantly, the requirement is largely a procedural one because the test required for local members is only that they are not aware of any reasons why the person should not be a commissioner for declarations.

The other issue before the Scrutiny of Legislation Committee was clause 108 which provides immunity to a member in the Land Appeal Court and participants in those proceedings from prosecution. Given that the Land Appeal Court has proceedings similar to other Queensland courts, it is appropriate that those proceedings be protected with Supreme Court type immunity.

I now turn to clause 6 of the bill which amends the Anti-Discrimination Act 1991 and put on the record my sincere thanks to both the current Attorney-General, the member for Toowoomba North, and his predecessor, the member for Kurwongbah, when she was Attorney-General for their hard work on this issue. Before I was elected to this place I was part of a delegation from the Australian Manufacturing Workers Union—the delegation also included Andrew Dettmer and Katelyn Allen from the union—that met with the then Attorney-General, the member for Kurwongbah, to raise with her the real quandary that these provisions placed Queensland workers in, particularly given the real lack of any effective redress for workers who are discriminated against on the basis of their trade union activity in the federal jurisdiction.

The federal jurisdiction in this regard provides two means of redress at different ends of the spectrum. Workers who feel that they have a claim to pursue are either required to proceed to the Federal Court and take action in that quite expensive jurisdiction under what was part 10A of the Workplace Relations Act 1996, in particular section 298K—and often when we are talking about issues of employment, the costs of those proceedings would outweigh any compensation that employees may well be entitled to. At the other end of the spectrum was the Human Rights and Equal Opportunity Commission where, while a worker is entitled to make a complaint of discrimination on the basis of trade union activity and HREOC is given the opportunity to investigate that matter, there is actually no means of redress.

Unlike other areas of discrimination, if one makes a complaint of discrimination on the basis of trade union activity they cannot then take their finalised complaint to the federal Magistrates Court or the Federal Court to pursue some remedy. They are really left with that empty feeling of a sympathetic HREOC but no redress whatsoever. This provision ensures that Queensland workers who may be on federal awards or are now within the federal jurisdiction—and I note that the WorkChoices legislation has immensely increased that number—will have an opportunity to make their complaint to the Anti-Discrimination Commission of Queensland, and that reduces the conflict between the Industrial Relations Commission provisions and the Anti-Discrimination Commission provisions.

I now turn to the amendments in this bill that deal with the Drugs Misuse Act 1986 and the Penalties and Sentences Act 1992. One of the more significant amendments contained in this bill goes to the inclusion of offences against section 10(4) and 4A of the Drugs Misuse Act 1986 into the illicit drug diversion program. Part 3 division 1 of the act provides for the referral by a drug diversion court of an eligible offender who has been charged with an eligible drug offence to a drug assessment and education session, and this is known as the court diversion program for minor drugs offences. Eligible drug offences are defined in section 15D of the act, and the offence of possessing and failing to take reasonable care and precautions with respect to a hypodermic syringe or needle and of possessing and

failing to dispose of a hypodermic syringe or needle in accordance with the regulations are added to the list of eligible drug offences for which an offender may be diverted. The amendments mirror those in clause 103 in relation to child offenders. So the same procedure would work in the Children's Court provisions and in the provisions relating to adults. The Queensland Illicit Drug Diversion Initiative is part of the COAG Illicit Drug Diversion Initiative and is an initiative funded by the Commonwealth. While initially a pilot was established in Brisbane in 2003, since 1 July 2005 it has been a statewide program.

The program aims to divert adults and juveniles convicted of minor drug offences into counselling rather than simply imposing a fine on them. If the offender pleads guilty and meets strict eligibility criteria, the court may place the person on a recognisance with a special condition requiring attendance at a drug assessment and education session. The program offers people charged with a minor drug offence the opportunity to receive professional help through early intervention and programs rather than proceeding through the normal court process. This is an important alternative rather than continuing to fine minor offenders who may well come back into the process because of their involvement in drugs. This alternative is about fixing the problem, not just papering over the cracks with some proceedings. This means that we will directly affect the underlying issue of drug misuse that brings the person before the court. Since the program commenced as a pilot, a total of 10,924 assessments have been undertaken, 9,352 offenders were diverted into an assessment and education session and 91 per cent of those people who participated in the program complied with the order.

This bill includes amendments that broaden the list of eligible drug offences through the inclusion of section 10(4) and section 10(4A). The amendments will enhance the operation of the program and its reach on tackling the illicit use of drugs in our community. Experience with the program has shown that a lot of offenders who appear in court on charges relating to the possession of drugs or utensils tend to also face charges relating to a failure to dispose or take reasonable care. These people can successfully be diverted to the program for the possession of dangerous drug or utensil charge, and they are normally diverted into an assessment or education session. However, for the syringe charge, another penalty has to be imposed. In my view, these amendments are common sense. They bring together those drug related charges that an individual faces and they deal with the underlying cause. I do not think any member of this House has sympathy for those who put others at risk of needle stick injuries, but if we can work through this program to fix the underlying issue of drug misuse, we can then address the issue of needles and the appropriate use of needles in our community.

There was an article published in the *Courier-Mail* on 27 February 2007 which described this program under the heading of 'Drugs court: a soft option on users'. It criticised the program as doing little to ease the social cost of drug use while offenders were forced to attend only woefully inadequate sessions with no ongoing monitoring. This program is not about soft options. Offenders who comply with the requirement to attend a counselling session are deemed to have satisfied the conditions of the order and have no conviction recorded. Noncompliance with the requirements of the court diversion program, however, results in the commencement of breach proceedings for adult offenders and may ultimately result in a warrant being issued and the offender being returned to the court for resentencing.

The philosophy of the program is to offer all offenders who have been charged with a minor drug offence and who have little or no criminal history the opportunity to attend an assessment and education session rather than having the traditional sentence of a fine imposed upon them. The assessment and education session is about addressing their drug use and preventing a new generation of drug users from committing drug related crime. It is about the opportunity for them to acknowledge and to take personal responsibility for their offending behaviour whilst not having a conviction recorded against their name. Invariably, this leads to safer environments for Queenslanders by reducing the personal and social cost of drug misuse in our communities.

In the time that I have left, I want to deal with the important amendment that the bill makes to the Penalties and Sentences Act 1992 which relates to the requirement that a court when sentencing must have regard to the successful completion of any rehabilitation, treatment or other intervention program that the offender was required to attend as a condition of their bail. This amendment recognises that there may be cases where the offender was on bail for an extended period and subject to onerous conditions. In such a case, the court may consider compliance as evidence of the offender's efforts at rehabilitation.

There is no intention in this legislation to require the courts to have regard to failure to comply with the bail program. That is because the person's bail is itself the subject of its own legislative regime which provides its own consequences for a breach. Asking the court to consider imposing a greater punishment than it otherwise would raises issues of double punishment, which I do not think any member of this House would support.

The intention of the amendment is to not allow for a positive consideration that can be held in favour of an offender but to allow a court to consider whether an offender's failure to comply with terms and conditions of their bail should result in a higher punishment in the range available being imposed. Unlike other proposals being put forward by the coalition, this amendment will allow for a positive consideration rather than providing for that double punishment, which is being put forward by the coalition.

This bill is an important measure in providing a viable alternative to fines that will address the underlying drug problem. It will ensure that we have safer communities and communities that are protected from drug related crime. I commend the bill to the House.

Mr HORAN (Toowoomba South—NPA) (3.25 pm): This bill amends a substantial number of pieces of legislation. It is an omnibus bill and it continues the trend of the Labor government of putting a number of amendments of some substance into an omnibus bill. An omnibus bill is usually a bill that covers amendments of a technical nature. Yet here we see contained in this bill a large number of quite serious amendments. The opposition agrees with some of these amendments; it does not agree with other amendments. As the shadow Attorney-General has said, because there are some amendments in this bill that the opposition does not agree with, we will vote against the bill.

This bill covers some 28 pieces of legislation that come under the jurisdiction of the Justice portfolio. One of the key amendments in this bill relates to the appointment of judicial registrars, which I have no doubt the Attorney-General will explain to some extent in his summing-up. As I understand it, these are appointments that are made by the Attorney-General in consultation with the Chief Magistrate. Those people who are appointed must be eligible for appointment as a magistrate. I think, in that process, it is going to be very important that we ensure we maintain the very highest of standards.

The amendments contained in this bill that relate to the Bail Act give us some concern. I have a lot of sympathy for the argument that we do not want to see police driving long distances and often at night, as the minister mentioned in his second reading speech, to have a person brought before a court. We might have a lack of courthouses and a lack of resources because of government neglect or courthouses being closed in the past by the Labor government, particularly under Goss and Rudd. But one of the important things about our justice system is its formality and presence. It provides structure and status. It is part of the process of people who have been recalcitrant in making up their minds that they will not do what they have done again because they do not want to go through this whole process again. This bill provides an amendment whereby the granting of bail can by done through the relatively easy process of making a phone call compared to the more frightening, if you like, process of being brought before a magistrate, having a police officer reading out the details of the charge and the applicant, which shows that this is pretty serious business and that the wrongdoing is going to be treated in a highly formal and structured way. That causes the opposition a lot of concern.

Today, I want to comment on the removal of judicial review from the building tribunal. A fundamental tenet of justice is the people's right of review. In this parliament we hear a lot about justice, people's rights, the separation of power and all those sorts of things. The legislation that we are debating today removes one of those fundamental principles of justice.

The Building Tribunal has provided an excellent service. In recent times a merge has taken place involving the tribunal, the auctioneers, agents and motor dealers acts and also Aboriginal land titles, although the acts have remained separate. One could not get three more disparate systems than building and construction, auctioneers, agents and motor dealers, and Aboriginal land titles. I understand that the system has become weaker because of that and because of its lack of speciality, which is what made it such a good system when operations were conducted solely through the Building Tribunal.

Perhaps because of a lack of proper remuneration, over a period the tribunal has moved from employing full-time people to having a number of part-time members. The tribunal deals with a lot of very difficult and complex matters. Bearing all that in mind, the right of appeal is extremely important.

It is also important to consider the exclusivity of the Building Tribunal with regard to domestic construction. If someone has an issue with the building of their house, the only place that they can go to is the Building Tribunal. With a commercial construction, there are alternative avenues to the Building Tribunal. People who have an issue with domestic work, that is, the construction of their home, can go only to the Building Tribunal. That makes it all the more important for those people to have a right of appeal.

Matters that come before the Building Tribunal and construction contracts are often very complex. Many of them come under a principle of fair and reasonable price, which may not even be in the contract itself. However, because of something else that may have happened in the construction, the principle of fair and reasonable price comes into it. It is very complex and it requires very careful and learned consideration by the tribunal and, likewise, very careful representation by the legal profession. It really is a travesty to remove this right of appeal, particularly bearing in mind how important home construction is to people.

If this amendment is being made purely as a money-saving device, it is probably penny-wise and pound-foolish. The most important thing is to get the right result and the right answer, and for people to be given every proper opportunity to get justice. If we do not have a right of appeal, we create injustice.

The tribunal can get it wrong. As I said, the tribunal deals with very complex matters and when it does get it wrong, the people who have brought a matter before the tribunal must have a fundamental right—a fundamental tenet of justice—to appeal. There are appeal processes in every other facet of the

justice system, yet in this particular area that process will be ripped away. These matters can involve considerable financial loss, particularly when one considers the price of building domestic housing and the importance of housing to people.

This matter also infringes separation of powers. The simple interpretation of the separation of powers is that the parliament sets the laws, but does not interfere in the application of those laws or the operation of the Police Service. There is a complete separation of those three important functions—that is, the lawmakers, those who apply the laws and those who do the operational police work.

When a parliament takes away part of the justice system, an interpretation of the separation of powers quite correctly states that that is interfering with the principle of the separation of powers. That is what is happening in the parliament today. Rather than just setting the law, we are taking away a very important part of the justice system, which is the right of appeal. More importantly, we are taking away the right of appeal from people who have a domestic housing matter before the tribunal.

I wanted to comment on that issue in today's debate. I call on this parliament to consider this matter. It is worthwhile looking at this part of the legislation and ensuring that the right of appeal is not removed.

One thing that can upset people more than anything else is to have something go wrong with the construction of their house. All sorts of systems have been put into place, such as the licensing of builders and so on, to ensure the very best possible protection for people undertaking the most important project of their lives and that of their families, which is to put a roof over their heads and to build their family home. Yet we are taking away people's right to appeal to the Building Tribunal.

As I said, there is an exclusivity issue here as the Building Tribunal is the only place one can take a domestic construction matter. If this legislation is passed without this clause being withdrawn or amended, the right of people to appeal to the Building Tribunal is gone. That is wrong. It is particularly unfair to those who are paying for domestic construction.

Mr LAWLOR (Southport—ALP) (3.36 pm): This bill proposes a range of amendments to legislation within the Justice portfolio to improve the operational efficiency of the legislation. These include a range of refinements to the Drug Court Act 2000 which underpins the operation and jurisdiction of the Drug Court, one of a number of initiatives that the Queensland government has introduced in its concentrated efforts to develop innovative and proactive solutions to drugs in our community. Other initiatives include the Drug Court Diversion Program for elicit drugs and the Queensland Magistrates Early Referral Into Treatment program.

The amendments themselves are straightforward. The first, introduced by clause 52, removes the unnecessary requirement for persons to appear specifically before a Drug Court. Any Magistrates Court can refer a person for an indicative assessment. Similar refinements are introduced by the other amendments in this part. The amendment introduced by clause 52 also provides some practical adjustments to the legislation to introduce some control over the geographical location of the defendant and the availability of services and resources. To date, the Drug Court has operated in Cairns, Townsville, Ipswich, Beenleigh and Southport. Unless someone came before one of those drug courts, the provisions of this particular act could not apply to them. That was quite unfair and this is a logical amendment. Further, the amendment aims to ensure that non-Queensland parolees will not be given preferential treatment or advantages over Queenslanders.

It is important to note that the amendments do not impose any additional restrictions on the eligibility of persons before the Drug Court. Section 6 of the Drug Court Act 2000 already provides that to be 'an eligible person' for the purposes of the act, the person must satisfy specified criteria including any criteria prescribed under the regulation.

Section 6(2) states that a regulation may require that the person be someone who resides in the stated locality. Currently under the Drug Court Regulation 2006, the residence eligibility requirements apply to both indicative assessments and full assessments on referral from a Drug Court magistrate. The regulation also requires that if an intensive drug rehabilitation order is made, a person must reside in a stated locality for the Drug Court before which the person is appearing.

The amendments are simply intended to clarify the regulation-making power in section 6(2) to make it clear that the regulation can require that a person be someone who resides in a stated locality not just at the time of making the order but also at other times. This is consistent with the objectives of the Drug Court and therefore necessary to ensure that eligible persons are able to participate to the greatest extent possible in any relevant supporting programs.

The link between substance abuse and crime is well documented with research showing that a high percentage of persons arrested for any offences admit to current, regular illegal drug use. The Drug Court Act 2000 provides a sentencing option called an intensive drug rehabilitation order to divert drug-addicted offenders from prison by suspending a term of imprisonment on the condition that they undergo an intensive treatment and rehabilitation program which is usually 12 to 18 months in length.

This provides sufficient time for habitual patterns of behaviour to be challenged, reducing the level of drug dependency and, as a consequence, reducing offending behaviour. The Drug Court program also has flow-on effects to the community through families that are kept together and supported, crimes that are not committed and criminal justice and welfare system resources that are saved.

The Drug Court targets people charged with more serious drug related offences where they face a sentence of imprisonment. The Drug Court was piloted for six years in the magistrates courts in south-east Queensland and north Queensland, as I have previously mentioned, in Cairns, Townsville, Ipswich, Beenleigh and Southport. It is now a permanent court established under the Drug Court Act 2000 and operates in the five Magistrates Courts that I have mentioned. The Drug Court program locations have been chosen because of their access to available rehabilitation services. It should be appreciated that these services do not exist in all court locations.

The operational objective of the Drug Court is to combine the supervision of the judicial process with the resources and support services available through alcohol and drug treatment services. The Drug Court program is a coordinated service delivery program utilising partnerships between seven public sector organisations—that is, the departments of Health, Justice, Corrections, Police, Housing, Communities and Legal Aid Queensland and community based rehabilitation and support agencies to provide intensive and timely interventions to drug-addicted offenders.

The criteria for admission to the program include that the applicant should be an adult and resident in an area supported by a Drug Court program. Admission to the program is for serious offenders facing imprisonment who are drug dependant and who have committed offences because of that dependency. Violent and sexual offenders are not eligible for the program.

Australian Institute of Criminology evaluations of the drug courts indicate more favourable recidivism outcomes for graduates compared with non-participant groups. Even those participants who did re-offend did so at a significantly reduced level. A third evaluation, a recidivism study of the first 1,000 graduates over a two-year period since graduation, is currently being finalised by the institute.

The Drug Court program is expensive. There has been $1.5 million allocated to the Department of Justice and Attorney-General for ongoing operations of the Drug Court for the 2007-08 financial year. The total amount allocated for the Drug Court is $13.453 million. The Drug Court program delivers significant returns to the community such as reduced health risks for members of the community and a reduction in crime. However, the number of Drug Court participants on intensive drug rehabilitation orders is capped. These caps are necessary to maintain control, guarantee access to services and maintain service quality levels in the treatment of Drug Court participants. The Drug Court successfully operates in the Magistrates Court jurisdiction, avoiding the cost of sentences usually managed in the Supreme and District courts. The Drug Court also avoids the high cost of imprisonment by diverting suitable offenders into intensive community based supervision. For instance, for those who have graduated from the program, the combined total of sentences which were avoided by suspension of jail sentences and admission to rehabilitation is 4,057 months—that is, 338 prisoner years.

In summary, these changes are common-sense changes in relation to drug charges and I commend the bill to the House.

Ms LEE LONG (Tablelands—ONP) (3.44 pm): I rise to speak to the Justice and Other Legislation Amendment Bill 2007. This bill is certainly something of a monster omnibus bill. It contains amendments to 32 separate pieces of legislation including the Acts Interpretation Act, the Bail Act, the Births, Deaths and Marriages Registration Act, the Corrective Services Act, the Criminal Code, the Electoral Act, the District Court of Queensland Act, the Freedom of Information Act, the Judicial Review Act, the Land Court Act and the list goes on.

Many of the amendments contained in this bill are not minor at all, despite the explanatory notes indicating that that is the case. For example, amendments to the Guardianship and Administration Act may be retrospective in operation. Retrospectivity itself is a major issue and something I believe should be avoided if at all possible. However, the particular amendments I am referring to will place a guardian or administrator who has ceased filling that role under the same obligations as if they were still performing that function. The explanatory notes say—

> This provision would not impose any further obligations upon the person whose appointment has ended other than what they would have had to comply with had their appointment not ended.

The burden of guardianship is a very onerous one and with the best of intentions and the best will in the world it is entirely understandable that at times the burden may simply become too much. This kind of additional threat, that the government will continue to hold someone who has given up that role to be liable for the exact kind of obligation as if they had not, will only add to that burden. I understand that this is aimed at circumstances where someone with impaired capacity has been neglected, abused or exploited. However, we already have a highly experienced and dedicated Police Service, and neglect, abuse or exploitation should be the subject of criminal complaint and investigation. This existing

option adds no extra burden on the caring, dedicated and even loving family members and others who presently take on this role while providing for the full weight of the law to descend on those few guardians who do abuse, neglect or exploit their charges.

I also note that in regard to consultation on this bill there is the usual list of government-asking-government department officers. There is also the Queensland Council of Unions and the Australian Manufacturing Workers Union. That may be appropriate, given the matters referred to in the amendments to the Anti-Discrimination Act. However, there is not one mention of any representative group for the disabled. It appears that those people most directly affected by these amendments—the disabled themselves—were never even asked their opinion.

Clause 13 addresses amendments to the Bail Act and inserts a new section 15A to allow a magistrate to grant bail by telephone, radio et cetera in certain circumstances. I welcome the greater flexibility that this provides for those in remote areas and raise the issue of magistrates using radio and telephone being able to assess the demeanour, expression, presentation and appearance and even the physical condition and so on of bail applicants. Perhaps further resources are necessary to ensure that remote police stations are able to provide video-link facilities. I do note that other amendments in this bill provide for hospitals et cetera to fill this role.

Clause 20 introduces amendments to the Births, Deaths and Marriages Registration Act that, put simply, make it easier for birth certificates to be issued with only one parent's signature. The explanatory notes indicate that at present the Registrar-General is required to investigate the whereabouts of the other parent and their willingness to sign the application for a birth certificate. The notes go on to say that it can be difficult when the signing parent is unable or unwilling to give information about the whereabouts of the other parent. The amendments today are aimed at allowing the Registrar-General to accept without investigation applications with only one parent's signature. I do not believe that is good enough. The present laws do not require the signing parent to approach the other parent in any way, simply to provide any information they may have about their location to the Registrar-General. I believe that there is an obligation on us as a society and on parents to provide every child with as full and complete a record of their birth as possible. This amendment is more about the convenience of a parent rather than the rights of the child.

I also note amendments in clause 22 relating to recording changes in a child's name and the reference to creating an audit trail of identity. I take this opportunity to emphasise that the growing modern requirements for an audit trail affect not only children but also adults. I have had a number of constituents raise issues with me relating to proving to the new standard who they are. This can be extremely difficult if they are from outside Queensland or are overseas immigrants. This area does, I believe, require more work.

Finally, I turn to amendments to the Magistrates Act 1991 which create the position of judicial registrars, while at the same time we have amendments to the Supreme Court of Queensland Act 1991 which will abolish the position of judicial registrar in that court owing to it not being utilised. If the magistrates we presently have are overworked, then I believe the proper response should be to appoint more magistrates, not come up with lesser alternatives. Additionally, it appears 'judicial registrar' is a position that in a higher court has proven to be of no use. A more detailed reasoning for these two apparently conflicting amendments would appear to be required.

I believe this bill contains much more than minor amendments and is more important to many parts of our community than first appearances suggest. A far more proactive consultation process may have helped to address some of the issues I have raised today, but then the Beattie government's approach to the opinions of the people of Queensland has been made abundantly clear in recent times.

Mr MESSENGER (Burnett—NPA) (3.50 pm): The Justice and Other Legislation Amendment Bill contains far too many major changes in an attempt to fix the government's failure to adequately forward plan. The Queensland coalition has a number of concerns with this bill and therefore will not be supporting the bill. The majority of those concerns were eloquently stated to this House by my coalition colleague the shadow Attorney-General, Mr McArdle. I note that the bill aims to make amendments to 32 different acts which range through a number of areas that have been stated previously, including the Magistrates Act, the Bail Act and the Births, Deaths and Marriages Registration Act 2003. I am very happy that this bill gives me an opportunity to speak across a range of different subjects.

The Queensland coalition is particularly concerned that the bill proposes to introduce the position of judicial registrars in Queensland's Magistrates Court as has been implemented in Victoria. The aim is that these judicial registrars would hear the less complicated or more procedural matters—such as minor debt claims, civil chamber applications, domestic violence matters, adjournments and bail applications where the prosecution does not oppose the granting of bail—and that this would divert significant time and resources away from Queensland's busiest courts, potentially decreasing the heavy backlog of this court.

It sounds very good on the surface but will the introduction of these judicial registrars actually greatly minimise the current court burden? For example, matters considered to be minor and uncomplicated heard by a judicial registrar could in fact turn out to be more complex than originally thought, which would mean of course that the matter would then be adjourned and need to be heard before a magistrate anyway. How is this going to free up the Magistrates Court if this circumstance becomes a regular occurrence? I would imagine there would be many cases which require in-depth consideration. Clearly, this move is just another Beattie Labor government attempt to be seen to be doing something to fix the problem while not actually addressing the real issue of the inadequate resourcing of court facilities in Queensland.

It is worth noting that these proposed judicial registrar positions are to exist for just two years through its pilot program, indicating that they are simply a temporary solution to what is, as has been acknowledged here, a long-term problem. It is completely incomprehensible that, while this section of the bill seeks to introduce the position of judicial registrars into Queensland's Magistrates Court, this government turns around and wants through further amendments to abolish the position of judicial registrars in the Supreme Court of Queensland 'owing to the positions not being utilised'. If this government is acknowledging the positions of judicial registrars in the Supreme Court are obsolete and unnecessary and therefore need to be abolished, why then does it feel it is necessary to have this position at the Queensland magistrate level? I do not see how the government can justify introducing this position into our Magistrates Court system when it already has been proven to be unnecessary at the Supreme Court level.

The Queensland coalition is also concerned with the amendments in the bill that introduce the ability to make bail applications via telephone, radio or other means of communications. Potentially facilitating bail applications by telecommunications could quite possibly further lower the threshold of bail and create the perception that it is not a serious court process.

The bill also aims to abolish a fundamental part of the doctrine of separation of powers—the judicial review—through amendments to the Judicial Review Act 1991. This is particularly concerning as the judicial review and other administrative appeals are an essential process in the democratic systems of government. In fact, the doctrine of separation of powers promotes the ideal that the three branches of government—the legislative, executive and judiciary—should operate as independent bodies, each independently subjected to the review and scrutiny of the other. Without judicial review, the legislative and executive branches in fact would avoid the checks and balances, the scrutiny that administrative appeals actions provide, ultimately leaving it wide open for abuse.

I also have a few concerns regarding amendments to the Births, Deaths and Marriages Registration Act 2003. The first is with regard to the amendment that means that only one parent is required to sign a child's application for registration of their birth where the registrar is satisfied that it is appropriate that only one parent signs, such as in domestic violence situations. This is a reasonable concern that it is not specified what evidence the registrar will need in order to be satisfied that only one parent needs to sign. There needs to be more clarification on this clause, and I look forward to that clarification from the minister.

The bill also seeks to facilitate the online registration of marriages and deaths by marriage celebrants and funeral directors respectively. Despite access to documents and their lodgement being password protected, as is the case with all online activity, there is a risk that electronic lodgement could be more vulnerable to abuse. We do not have to look far to find examples of online abuse. My own personal experience with some online web site polls demonstrates just how easily web sites can be hacked into and manipulated. It is also relevant to raise the concern that both amendments could quite possibly be open to abuse by persons or organisations involved in terrorism and identity fraud.

There are a number of other acts that are amended within this bill, including the Drugs Misuse Act 1986, the Corrective Services Act 2006, the Penalties and Sentences Act 1992 and the Mental Health Act 2000. We have heard other members speak about the drug situation in Queensland, and I would like to comment broadly and briefly on the situation that exists now. It is right that we are concerned about the drug situation in Queensland because we have one of the highest usages of methamphetamine in the country. The recent crime statistics provided by the Australian Crime Commission showed that more than 40 per cent of all the discoveries of drug labs in Australia were in Queensland. Similarly, the statistics showed that about 44 per cent of all usage of marijuana happens in Queensland. The statistic is similar for the use of methamphetamine—that is, a percentage in the 40s—and the number of people caught dealing methamphetamine.

So it is right that we should have government policies; indeed, it is up to the opposition to also present positive policies which will find solutions to this drug issue. We have put forward a private member's bill which I hope will help decrease the amount of drugs on the street, but that is not the silver bullet. We need a holistic approach to the whole question of drug use, including properly educating our children on the dangers of using drugs. Once again, I say that I am a great advocate of Life Education and I would like to see government funding given to that institution.

As well as that, we need education on the threat that drugs pose to our children. Recently at home we heard about syringes being found in playgrounds and schoolyards. It has to concern parents that their children are exposed to those risks. About a year ago I spoke to a group of parents who call themselves POTY, parents of troubled youth. These parents had a very, very sad tale to tell. They spoke about the problems they have with the Mental Health Act. If their child was addicted to drugs, they found it very difficult to get help through the public mental health system within Queensland. To a person everyone told of almost the same difficulties. They would present to mental health trying to get help for their children as the drugs that the children were using often exacerbated and increased their mental health illnesses. They were really looking for a solution from this government and the opposition on how to combat that.

One conversation I had with a parent sticks clearly in my mind. The lady said that the night she got the phone call from the police to say that her 17-year-old son was in jail was the night she had her first decent night's sleep, because she knew she was not going to get a phone call to say that he was dead in a gutter with a needle in his arm. She had presented her son to Queensland mental health seeking help, but I found out subsequently that parents of Queensland children have very little rights when it comes to detoxing their children. There is no legislation which allows parents to involuntarily detox their children. I think we should address this situation. As well as providing a legislative solution to involuntary detox, we need to look at building within every region public facilities that enable the detoxing of those children. I believe there are really only three or four places in Queensland, and they are mostly provided by private organisations such as the Salvation Army, that allow for the detoxification of children.

The other issue I would briefly like to touch on is covered by the amendments to the Industrial Relations Act. I know that other members have spoken about industrial relations. It is page 43, clause 87 of the bill. I have one message to federal public service workers and employees. If they really want to gain an understanding of what it would be like to have a Labor government as an employer, just ask any public servant in Queensland. Ask the police officers, the nurses, the child safety workers, the prison officers and the teachers what sorts of conditions and resourcing levels they are being forced to work under. The first thing that a Labor government will do is casualise the workforce, because immediately there is a way of controlling the workforce, keeping them half-hungry.

Government members interjected.

Mr MESSENGER: I have done studies. The statistics show that there is a high rate of casualisation within the Queensland Public Service. One comment which I will repeat again is that Toni Hoffman said to me if you are a nurse—

Mr DEPUTY SPEAKER: Order! Member for Burnett, can you please direct your comments to the provisions in the bill.

Mr MESSENGER: The provision I am directing my comments to is the amendment of the Industrial Relations Act on page 43 of the bill. I am talking about that.

Mr DEPUTY SPEAKER: Member for Burnett, the amendment of the Industrial Relations Act seems to refer to the Judges (Pensions and Long Leave) Act.

A government member: Why don't you read the bill?

Mr MESSENGER: It is clause 5 of the Anti-Discrimination Act. Also, section 15 of that act refers to the Governor in Council.

A government member: Why didn't you read it first?

Mr MESSENGER: I understand that this Labor government does not like bad publicity and does not like any dissenting voices. It bullies and unfairly dismisses public servants, it threatens to throw people in jail and it only promotes people if they follow the party line. I have spoken to many teachers about that.

Mr Shine: What clause was that?

Mr MESSENGER: That came back to the amendment of the Industrial Relations Act. I thought the Industrial Relations Act might relate to workers, but maybe I was mistaken. Maybe the minister can further advise me in his closing remarks.

In closing, I want to congratulate the shadow Attorney-General for establishing the fact that there is a crisis in the funding and resourcing of our justice system. He comprehensively proved that point. When compared with other states, we have escalating numbers in civil and criminal courts. This crisis can be found in other departments. The Labor government has been forced to play catch-up. Its energies are devoted to crisis management in so many different areas, water being just one example. Successive Labor governments built only one dam, while conservative governments built 12 major water infrastructures. Now money that could be spent on the justice system, the health system, the education system and the police system is being reserved for dud projects like Traveston Dam, which is going to cost probably $10 billion if it ever is built, and I hope it is not.

This government is extorting cash from Queenslanders wherever it can by increasing fees and charges. We only have to look at the papers. Gas has increased by, I think, 400 per cent, as has registration and stamp duties. The government is delaying or cancelling projects because it is going broke. There will be $53 billion worth of debt in the next three to four years. In closing, I congratulate the shadow Attorney for putting forward a very good case not to support this legislation.

Miss SIMPSON (Maroochydore—NPA) (Deputy Leader of the Opposition) (4.05 pm): The Justice and Other Legislation Amendment Bill 2007 is an omnibus bill. It covers a large number of pieces of legislation. As has been indicated by the shadow Attorney-General, there are some amendments that we are not opposed to. However, there are a number of amendments that have been slapped together in this bill which are quite controversial, and thus it is inappropriate in the first instance to have them included in an omnibus bill. Due to our concerns over a number of pieces of amending legislation, we will be voting against this.

I want to draw the attention of members to the amendments to the Anti-Discrimination Act 1991 and particularly clauses 5, 6 and 7. This has go-away money written all over it. This is about putting an extra layer of red tape onto business but particularly small business. Big business have their HR departments and extensive systems in place to be able to deal with complicated IR laws, but small business often finds themselves the meat in the sandwich. They are the ones who end up paying go-away money for claims which in due course in other jurisdictions would be knocked out.

We know from the Anti-Discrimination Commission that for many businesses against which a claim is brought, and which would not stand in law, the time it takes to deal with those issues often means people make a judgement based upon whether they can afford the time out of their business to go and uphold what is right. Many times they say, 'We just don't have the money to be dragged into a commission to defend ourselves.' They pay the go-away money. The claim may not be worthy but the business makes that pragmatic decision.

This particular provision in this omnibus bill gives an additional jurisdiction for people who have a complaint about whether they are engaging in trade union activity in the workforce or pre work areas. There is already protection in the Industrial Relations Act 1999 that covers workers, but this amendment will extend jurisdiction for workers who may already be covered by the IR Act 1999 and will also give them coverage with the Anti-Discrimination Commission. Let me provide some background as to why I am concerned about an extension of jurisdiction when there is already jurisdictional coverage under the IR Act 1999.

An extension of coverage will mean there will be a double-up in the arenas where these issues can be heard. That is a negative for businesses as it will mean more red tape, and I believe it is a negative for workers, particularly coworkers, for whom employers when making choices about who is employed in the future might just say, 'Why bother?' If the government lumps small businesses with too much red tape and double jurisdictional coverage of issues they might just say, 'Why bother?' and walk away. But the go-away money is a very real concern. I know of good small businesspeople—not the big end of town with lots of HR consultants to run around for them—who say they pay the go-away money because they cannot afford the time out of their business.

It really is a tool of harassment when there is double jurisdictional coverage for people who have a complaint. What is proposed in this legislation is double jurisdictional coverage. That is just so unfair. In my electorate one business is finding that they are being harassed by whatever means possible because they stood up to the unions in the area. They were threatened with paying go-away money if they did not sign the code of conduct for their business. They are a clothing manufacturer. They do not manufacture in China or Fiji; they manufacture in Australia. They believe that the code of conduct that the unions wanted them to sign up to would have limited the rights of their workers. It certainly would be an entree for the unions into their workforce. The workers were paid $30 an hour and more.

Ms Barry interjected.

Miss SIMPSON: Maybe Bonny Barry thinks that $30 an hour is slave labour. We have people doing the right thing, not outsourcing to Fiji, not putting formaldehyde on their clothes like the Chinese imports have and trying to operate their business here. They had a claim lodged against them in the courts but the union said that it would drop the claim against them if they paid $2,000 and signed the code of conduct—in other words, pay go-away money to the union. It is documented.

Ms Barry: It is mythology; it is rubbish.

Miss SIMPSON: With respect, the member for Aspley has no idea. She might be happy to have formaldehyde on clothes from China coming into our schools because the education department does not care whether it has people outsourcing to China and other countries. Those opposite do not care about that. Good people who are paying their workers $30 an hour and who are doing the right thing by their workers and who do not want to be beholden to paying go-away money to unions could face going out of business. It is because of the harassment of the union hacks who sit on the other side of the chamber. They do not want to see decent people who want to choose whether or not to belong to a union to continue to have that choice.

There is a real problem when businesses are doing the right thing and paying way above the market rate but workers who want to work for these businesses will have that work stripped away from them because of the harassment of the union hacks who have lost their union coverage in a number of private workplaces because of the federal law. They are looking for every way to wind red tape around businesses. They are doing it incrementally. They are winding the red tape around businesses.

What will the result be? We will see more clothes made in China and Fiji and not made by good, decent, hardworking Australians who have actually chosen to be paid $30 an hour or more. Obviously, they will not have that choice of employment because this government wants unions to be able to force people to pay go-away money. This provision before the House is very much about more of the same. It is another way of having people pay go-away money because they have double jurisdictional coverage. There is coverage not just under the IR laws of 1999 but also now under the anti-discrimination laws.

We believe that there should be ways of protecting workers, but we have a real problem with union thugs who ask for go-away money. It was $2,000 in the case of this particular business, and that is well documented and the information has been tabled in the House—it is actually in a statutory declaration. Interestingly, when that union was exposed it dropped that claim for $2,000 in go-away money and went away temporarily. It came back via a back door. The union was trying to put this company out of business if they did not sign up to the code of conduct.

What a shame that there is no provision under this government's legislation to stop schools actually importing their clothes from China, Fiji or other places that are not covered by these controls. Yet people who are actually doing the right thing but who do not want to be controlled by the union hacks are finding that they could go out of business.

There should be freedom of choice and freedom to either belong or not belong to unions. There should be the freedom for people to choose to take on a job that is paid at a higher rate but one that is not necessarily subject to union control. There are people who actually have information about union thugs trying to get them to pay go-away money. I am most concerned that the amendments to the Anti-Discrimination Act contained in this legislation double the jurisdictional coverage and that that is just another harassment tool.

More than 70 per cent of the federal Labor Party's frontbench are union hacks, people who have held significant office. It is clear to me that this new elite class of people have never been blue-collar workers; they have only worked in union offices.

Mr SHINE: I rise to a point of order, Mr Deputy Speaker. Most of what the honourable member has been saying is totally irrelevant to the small provision amending the Anti-Discrimination Act. I would ask that you direct the member to make her remarks relevant to the bill before the House.

Mr DEPUTY SPEAKER (Mr Moorhead): Order! Member for Maroochydore, I have been giving you wide latitude. Obviously, you know that you need to make sure that your comments are relevant to the provisions of the bill.

Miss SIMPSON: I realise that probably 54 per cent or 55 per cent of state Labor members were union hacks. They are not at the level of 70 per cent like their federal counterparts. There is a strong correlation. I was a union member myself. I believe that people have the right to belong or not belong to a union. I do not believe that union hacks who do backroom deals and have businesses pay go-away money are, in fact, upholding the rights of workers. What they are doing is upholding the belief that union officials are able to bludgeon people. I predict that this legislation is just another tool of harassment. It is not a genuine tool to provide protection for people where they require it.

Let us strip bare all the hypocrisy of the Labor Party which says it is about the workers. Most of them would not have tried a blue-collar job in their lives and have worked in offices more than anybody else. What we see is a situation where people who do want to work and who do want to have those choices and who might even decide to set up a small business for themselves are faced with an additional layer of red tape which will be an impediment to them going on and employing other people into the future.

I raise these concerns because I have seen the way they have operated already. I have seen the way they can potentially put good people out of business. They are not sweatshops and they are doing the right thing. That situation is well documented. The situation concerning the business I refer to is well documented. They had to pay the go-away money to the unions. When they stood up to them the unions then dropped the claim against them. Now we have more legislation before the parliament.

Mr SHINE: I rise to a point of order, Mr Deputy Speaker. Not only is the honourable member being irrelevant; she is also being repetitive. I ask you to rule on that.

Mr DEPUTY SPEAKER: Order! I call the member for Maroochydore.

Miss SIMPSON: What I do not want to see is a situation where every sitting of parliament another piece of legislation is brought in to frustrate people's right to choose whether or not they belong to a union. This morning the industrial relations minister would not answer a question about what the sleazy deal was with the union movement. The unions have laid down and gone quiet over the forced council amalgamations. The pay off is that they want to have greater market—

Mr DEPUTY SPEAKER: Order! Member for Maroochydore, I ask you to return to the provisions of the bill.

Miss SIMPSON: I have no problem in saying in closing that our concerns will stand. The minister responsible for small business did not even know the definition of a small business. This is a government that did not even go to the last election with a clearly stated small business policy. We believe it is a fundamental right of people to have the opportunity, if they want to, to go into business for themselves. Many of those people start out working for other people. Why would they not want to have an opportunity to be masters of their destiny, to be able to put capital into their own business and to know that when they do they will manage the risks and do the right thing by those they will employ in the future.

Mr SHINE: I rise to a point of order, Mr Deputy Speaker. Anyone listening to this debate would gather no connection whatsoever to the subject matter of the Justice and Other Legislation Amendment Bill. The honourable member is talking about small business and a whole range of other matters that are totally irrelevant. She has refused absolutely to follow your directions on three occasions.

Mr DEPUTY SPEAKER: Order! Member for Maroochydore, I understand that you have said that your comments are in closing. I accept you are summing up. Please return to the content of the bill.

Miss SIMPSON: Thank you, Mr Deputy Speaker. Obviously the minister has no idea of the impacts on small businesses. My portfolio responsibility covers small business, but this legislative provision has a direct impact upon them. If this minister has no idea about that—like the industrial relations minister has no idea—I guess it is a case in point that this government does not care about the aspirational hopes of people who want to enter into business for themselves knowing that the red-tape hand of this government will not be reaching in and tying them up and limiting their opportunities.

This Labor government has no interest in small businesses in this state despite the fact that they employ about 88 per cent of our community. They may not be highly unionised, but people should have the right of choice, and that is why we raised concerns about this tool of harassment. It is not going to be used to protect workers; rather, it is in fact going to double the jurisdictional coverage because this was already covered by the 1999 IR legislation. That is why we will be opposing this provision.

Mr PEARCE (Fitzroy—ALP) (4.20 pm): I rise to join in the debate on the Justice and Other Legislation Amendment Bill. This bill provides for amendments to several pieces of legislation, but I want to speak specifically—

Mr Mickel interjected.

Mr PEARCE: I will give it a go. I want to speak specifically on those amendments relating to the Births, Deaths and Marriages Registration Act 2003, in particular that amendment which will allow for the birth of a child to be registered by one parent only. Section 8 of the act currently requires both parents of a child to complete and sign the birth registration application. Under current legislation, the Registrar-General of Births, Deaths and Marriages can only accept an application completed by one party if the registrar is satisfied that the other parent is unable or unlikely to sign the application and reasons accepted by the Registrar-General for having only one party sign include the other parent is dead, the father does not know the mother's whereabouts or the mother does not know who the father is. Unfortunately, the current requirements do not take into account the fact that one parent may choose not to register a child for malicious and selfish reasons.

I want to refer to a recent case brought to my attention which has been dealt with through my electorate office. In March this year I was contacted by a young man who was fighting to have his middle child's birth registered. His is a single parent raising three young children. While there are no formal custody arrangements in place, the young mother—his ex-partner—has left their three children in his care. As a loving dad—I have met the gentleman; he is certainly a very caring young fellow—he has accepted that responsibility and is working hard to do the right thing by his children. He is the first to admit that he has had problems in the past—it always takes a bit of courage to do that—but he has the support of his family and friends and is now doing everything he can to raise the children in a loving and caring environment.

On recently applying for a birth certificate for his middle child, he discovered to his surprise that the birth had never been registered. When he contacted the mother to get her to sign the registration form, she just flatly refused to do so. She is not willing or not capable of taking any responsibility for raising the three children and she has just left them in his care. However, she still sought to have some

control over the father by refusing to assist with the child's registration. This was a way of her getting revenge, her way of hurting him for the breakdown of the relationship. She has continued to refuse to sign the registration papers despite knowing that the Registrar-General will not allow the father to register the child alone. For her own personal petty reasons, she will not assist.

When my constituent told Births, Deaths and Marriages that the mother refused to sign, he was informed that he would have to pay to have a DNA test undertaken to prove that he is the father of the child—a test which, as members in this place know, costs thousands of dollars. Legal Aid refused to help meet the cost of the DNA test because it has been inundated by similar requests. As a single parent struggling to make ends meet while raising his three children, he certainly cannot afford the cost of a DNA test. Clearly, the current legislation has failed. Because of the callous actions of his ex-partner, his child's future has been potentially jeopardised. In today's world where identity fraud is the hip crime of today, an original birth certificate is a vital form of identification. The father has already faced problems with Centrelink in assessing assistance for this child and without the child's birth certificate he will also face problems when he goes to enrol the child at school. When he tries to sign the child up with any sporting or recreational groups in the future, he will find that he will have problems. This child will also face significant hassles when they want to apply for their drivers licence, when they start work, when they have to apply for a tax file number or when they want to travel overseas and need a passport.

I am pleased that the amendment before us today will address this situation for my constituent and obviously others in a similar situation. This amendment will enable the Registrar-General to accept an application signed by one parent in those circumstances where a parent is unable or unwilling to provide information as to the whereabouts or identity of the other parent; where the other parent is unwilling to sign the application, as in my constituent's case; or where the requirement for the other parent to sign the application would cause unwarranted distress, for example where it may be a breach of a contact order in terms of a domestic violence order. Where the solo parent is able to provide an address for the parent who did not sign the application—again, as in the case of my constituent—the Registrar-General will write to that parent to give him or her the opportunity to sign the application to register prior to the registration. That has to be a win-win situation for both the single parent and for the children. I therefore welcome the amendment. I know that it will help simplify the birth registration process for single parents who for whatever reason are not able to have the other parent sign the birth registration form.

While I am on my feet I want to make mention of some representations that I have made to the Attorney-General and Minister for Justice concerning the witnessing of title transfer documents and the requirement for signatories to provide JPs with proof that they hold an interest in the land. My electorate officer and assistant EO are both commissioners for declarations and are regularly called upon to witness signatures on land title transfer documents brought into the office by constituents. Given that places like Gracemere, for example, in my electorate are developing at a rapid rate, it is quite amazing just how many times they are approached to witness this documentation.

As per section 162 of the Land Title Act 1994 relating to obligations of witness for individuals, my staff must take reasonable steps to ensure that the individual is the person entitled to sign the instrument. The registrar of JPs and the department of natural resources deem reasonable steps to be sighting a current rates notice and/or a recent title search document. However, on each and every occasion when my staff have asked to sight such a document as proof that the signatory is indeed the holder of a relevant interest in the land they are questioned as to why they need such documentation. I have actually witnessed this on several occasions and have to say that all members in this place would totally back their staff who are JPs or commissioners for declarations in the stance that they take in seeking this documentation, because the last thing we want to see is our staff being hauled into court simply because they have not followed due process.

The people who come into the office to have their documents signed say that the land title transfer documents have been forwarded to them by their solicitor and that their solicitor has merely advised them to sign the document in front of a JP and that they will only need to show proof of identity when having their signatures witnessed. Legal firms are really failing their clients by not advising them of what proof people must carry when they are asking JPs to witness their signatures on important documentation. Legal firms need to lift their game in this area because it causes a lot of frustration and a lot of anger when people come into an office such as an electorate office and expect that their documents will be signed without any proof of actual ownership of the land.

I think every member in this place would be aware that in recent years there have been a number of cases where properties have been sold by deceitful family members or friends out from underneath the genuine owner. So there is a need to make sure that the process is done correctly.

In this highly litigious society in which we now live it is incumbent upon JPs and CDecs to take every step to ensure that they protect both themselves and the owners of properties before witnessing signatures to land title transfer documents. It seems such a simple request for those wishing to have

their signatures witnessed on land title transfer documents to also have on hand their current rates notice and proof of identity. Yet we have solicitors who appear to make no attempt to advise their clients of this requirement when directing them to a JP to have their signature witnessed.

In response to the concerns that I have raised with the Attorney-General, I note that earlier this year the Department of Justice and Attorney-General, together with the Department of Natural Resources and Water, released an information brochure titled *Witnessing land registry forms for individuals,* which sets out what JPs' obligations are when witnessing such forms. I welcome that. That is a great initiative. But I remain concerned that the message is not getting across to the legal fraternity.

I suggest that perhaps this brochure should be attached to the title transfer forms or even perhaps the forms should be reviewed so that information pertaining to what a JP needs to view before they witness a signature is contained in the form itself so that it is clear cut for everyone to see. JPs and CDecs—

Mr DEPUTY SPEAKER (Mr Moorhead): Order! Member for Fitzroy, I have been fairly lenient. I understand that you have an important matter to raise, but I ask you to confine your comments to the contents of the bill.

Mr PEARCE: It is an important matter, but I think that I have covered it fairly well. I wanted to make sure that that was on the record. I intend to become a little bit more vocal about this particular issue to ensure that legal firms meet their obligations and make sure that when they send their clients to electorate offices they have all the documentation that is required to prove that they are the actual owners of the land which they are attempting to transfer.

Mr JOHNSON (Gregory—NPA) (4.31 pm): In rising to speak to the Justice and Other Legislation Amendment Bill 2007, I wish to canvass only a few aspects of it. This is fairly complex legislation. It makes amendments to 28 pieces of legislation that come under the jurisdiction of the justice portfolio, including the Juvenile Justice Act as well as the Corrective Services Act, the Mental Health Act and the Industrial Relations Act.

One of the main aspects of this legislation—and the Attorney-General canvassed this pretty well in his second reading speech—is that it allows judicial registrars to be authorised to hear less complex matters that are usually determined by magistrates. I have some serious reservations about this amendment, because it is proposed that judicial registrars will determine minor debt claims, civil chamber applications, adjournments of domestic violence matters, temporary orders by consent, bail applications, and the list goes on. I say to the Attorney-General today that I respect what he is trying to do—and I know the Attorney-General has canvassed pretty well in this legislation the issue of magistrates visiting remote areas—but I hope this is not a watering down of the system so that we will see a diminution in the quality of the justice system in the more remote areas of the state. The Attorney-General might like to canvass that in his summary. I refer to places such as Mount Isa, which is a significant centre which houses a magistrate; Longreach, which does not have a magistrate all the time but the magistrate comes in from Emerald to hear cases; and Charleville. These towns are significant areas where court cases are held.

I want to talk about domestic violence orders and issues related to them, which are very complex. I do not think a judicial registrar should be the custodian of such matters. I know the Attorney-General has been a man on the land himself and that he is a person who understands western Queensland. One of the major industries in western Queensland is kangaroo shooting—or the macropod harvesting industry, if one wants to put it that way. Call it what you like; I call them kangaroo shooters. Those people cannot earn a living unless they have a gun licence. In terms of domestic violence orders, one of the first things that people forfeit is their gun licence. People can give a smack in the ear in the local pub—and that has happened to many of us; I have been involved in doing that from time to time in the past and I have received a few, too—and do not get a domestic violence order imposed on them. But, in the case of a roo shooter, he can lose his gun licence as a result of a domestic violence order.

I had this issue arise in my electorate. I know that this issue would be applicable to people in areas represented by my colleagues the member for Warrego and the member for Charters Towers, and probably in the area represented by the member for Mount Isa. The roo shooting industry is an integral part of western Queensland. A couple of years ago a shooter from Blackall, because of the fabrication of facts in a domestic violence court hearing, lost his gun licence. He was the custodian of his young son. Thank God he had his mother with him who was able to look after that child. Because of that domestic violence order he lost his licence and could not shoot for about three years. That was a totally unfair situation.

A carpenter is not going to have his hammer taken from him if he has a domestic violence order issued against him. A butcher is not going to have his knives taken from him if he has a domestic violence order issued against him. I know a rifle is a lethal weapon, but so is a hammer and so is a knife. I appeal and urge the Attorney-General to revisit this issue, because I think it is a very, very difficult one. It is one that is causing a lot of heartache to a lot of people. A few years ago in Longreach one shooter had his licence suspended. He and his wife had five children. It caused them great difficulty and it disadvantaged the family. I believe that this was an opportunity to speak about this issue today.

As I have just said, I hope that the appointment of judicial registrars will not create a second-rate court process in regional Queensland. I saw the Attorney-General shake his head a while ago when I made mention of that. I can see that he is trying to advantage some people in the remote areas of the state that I represent. As the Attorney-General said in his second reading speech—

The amendment will be of benefit to defendants who live in remote communities.

They will not need to travel to a place where a Magistrates Court sits to have their bail applications heard, but can remain in their own community.

Some of those remote communities do not have court hearings. I would like the Attorney-General to enlarge on this matter in his summary. In his second reading speech the Attorney-General stated further—

The 25-kilometre requirement is onerous on persons living a long way from the court house. The Bill removes that distance requirement.

I think there are a few things that need to be clarified in that regard. The Attorney-General also mentioned in his second reading speech—

The Act presently allows for video link between a Magistrates Court and the defendant where the defendant is at a correctional facility or at another place appointed for the holding of a Magistrates Court.

That is all very good but at the same time the full court process should be retained. It is where the evidence can be properly recorded and canvassed. Just the other day I was flying back to Longreach and I had a lawyer sitting next to me on the plane. He was going out to represent a person in a criminal case. I thought to myself, 'This is where the evidence is. This is where the police are who know the case.' We have to make certain that we are not going to, as I said earlier, water down the court process that we have currently.

The Attorney-General referred in his second reading speech to video link facilities. They are not available everywhere. But at the end of the day I endorse what the Attorney-General is saying. It is technology that is enhancing opportunities in different areas. Maybe the video linkage will be utilised to its full extent by these judicial registrars. At same time I have concerns that this will not water down the process.

I also want to canvass aspects of the intensive drug rehabilitation orders and amendments to change the reference from a magistrate to a Drug Court magistrate. Having spoken to the shadow Attorney-General and read the explanatory notes, I can see that this is a good aspect of the legislation. The important fact is that other agencies, whether it be Corrective Services, police, health or whatever, will be engaged in the process and that will have significant benefits for the processes of the courts. That is a good part of the legislation.

The problem with drugs concerns me greatly. At the moment it seems to be significantly tying up the courts. Every generation seems to have a problem that affects the community at large, but in my lifetime I have not witnessed anything of the magnitude of the scourge of drugs in our communities, especially as they involve our young people. While the court process has to be fair and the police have a job to do as well—and they do a fantastic job—I say to the Attorney-General that we really have to look at stopping the big wigs of the game. We have to come down heavier on the thugs who push the industry. While the IDROs are fair, we still need a process to eliminate this problem because every day the Queensland court system has to deal with it.

Back in the days of the Goss government, throughout Queensland courthouses were closed down on a wide scale. We often talk about justice. Members from the other side of the House talk about social justice all the time. We all have some connections to social justice. When it comes to the issue of real justice, all Queenslanders must have access to a full and proper court system so that all people get a fair and equitable deal, regardless of where they live or the criminal offence for which they are before the court.

I would be interested in the response of the Attorney-General to some of the issues that I have raised. Whilst I have reservations about many things in this legislation, I am guided by what the shadow attorney-general has said in the House today. I will be anxious to hear from the Attorney-General.

Mrs CUNNINGHAM (Gladstone—Ind) (4.43 pm): I rise to speak to the Justice and Other Legislation Amendment Bill 2007 and place on record my appreciation to the Attorney-General for the briefing that his officers provided. It was greatly appreciated. The provisions of this bill cover a broad range of justice issues, most of which can affect people on a day-to-day basis. In most instances people will be caught in the impacts of this legislation at a time when they most need support.

I note the proposal for the introduction of judicial registrars and the concern that has been expressed by members of the opposition in relation to it. During the briefing I was advised that this is a pilot program and it is proposed that it run for about two years. However, it can be extended for a further year by regulation.

It is my understanding that the purpose of the establishment of this role of judicial registrar is to make access to justice more equitable, particularly in rural and remote Queensland. I echo the concerns expressed by the member for Gregory that in no way should this resemble a second-rate system.

However, I note that the required qualification for appointment as a judicial registrar is that the person must be eligible to be appointed to act as a magistrate under the relevant section of the act. Therefore, potentially they have all of the skills and abilities to act as a magistrate and should bring those skills and abilities to the role of judicial registrar.

The judicial registrar will be able to determine a significant number of things, including minor debt and small claims, civil chamber applications, domestic violence adjournments, temporary orders and orders by consent, bail applications where there is no opposition, hand-up committal hearings, examinations under the commonwealth Corporations Act, mentions and reviews. If the position of judicial registrar provides a more seamless and time-efficient access to justice for people seeking to have matters dealt with, I am sure that members of the community will welcome that change in process.

The bill also amends the Mental Health Act. The forensic and judicial treatment of people with mental health problems is a very sensitive area. Recently in my electorate I have had dealings with a young man who had a very serious episode and ran foul of the law. His mother was dealing with his issues in relation to the justice system. I put on the record how relieved she was with the way that the Mental Health Tribunal and others with whom she had to interact dealt with her. She was in a vulnerable position, as was her son on whose behalf she was acting. I know the lady. She is a very conscientious and responsible person, as is her lad. The potential was there for the whole family to be significantly disadvantaged if they were not dealt with carefully. I put on the record that those interactions were very carefully and well done.

All members have to deal sensitively with people with mental health issues. We continue to have problems in relation to the quantum of services and the fact that people have to travel to Rockhampton. However, perhaps that is a debate for another time.

The bill introduces amendments to birth registration legislation. In many ways, these are sad amendments because the birth of a child should be the happiest and most joyous of occasions. The amendment deals with situations where the father is unwilling or unable to be registered on the birth certificate. That is a very sad situation, although it is an acknowledgment of the realities of life and I accept that. In any of these situations the losers are the children. The Attorney-General's amendment is a recognition of the realities of life.

During the briefing we discussed how the registrar must satisfy himself or herself that the applicant does not know the identify of the father or the whereabouts of the other parent, how that would be ascertained and the safeguards that will be put into place to ensure that the person registering the birth was not being mischievous or vexatious. I received advice that things such as statutory declarations, which do have legal weight, would be required by the registrar to satisfy himself or herself that the application, in the form that it was being made, was appropriate.

The bill changes the notation of change of name other by than registration. This removes a 12-month wait time where a name is to be changed more than once by deed poll, under the law or legal processes of another state, and presumably also through marriage. If there is more than one change of name in a year, a person had to wait 12 months to register those subsequent name changes.

In all but the most unique situations, it would have been an incredibly frustrating process. Particularly if, due to circumstances beyond an individual's control, they had to change their name again, to have to wait for 12 months before that name could be registered for official purposes would drive somebody insane. I know of an instance where a particular individual had four name changes. One of those changes was to no particular surname because the person was neither married nor prepared to accept a surname. That was a fairly unique situation and involved a unique personality type. Most of the people that would take this amendment as is proposed by the Attorney-General would do so with a great deal of appreciation.

The changes to the Guardianship and Administration Act may be a recognition of the realities of life, but it also incorporates the sad side of life. In the briefing that we received it was indicated that the sort of circumstances that were to be covered by these amendments were where a guardian, who relinquished guardianship of an adult with diminished capacity but who may have acted inappropriately or disadvantageously to that person, could be obligated to provide papers and other information to the guardian or administrator. That indicates a negative circumstance. I am sure that there are more positive situations where this legislation can be used. I put on the record that it is an indictment on us as a society that people who have diminished capacity are as vulnerable as this legislation indicates. I again acknowledge that it is a reality of life that the Guardianship and Administration Act is going to be called on in those circumstances where people who should be supported and loved are treated in an abusive way. I welcome the changes and look forward to the time—if it is at all possible—when people with diminished capacity are universally dealt with with dignity and respect.

There are changes to the registration of marriages. The amendments state that the registrar may require a person providing a marriage certificate to also provide it electronically if it is reasonably practical for the person to do so. I wish to raise a matter in relation to marriage certificates that I find rather quixotic. It is a while since I got married but I have had daughters get married and the current

process is that a significant amount of material has to be provided to a marriage celebrant before that marriage celebrant can undertake to solemnise the marriage. On the wedding day the marriage celebrant provides the couple with a marriage certificate which is sanctioned by the federal government under the marriage celebrant process and it is also registrable in Queensland.

However, young married couples have commented to me that that certificate that is issued to them on their wedding day that is signed by everybody cannot be used for many official purposes like changing the name on a licence and other legal documentation. These young couples have to pay around $80—and it might have gone up—for a certificate from the Registry of Births, Deaths and Marriages. That second certificate is the only one that is acceptable to quite a number of government departments. I have to wonder why that is the case. They have the legal document from the marriage celebrant. The marriage celebrant goes through a process for registration. The marriage celebrant requires significant personal documentation from both parties to a marriage to ensure that their identities are accurate. They go through the process of marriage, the celebrant solemnises the marriage and all the signatures are taken on the day. Why that certificate cannot be used in all situations as proof of marriage is something that I do not understand. I would be interested in the Attorney-General's comments. The only other query that I have in that regard relates to the electronic transmission of the marriage certificate. I would like to know what process will be followed to ensure the integrity of the documentation through the electronic system.

There are a number of other issues that are covered by this legislation that other members have addressed. I am interested in the Attorney-General's comments on the matters raised by the member for Maroochydore and the concerns that she expressed. I do not have any problem with union membership. I do not have any problem with people choosing not to be members of unions. I believe that the critical right to protect is the right of choice. I would be interested in the Attorney-General's comments as to whether that right of choice will be in any way impacted by this legislation. I understand that the legislation in relation to the union issue relates to the right of the Anti-Discrimination Commission to investigate alleged acts of discrimination in relation to pre-work and work related union activity, but I would be interested in the Attorney-General's comments as to whether this in any way affects the voluntary choice of members of the community to belong to or not belong to a union. If it is in relation to the activities of a union and their member, then that is a different matter. But if it introduces any spectre of compulsory unionism, I would certainly have concerns about that. I look forward to the minister's response.

Mr NICHOLLS (Clayfield—Lib) (4.55 pm): I would like to contribute to the debate on the Justice and Other Legislation Amendment Bill. The bill amends 32 pieces of legislation; some quite substantively and some in a way which is neither esoteric or of no impact but may well have a significant impact on the people of Queensland. The previous speaker has indicated how that might just be. Some of the changes may be for the better and may improve the administration of justice in Queensland, while some may lead to differences in bail outcomes in matters heard by magistrates in that particular court's jurisdiction.

Some of the changes, of course, are ideologically driven by the trade union bosses and, of course, I refer to part 3 of the bill. If ever there was evidence of this government's subservience to the Tammany Hall bosses of Peel Street, part 3 of this particular bill is it.

There are other changes to the Births, Deaths and Marriages Registration Act and they seem quite worthwhile in recognition of the electronic age we live in. The abolition of the right of judicial review of decisions of adjudicators made under the Building and Construction Industry Payments Act 2004 appears in response to several recent decisions of the Supreme Court that found those adjudicators' decisions were, in fact, reviewable probably contrary to the intention of the government when that legislation was brought in.

A number of my colleagues on this side have spoken of their concerns about the removal of that judicial review process. My understanding is that judicial review tends to be more about a review of functionaries of governments—people who are bureaucrats in government in relation to either the exercise of their power or the failure to exercise their power. It probably follows some of the old historic writs that used to be issued by the King's Court, the writs of mandamus, to compel public servants to take action or other acts of review. When that act was brought in that was dealt with, as opposed to actual outcomes or decisions of adjudicators who in that sense are not really officers of the Public Service. I ask the Attorney-General to give some consideration to making that point, if that is in fact correct, and why the judicial review process does not apply to adjudicators in those civil disputes. Part 23 of the bill creates the new position of judicial registrar in the Magistrates Court jurisdiction.

I have outlined briefly five areas where there have been significant changes to various pieces of legislation that have been brought about by this bill. All of those five areas that I have outlined have significant day-to-day impacts on the people of Queensland. A bail application to a Magistrates Court—a jurisdiction that is very wide—impacts on many people every day. That is a significant change in a significant part of the law that impacts on many people.

The appointment of judicial registrars, given the facts and figures that have already been put before this chamber today by the honourable member for Caloundra and others—information that has been made available through the Productivity Commission report—deals with many, many events that are in the magistrates courts every day of the week. It affects people in commerce, in their social life and in their domestic life. That is a major change. Changes to Births, Deaths and Marriages is a significant change. It is change that is not small or does not impact on only a few people but impacts on many people.

This bill contains many, many changes and it is the opposition's contention, as outlined by the shadow Attorney-General, that that amount of significant change ought not be pushed through in omnibus legislation or bundled up in legislation. This is in fact worthy of separate discussion and separate legislation to enable a full examination of the facts, a full and proper debate of the issues in the legislation and a look at the history of the issues.

My point is that we are opposed to the manner in which this is being put forward and the fact that we are unable to have a proper and full debate on a number of the issues that have been raised. As I said, there are some parts that may lead to improvements but there are some that are contentious and it would have been appropriate if individual pieces of legislation on those major contentious issues were brought before this House for debate. The changes that are extensive that I do want to comment on are in relation to the Drug Court Act 2000, the Children Services Tribunal Act 2000 and the Guardianship and Administration Act 2000, just to mention a few.

Turning now to the provisions of the bill, I have already commented on the government's craven kowtowing to the comrades of the union movement as detailed in part 3 of the bill. I have no doubt that we will be subjected to some frivolous tirade from the union movement or from those opposite under the anti-discrimination legislation. I think the concern here is that this will cause harm to businesses, whether they be large or small employers, and should be criticised for what it is—a sop to the union movement in its death throes. In that respect, it is interesting to note that for the first time last year there were more people in private enterprise who were not members of the union movement than were members of the union movement. That gives a full indication of the lack of relevance of the union movement to most people in private enterprise in Australia these days.

Moving on to the Bail Act, I believe the bill has some very worthwhile suggestions. I have listened during the debate in this House today to the comments of the shadow Attorney-General, the honourable member for Caloundra, as well as the member for Toowoomba South and the member for Gregory about the impact that being in a court has when people front up for a bail application. It gives the person determining the bail an opportunity to make an assessment of the person appearing before them. They can see the demeanour of the person and hear the argument before them. I am sure, Mr Deputy Speaker, that you would have had some experience of those things. My own experience in those particular courts and those circumstances is not great, but there is no doubt that if a person appears in a court with proper representation it does elicit a certain degree of respect for the institution and it makes people pay particular attention to what is being spoken about.

But I am also conscious of the comments made by the Attorney in his second reading speech about the benefits the changes would have to the police and defendants. In an age where courts are increasingly taking evidence via electronic measures—whether it be videoconferencing or other means—it is appropriate that we look at these issues and give them due consideration and weight. I am particularly mindful of the comments in the Attorney's second reading speech about police having to drive all night in remote locations to have defendants turn up in court in order to make a bail application. It may be that many of those cases are straightforward. It is important to note that the discretion as to whether it is done remotely still remains with the magistrate who is hearing that bail application. They can still make the determination on whether they want to have that application and the defendant, if you like, brought before them and proceed along that course.

There is no doubt that the necessity for this particular part of this bill is as a result of the wrecking actions of the Goss-Rudd Labor government's rampage through the bush in the early and mid nineties. The closure of country courthouses, railways and other services to the bush is legendary. In some respects, we could say that it rivals Sherman's ride through Georgia at the end of the US Civil War or perhaps the actions recently taken by this government in relation to local government amalgamation and the disquiet and harm caused there. However, given that the problem has occurred and this government is not going to fix it, we do need to look at the Bail Act and perhaps take into account the solutions that are being put forward by the Attorney in this bill.

In his second reading speech, the Attorney referred to the requirement for a defendant to provide an address for service within 25 kilometres of the court at which the defendant appears as well as a residential address. From reading those comments, I think the Attorney is implying that these requirements are currently not being met or are not being requested to be met. I would ask if the Attorney could advise whether those requirements are being met or whether there is evidence that they are customarily being overlooked on the basis that they are impracticable, unworkable or not understood fully. I think it is important to note whether there is a practical reason for it or whether the reason is just ease of process.

Turning to the Guardianship and Administration Act 2000, I have to say that this is a contentious act in many areas. The previous speaker, the member for Gladstone, raised her concerns in relation to the impact of the Guardianship and Administration Act. I have examples in my own electorate of adults being placed under adult guardianship orders and they effectively have no rights. They cannot in certain circumstances even instruct solicitors to act on their behalf to challenge an order after a decision has been made. This causes them and others associated with them who may have had no part in the application to appoint an adult guardian a certain degree of distress. This is an enormously complex area and I would have thought it was an area worthy of greater review and consideration.

I go back to the point made by the member for Caloundra. Although he may not have specifically touched on this issue, there are areas within this bill that would have been better determined if separate pieces of legislation had been brought in to deal with those particularly difficult areas. I will be certainly looking at this issue further, as the government currently seems unaware of, or incapable of acting on, the very real concerns of people affected by the Guardianship and Administration Tribunal. A number of recent newspaper reports have highlighted failures and people's concerns with the system. As I said, I have had a number of representations in my office as well. That also goes to the issue of elder abuse. This is increasingly prevalent in our society because people are living longer and, unfortunately, other people are trying to access their inheritance early. That is a very big area under that particular part of the legislation that I think needs further work.

Turning to the Corrective Services Act, I would like to comment on the Attorney's second reading speech. I just raise this to seek clarification because this is an area in relation to the drug courts which I am unfamiliar with. When the Attorney was talking about the amendment to the Corrective Services Act in his second reading speech, he stated—

This means that if a person is sentenced to an IDRO for offences that occurred while the offender was on parole then the parole order is not cancelled and the offender is not returned to prison.

Two paragraphs later, he said—

The amendment is not intended to make any change to the eligibility provisions of the *Drug Court Act*. A person will continue to be ineligible for an IDRO if they are on parole.

When I first saw that, it seemed to be inherently contradictory. The first paragraph says that the parole is not cancelled and the offender is not returned to prison, while the second paragraph says they are ineligible for an IDRO if they are on parole. So one paragraph says they are ineligible for IDRO if they are on parole, while the next paragraph says—

However, a person may be eligible if they have completed a term of imprisonment (including the parole period) but the person committed the offences for which they are seeking an IDRO while on parole.

If for nothing else but my own illumination, it would be good if the Attorney could explain what that means and how that process works. I would be most interested to know how that goes. When the member for Waterford spoke on this bill, he commented on that. I am sorry but I was interrupted halfway through his speech so I did not pick up the full explanation of how it works, but I would be interested to receive an explanation from the Attorney in relation to those apparent contradictions in his second reading speech.

I have also referred to the appointment of judicial registrars. Many comments have been made by many people in relation to the jurisdiction and workload of the Magistrates Court and all those types of things. I will not repeat those here as they have been well covered. My issue with this particular part of the bill is the manner of the appointment of the judicial registrars. It is still a fact that the Governor in Council appoints the judicial registrars, with the only qualification being that the Attorney-General must first consult with the chief magistrate under section 53(2). So there is still no transparency in the process of the appointment of a judicial officer, and this would have been in my view an ideal opportunity to address that particular issue. The process of the appointment of judicial officers in Queensland has been subjected to quite a significant amount of comment, some of it adverse, as the Attorney well knows. Having said that, I want to acknowledge that many excellent judicial appointments are made when political or ideological agendas are not involved in the process and merit is used as the criteria for the selection and appointment of judicial officers.

In this respect, I think some recent appointments both by the Queensland Attorney-General and the federal Attorney-General were welcome appointments. The appointment of Justice Susan Kiefel to the High Court was a clearly meritorious appointment that met with the approval of all commentators and all those involved in the judicial process. When the process is followed through in the manner in which it ought to be and there are no other supervening factors in terms of selection, clearly it works. Unfortunately, however, that is not the perception that is out there, as proven by the comments that have been made.

In this legislation the power to appoint still resides with the Attorney-General in practical terms. It would have been preferable to have a clear judicial appointment selection process included. This is an ideal piece of legislation to do this as the appointment of judicial registrars is itself stated in clause 53(5) of the bill to be a trial for a maximum of two or, potentially by extension by regulation, three years. We

had the ideal opportunity for the Attorney to put in place a process for the selection of judicial officers that I think would have advanced the cause of transparency and confidence in the process. It was a perfect opportunity that seems to have gone begging this time round.

I turn now to the amendment to the justices of the peace legislation. All I can say about that is this seems to be a bureaucratic and government administrative bungle. That is all there is to it. Since 2005 we have been appointing justices of the peace without the appropriate delegation of authority, and someone should hang their heads in shame because there is no excuse for that. That is just a complete and utter bungle. There are other stronger words that people might use. I notice that in proposed section 46 the appointment of magistrates using those forms has been validated.

Mr Shine interjected.

Mr NICHOLLS: For JPs, yes. Did I say magistrates?

Mr Shine: Yes.

Mr NICHOLLS: I am sorry, my apologies; I meant for the appointment of JPs. In terms of the appointment of justices of the peace I note this seeks to validate those appointments, but does it also by implication validate all the actions of the JPs during that period including the witnessing of documents and other issues on the way through? I seek clarification that it does in fact do that.

A number of issues were raised in the *Alert Digest* relating to consistency with fundamental legislative principles, and I think they have been covered by other members. It is concerning to note that some of those principles are being overridden. I understand the reasons for it. However, I make the comment that we would not want to see it happen too often. I think those rights are hard fought for and hard come by. They are very precious to people in this day and age, particularly with the increasing power of executive government and its influence and all-pervasiveness in all acts of life these days. I think it is important that we still maintain a bulwark against the heavy hand of government.

There are many matters covered by the bill. As I pointed out previously, it would have been better not to pass this one bill containing particularly those significant matters that I outlined earlier under the guise of the omnibus legislation but to provide legislation to effect each of those changes to the major acts that we have been discussing. In acknowledging that the bill will be passed, I commend those other comments that I made to the Attorney for consideration in future legislation, particularly those in relation to the adult and guardianship legislation and the opportunity for transparency in the selection of judicial officers.

Mrs MENKENS (Burdekin—NPA) (5.13 pm): I rise to make a short contribution to the Justice and Other Legislation Amendment Bill. I would like to support the shadow minister's comments on this bill. There are some reasonable elements within the legislation but I am very concerned, as are my coalition colleagues, about several of the clauses contained within the bill. As we have all noted—particularly the member for Clayfield who noted it very strongly—this bill covers a very broad-ranging number of issues. It is disappointing that so many issues have been put under the cover of this one bill. Very few of the issues seem to have any similarity and it does give one the cynical feeling that it is a vehicle to push through undetected various pieces of legislation. There are some very important areas in here, and a lot more credibility could have been given to so many areas had a broader area been given to analyse and discuss these issues.

There are amendments to 32 separate acts that make up this bill. Referring to the Magistrates Act and the judicial registrars pilot program that is to be implemented, the fact that the Magistrates Court in Queensland at present has the highest backlog in both civil and criminal matters out of all such courts in Australia is the result of the present government's lack of forward planning. The state government has consistently failed to provided adequate funding to the court system, and it is disappointing that there has to be a bandaid solution such as this in appointing junior registrars.

The amendments to the Bail Act 1980 create some concern as well in allowing certain applications for bail to be applied for by telephone, radio or other forms of communication. It makes common sense that bail applications should be applied for in person. They should not be dealt with by telephone, radio or any other sort of communication. For Heaven's sake, these are potential offenders that we are letting off. Who is it making it easier for? Is it making it easier for the offender or for whom? If a person has committed an offence and they are applying for bail, for Heaven's sake, the least they can do is appear in court in person. Granting bail is a serious court process. With modern transport and forward planning, people should be able to attend court in person if they wish to apply for bail. I do not think somebody deserves bail as a result of a telephone call. However, I appreciate that distances are often involved in many of these cases.

The amendments to the Judicial Review Act exempt decisions of adjudicators made under the Building and Construction Industry Payments Act from judicial review. This amendment is said to be necessary to put the law back into the position it was in—that is, that adjudicators' decisions were not judicially reviewable prior to several recent Supreme Court decisions. That this abolishes the avenue of

judicial review is a cause for concern. Judicial review and other administrative appeals are basic processes in democratic systems of government. The two main aspects of judicial review are ensuring that duties imposed on administrators by parliament are performed and ensuring that administrators act within the limits of the general law and within the limits of the powers conferred on them by parliament.

Judicial review is fundamental. It is so fundamental to liberal democracies that it forms part of the rule of law. The doctrine of separation of powers espouses the ideal that the three branches of government—the legislature, the executive and the judiciary—should operate as independent bodies, each independently subject to the review and scrutiny of the other. Without judicial review, both the legislative and executive branches effectively avoid the checks and balances—the scrutiny—that administrative appeal actions provide.

There are several amendments to the Guardianship and Administration Act. This is a very sad area and, as other members have mentioned, as local members we do see a lot of sad situations come before us of people with disabilities who are actually under the ambit of the Adult Guardian.

The Guardianship and Administration Act is to be amended in terms of the composition of the tribunal. It will actually create the legislative requirement that the tribunal consider and exhaust all familial possibilities before a guardian is appointed to support an impaired adult person. The fact that this process will be put in place is excellent. In some areas we have unsupported impaired adults. The bill also amends the maximum amount of time that an interim order can be made over adults' affairs. It reduces the time from six months to three months. This is good and certainly should be an improvement. This is an area where I hear most concerns. It is an emotive and sad area.

There are amendments to the Birth, Deaths and Marriages Registration Act that cause concern. With the current concern over identity fraud and people being encouraged to ensure personal details are kept secret at all times I wonder how sensible the online registration of marriages by marriage celebrants and registration of deaths by funeral directors is. We know that electronic lodgement is across all areas now and it is part of life. This may be more efficient time wise but it is also possibly much more susceptible to falling into the wrong hands.

We know that passport fraud is rife. We heard the member for Burnett discuss avenues for computer hacking. I am afraid that when some technology is put together we soon have brighter, smarter people who seem be to be able to hack through it. Passport fraud is definitely rife. I am aware of a young man whose passport was stolen in Thailand. Two years later he was contacted by the Australian customs department to say that an illegal people mover in Asia had been actually caught and was holding his name. We know that passport fraud is a very difficult area.

There are amendments to the Births, Deaths and Marriages Registration Act in terms of registering children and, shall we say, making the process simpler. The Registrar-General may accept an application for the registration of the birth of a child that is only signed by one parent. Currently section 8 of the act provides that both parents must complete and sign the application for registration of the birth and the Registrar-General may only accept an application signed by one parent in circumstances where he is satisfied that the other parent is unable or unlikely to sign the application.

This amendment actually makes it easier for the Registrar-General to accept an application signed by only one parent. In some circumstances this may be relevant. I am very concerned that this provision could be subject to abuse. We could find fathers discriminated against or deliberately left out. The lack of proof of the father really concerns me.

I listened to the member for Fitzroy's story. I think we all had a lot of empathy. Maybe I am missing something here but I am yet to be aware how this amendment would assist with the situation he outlined. I am very concerned that this is actually an opening for fathers to actually lose more of their paternal rights. It is a very serious issue in this day and age.

This bill amends the Mental Health Act to put beyond doubt the court's power to remand a classified patient in custody and to adjourn the proceedings from time to time. The amendments to the Industrial Relations Act and the Anti-Discrimination Act actually relate to trade union activity. These amendments seem to make clear that the Anti-Discrimination Commission of Queensland has the jurisdiction to accept all complaints of discrimination on the basis of trade union activity in the pre-work area and on the basis of trade union activity in the work area.

My understanding is that this gives the unions carte blanch to walk into any work area. Currently they have this right under the industrial relations legislation. This seems to give a second avenue whereby union officials can enter a workplace. It is definitely another show of Labor's heavy-handed tactics and control. It is certainly no encouragement to small businesspeople, as the member for Maroochydore very rightly pointed out.

The Ombudsman is the person to approach as a last resort. When someone approaches the Office of the Ombudsman for assistance it is as the last resort and they need to know that they will be treated with respect and their problem will be investigated promptly and efficiently. The amendment to the bill to allow the Ombudsman or a delegated officer to inform the complainant in any way he considers appropriate that he will not be investigating their complaint could allow the department's

officers to treat complainants in a casual manner and respond inappropriately to their concerns. People who go to the Ombudsman have genuine concerns. Often a concern that may seem to one person to not be very serious to another person can have very serious ramifications.

The justices of the peace and commissioner for declarations amendments certainly raise questions as to what processes have been in place for the last 12 months—from 22 April 2005 to 10 August 2006. This bill seeks to retrospectively validate the justices of the peace and commissioner of declarations appointments that were made between those times. The provision is said to be necessary to remove any doubt as to the validity of the appointments which may have arisen due to invalid or inadequate authorisation processes. For heaven's sake this is a very frightening situation. The amendment also appears to be motivated by the fact that during that time the Attorney-General delegated responsibility to the chief executive who delegated, without legislative authority, responsibility to a bureaucrat to approve appointments—a very concerning situation.

It is interesting that one of the amendments to the Dispute Resolution Centres Act confirms that any person who made an evaluation of dispute resolution centres in Queensland is obligated to keep their evaluation secret and can only disclose information as authorised by legislation. I put to the minister: what is the meaning or the reasoning behind this particular amendment? With those few comments I express my concern about this bill.

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland) (5.28 pm), in reply: I would like to thank all honourable members for their contributions to the debate this evening. Before I come to the points raised by honourable members I think it might be fitting to refer to the fact that on Friday there will be a farewell in the Supreme Court for Senior Judge Administrator the Hon. Mr Justice Moynihan. Justice Moynihan has provided distinguish service to the administration of justice in our state. He has dedicated almost four decades to the law and 23 years as a Justice of the Supreme Court of Queensland. On Friday members of the Queensland judiciary and legal profession will gather in Brisbane to pay tribute to Justice Moynihan at a valedictory ceremony.

In addition to his service on the Supreme Court, Justice Moynihan served as President of the Queensland Industrial Court from 1986 to 1993 and his contribution has extended beyond Queensland's borders. This contribution was clearly acknowledged in the High Court's historic judgement in Queensland v. Mabo No. 2 delivered in June 1992. In that case, the High Court remitted the matter to the Queensland Supreme Court to determine the factual issues. Justice Moynihan heard evidence over the period from October 1986 until September 1989, travelling to the Torres Strait where he heard evidence from many witnesses. Justice Moynihan's findings were referred to extensively in the written judgments of the High Court justices.

On Friday I will convey the appreciation of the government and the people of Queensland of Justice Moynihan's almost lifelong contribution to the administration of law.

Debate, on motion of Mr Shine, adjourned.

LOCAL GOVERNMENT REFORM

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (5.30 pm): I move—

That this Parliament ensure that, in the event of the amalgamation of Councils—

1. communities be allowed to appeal the decision to the Electoral Commission;
2. a no disadvantage test be conducted so that ratepayers can be assured that—
   - Rates will not rise above the CPI;
   - Council services will not be withdrawn or lessened; and
   - There will be no local job losses for Council staff delivering services.

I am aware that the minister for local government came into this House earlier today and introduced a bill which will, to some extent, curtail the opportunities to debate some of the issues that would have otherwise featured in this debate, but there is still a range of issues that we can debate that are not covered by that particular bill.

The way in which that bill was introduced this afternoon should be a complete embarrassment to the government and the minister, who slithered in here and introduced a bill that basically said, 'Oops, we stuffed up and we're going to back off.' There are a whole lot of other issues that are not in that bill. There is a whole lot more backing off to do, and in the course of this debate tonight we will certainly be illustrating those other areas where the government should back off. We will give the government a whole lot of other reasons to back down. Perhaps when we get to debate the bill that the minister introduced this afternoon he might like to include a whole lot of other issues in the form of amendments to that bill and we might get back to something that can be seen as somewhat fair and somewhat just, because it has been put many times in this debate that there is nothing about local government reform that is fair or just. It was a politically motivated revenge act from day one.

It is unfair and unjust to the communities that are involved, and those communities will never forgive the Labor government for this. They will never forgive the Labor government for the fact that they were not consulted properly in any form of natural justice, that their needs for the future were not taken into consideration, that they became just political pawns in a political game. But in the last couple of days the Premier and the local government minister have been fond of standing up and saying that they are moving on. Well, the elements of this motion tonight set out a more reasonable course of action for the government that wants to move on. This motion sets out some things that need to be done if local government generally in Queensland can move on. This motion sets out some things that need to be done to ensure that there is some element of fairness in the whole process. The motion that I have moved has two parts. The first calls for communities to be allowed to appeal the decision that was made by the Local Government Reform Commission. It sets out to ensure that those communities get a chance to put their case.

Let us just remember how these boundaries were drawn up. They were drawn up by a group of seven people who were hand-picked by the Labor government to give the result that it wanted. The commission was headed by Terry Mackenroth, who obviously went in there with an axe to grind. Those of us who were in this House when Mr Mackenroth was the former minister for local government know only too well what his attitude to local government was and know only too well that there was a preconceived agenda about the whole process. But, irrespective of who was on that commission, nobody can stand here and claim that it got everything right in what was a very complex task. But that is what the government intimates when it accepts the boundaries that were decided by the commission lock, stock and barrel and gives no right of appeal, no right of submission, no point of discussion to the people who are most affected by it. It is worth remembering the way that this was announced: over there in the convention centre where the Premier like a magician swept aside the curtain and displayed the map of Queensland that somebody else had drawn that set out the future of all local governments in Queensland—no say, no consultation, no right of reply, no right to discuss.

It is worth noting that there are a couple of essential elements of natural justice. The first one is the right of consultation, and the government has backed down on that. I will not discuss that because it is the subject of a bill before the House, but the government has belatedly realised how important that element of natural justice is. The other element of natural justice is to have your case heard—to be able to have your case heard, put forward your argument. There are a number of councils across Queensland that deserve the right to have their argument heard. They deserve the right to put forward the argument that in their case the commission got it wrong. There are a couple of screamingly obvious examples, if you like, and there are a number of them.

There is one in my electorate—the shire of Taroom. The shire of Taroom is a naturally boundaried area that has always been geographically and socially compact, but the new boundary splits the old shire of Taroom in half. There is absolutely no sense, no rhyme or reason, no explanation to divide a community and put the northern part of the shire into the new Banana Shire Council and the southern part of the shire into the new Dalby Regional Council—no logic, no sense, no justification for that decision at all. But the people of the Taroom shire get no opportunity to put forward their case. They get no opportunity to appeal. They get no opportunity—

Mr Beattie interjected.

Mr SEENEY: Will you talk to them, Premier? I challenge you here today: will you talk to the people of the Taroom shire and let them put their case to you about how ludicrous this particular boundary is? It is not about the broader amalgamation issue; it is simply about fixing up a mistake in the process. It is about allowing the opportunity for those mistakes to be recognised, because there is no reason why the whole shire could not have been put into the Banana Shire Council or the whole shire put into the Dalby Regional Council. It is simply another stuff-up—to use your words, not mine. It is a stuff-up that should be able to be rectified if the people of the Taroom shire can put forward a valid case and a valid argument.

There is a whole series of those types of mistakes. Let us look at the North Burnett Regional Council, where six councils have been combined into one. Those councils would like an opportunity to put forward a case that if they have to be amalgamated then a much better result is to amalgamate three shires into one and have two regional shires in the North Burnett, and that would make a lot more sense. But this government is denying those councils the opportunity to have that right of appeal, to put forward their case to have their situation reviewed.

I challenge the minister and the Premier, who sit over there and smirk without any care about the people who are affected by the arbitrary lines that were drawn on the map, to lower themselves enough to talk to these people. Let them put their case forward and let them have that right of appeal, if not to an independent commissioner then at least to you as ministers and decision makers, because they are consistently refusing to see them. I know that they have requested opportunities to talk to you and I know that you are continuing to deny them that opportunity. But the fair thing would be to allow those decisions to be reviewed.

The second part of this motion sets out a no disadvantage test that will test the veracity of the political nonsense that gets repeated in here day after day. It is easy for the minister to stand up and read from a prepared script that was written for him back in February some time about all of this nonsense about making stronger councils and stronger communities and preparing for growth—nonsense stuff, absolute nonsense! The real test is whether communities are going to be better off or worse off. So let us have a test that determines whether communities are better off or worse off. Let us have a test that is based on the essential elements of what local government delivers. Let us have a test that works out whether communities pay more rates or less rates. I can tell members that in my electorate once again—and there are examples everywhere—in the South Burnett councils there are constituents in the old Wondai shire who face a rate rise of 60 per cent if rates are averaged across the new regional shires, as they must have to be. There is no other way of doing it.

Let us have a test to see how much veracity and how much reality there is in the nonsense rhetoric that we hear in this place that the minister regurgitates from those prepared scripts. There is the issue of services, there is the issue of staffing and there are the stupid promises that have been made—the weasel words that the Premier uses about guaranteeing people's jobs. Let us guarantee people local jobs in their local communities and see whether their proposal stands the test then. It will not. I know what will happen. All of those people will know what will happen. They will be offered jobs 200 kilometres away. They will be offered jobs doing something that they are not doing now. The meaninglessness of the promises that were made will very quickly become apparent once this issue is off the political radar. Let us have some reality to this. Let us put in place a test.

Time expired.

Mr HOBBS (Warrego—NPA) (5.40 pm): I second the motion moved by the Leader of the Opposition and commend the comments that he made in relation to this motion before the House. This is local government reform Queensland style. It is the worst case of abuse of power that I have seen in the time that I have been here in this parliament. The arrogance of any government to think that it can get away with what it is doing is just extraordinary. The deceit and the lies that have been told in this whole thing is absolutely extraordinary.

There has been no cost-benefit analysis done. Local government is worth $86 billion and there has been no cost-benefit analysis done. There has been no professional economic study done. There has been no socioeconomic study done. Nothing has been done that would at least make an assessment of what the impacts are going to be and what the cost is going to be. Out of the blue the minister has drummed up an idea that it might cost $27 million in the first year. I will tell members what it is going to cost. It will cost in excess of $100 million to put in place this dog of a show that we have in relation to local government. It will cost a fortune because it is so stupid. It does not work. No-one in their right mind would put something like this together.

I appeal to the media to listen to reason. There have been no professional studies done. There have been no academic studies done that support this—none at all. So why is the government being allowed to get away with this absolute hypocrisy and deceit that it is abusing the people with? The government got one report done—the Morton report—to try to see what benefits there were in amalgamation. Alan Morton came back and said that there were none. In fact, he said that rates would go up. So I appeal to the members of the public, the Labor members of parliament and the media to at least ask the question: why is this thing happening when all the indicators say 'Do not do it'?

There is no evidence that amalgamation will create stronger councils. The government keeps on talking about stronger councils. There is no evidence that that will be the case. We are not opposed to amalgamations in some areas. We are not opposed to boundary changes if they are appropriate. But we are totally opposed to the wholesale slaughter of communities. The cost to keep those communities going is going to be much more than what will be saved through council amalgamations. The whole thing is based on deceit.

Yesterday the Premier said that it does not matter if Queensland councils held polls because it was not costing Queenslanders money and, therefore, the government would not fine or sack councillors. He said that it was not Queensland money that was being wasted and why would he have an objection. It is strange that the Premier would have an objection, because the Prime Minister had already announced that he was going to pay for the polls and then the Premier brought in the amendment to fine councillors. He cannot even tell the truth from one day to the next. It is absolutely extraordinary.

Another thing, too, is that people were promised that they would be able to have multidivisional representation. The minister gave people about three or four days to work out the name of the councils and whether they had divisions. It was very rushed, but they did it. Now the minister has put the councils into single member divisions. So small towns are going to be cut up into two, three and four divisions down one side of the street when it is not necessary. There has just been no thought given to this. What the government has put together is totally ludicrous.

The secret deal is the real sting in the tail. I appeal to the media to listen to this as well. The deal with the unions and the deal with Kevin Rudd is to prevent council employees going under the WorkChoices legislation. It is to try to help this government and to try to help Kevin Rudd have a fight with John Howard. The government is going to set up statutory authorities, not local governments. The employees of these councils will be employed under a different operation altogether. Councils want to be able to employ their workers. They do not want to have a statutory authority cobbled together by a desperate government because of some federal issue that they are trying to play along as well.

It is interesting to note that on these local transition committees there will be two councillors, three union officials and one interim CEO. But probably only 10 to 30 per cent maximum of the workforce are members of the union. So there is a need to have three times as many non-union representatives. The whole thing is absolutely skewed. What the government has done is absolutely crazy. It just does not make sense at all. Numerous reports have been done.

Hon. AP FRASER (Mount Coot-tha—ALP) (Minister for Local Government, Planning and Sport) (5.45 pm): I move the amendment circulated in my name.

That all words after 'Parliament' are deleted and the following words inserted:

Notes—

- the phenomenal, nation leading growth occurring in Queensland
- that referendums are not held to determine state and federal boundaries
- that rates have always been determined by local governments in Queensland without interference from the State
- that Queensland needs stronger councils to guarantee the provision of future services and infrastructure; and
- the legislated protection for council employees through the transition to Queensland's stronger system of local government, and, further
- affirms its commitment to implementing the new boundaries as determined by the independent Local Government Reform Commission.

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (5.45 pm): I second that.

Mr SPEAKER: It is moved by the minister and seconded by the Premier.

Mr FRASER: In doing so, I absolutely guarantee to the House that what this government is doing in implementing local government reform is absolutely the right thing to do and absolutely in the best interests of Queensland. It is a bit hard in five minutes to deal with all the things that are offensive, inane and untrue—

Mr SEENEY: I rise to a point of order. The motion that I moved dealt with providing a right of appeal and a no disadvantage test. The amendment does not address either of those issues. Mr Speaker, I would ask your ruling as to whether this amendment is not completely out of order, because it deals with completely different areas from the issues that were raised in the original motion.

Mr SPEAKER: I indicate that I am in my 10th year in this parliament and so are you. I think the process that has been followed tonight is exactly the same process that has been followed under both political parties in government. I therefore rule it in order.

Mr BEATTIE: I rise to a point of order. This is only a matter of procedure. I am concerned that these procedural matters are taking away—and I am not arguing with the fact that the Leader of the Opposition has the right—

Mr Seeney interjected.

Mr BEATTIE: Hang on, I ask the member to please not be rude for one minute. I am just raising the issue that we have now lost a minute and a half of the minister's time. I suggest that his time be restarted. I am not suggesting—

Mr SPEAKER: I will take that into consideration. We will set the clock at four minutes but we will give him five minutes.

Mr FRASER: In moving the amendment circulated in my name, I absolutely guarantee to the House and to the people of Queensland that what we are doing is absolutely in the best interests of Queensland and absolutely in the best long-term interests of the future growth that we need to manage in this state. It is difficult in four minutes—or five minutes—to deal with all of the inanities, untruths and offensive parts of the 15 minutes that have been contributed by the opposition so far in this debate, but let me commence just with the utter hypocrisy of the position taken by the member for Warrego in the last third of his speech. That was to suggest in some way that it is inappropriate for unions to be involved in the transition.

I say to all of the House that during this whole process it was preached by many a mayor and preached by the opposition that the one thing that they were concerned about was people's jobs in communities. The one thing that drove all of this was the future of local economies and people's jobs.

Then as this process moves on and we seek to take account of people's interests in employment and make sure that they are represented on transition committees, the opposition reverts back to type—to the anti-union, anti-worker, anti-employee philosophy that it always practises to argue against us, including fair and appropriate union representation.

If there was ever an affirmation that what this government is doing is the correct thing to do, it comes from the analysis of the census that I tabled this morning. Over the last five years—between 2001 and 2006—there has been red-hot growth in the south-east and growth occurring up the coastline as the tree change/sea change phenomenon takes over, and growth continues in the resources corridor. That is the map of what the Local Government Reform Commission put in place. It is an affirmation of our commitment to do this and also the fact that the Local Government Reform Commission got it right. More to the point, this government was right to adopt lock, stock and smoking barrel the recommendations of the Local Government Reform Commission.

The growth that is occurring in Queensland is far above the national average. We are growing at 2.4 per cent, which is streets ahead of the national average of 1.3 per cent. We are streets ahead of our nearest other growth state, Western Australia, which is at 1.6 per cent. Ultimately, we are providing the councils of the future to deal with that growth.

The time for the politics, the never-ending interventions and the stunts of the coalition parties, at both state and federal level, is over. A taxpayer-funded Senate committee, constituted as an abuse of the federal government's majority in the Senate, is about to tour Noosa and Port Douglas. I grant you that those are nice places to visit, but to what end are they undertaking those hearings? Given the stated position of this government, I call upon John Howard to cease the abuse of his majority in the Senate and to call off the stunt that is the Senate inquiry.

I also call upon John Howard to definitively state that he will not be seeking to conduct any such moves on federal election day. If he does not do that, the truth will be out. This is about his vote; it is not about anyone else's vote. This is actually about John Howard's vote and John Howard's interests, not the national interest. If John Howard will not do that, the cat will be out of the bag.

In his bill, which does not mention local government once by the way, John Howard does not propose to change one single thing. He proposes only to peddle false hope and engage in what in my view is one of the cruelest hoaxes that has ever been seen in a federal election year. From this point forward the federal government should come clean on its intentions.

It is my firm view that the opposition also needs to start answering some questions, rather than acting like Henny Penny and declaring that the end of the world is nigh because of local government reform. They need to stop saying that they support mergers and boundary changes in some instances; that they support some but maybe not others. They should produce the list of what they support. They should take a position. The Leader of the Opposition should exercise some leadership. We would really love to see a policy.

Hon. PD BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (5.51 pm): I second the amendment moved by the Minister for Local Government, Planning and Sport. It would be appropriate for all members to take the advice of the Mayor of Cairns, Kevin Byrne, who says—

Opposition members: Oh, yeah!

Mr BEATTIE: As everyone knows, Kevin Byrne is not a member of the Labor Party. More to the point, he is a conservative. He has been a good mayor for Cairns and I have a lot of respect for him personally. However, he has not been a member of the Labor Party. He has been a member of the Liberal Party.

Yesterday, Cairns Mayor Kev Byrne had a simple message for the Douglas shire business leaders regarding council amalgamations. His advice was to get on with it. I think that is the message that we should all take. One of our sensible mayors is saying that the amalgamation is happening, so why don't we just get on with it. I urge all members to do the same.

Opposition members interjected.

Mr SPEAKER: Order! Before I ask the Premier to go on, I ask the member for Darling Downs to return to his seat. He has been interjecting and not just in the last little while. If he wants to interject, he should please return to his seat.

Mr BEATTIE: We are the fastest growing state in the nation, but it appears that the member for Callide is determined to put a handbrake on our growth. We are not prepared to accept that. He is anti anything constructive, yet fails to provide any alternative vision or policy.

Mr SEENEY: I rise to a point of order. I find that offensive and I ask for it to be withdrawn.

Mr BEATTIE: I withdraw. As we have indicated, amalgamations will happen. The reality is that we need stronger councils to deal with our growth. Earlier this morning I highlighted to the House exactly where the growth is happening based on the latest census statistics—the independence of which no-

one can argue about—and where exactly the council amalgamations are going to take place. They dovetail, so it makes sense. This government will be seen as one of the builders of modern Queensland and that is a key part of the scenario.

The capacity of smaller councils to properly evaluate development proposals, as well as deliver services to meet the needs of growth, has long been identified as a critical problem. In some cases it has led to bad planning decisions. It has led to delays in approval processes that have added to the costs of new industries and housing. In other words, it has stunted our growth. It has led to all sorts of difficulties. It has led to inadequate infrastructure, such as local roads and community facilities. Smaller councils simply do not have the financial or technical resources to meet the demand brought about by rapid growth. As everyone knows, we are the growth state of Australia.

Inefficient councils cost jobs, they cost opportunities and they do not give the communities they serve the services that they deserve or are entitled to. As I said, our reform process will deliver stronger councils for a growing Queensland. I reiterate again that of the 34 local transitional committees, 22 have been formulated or the councils have indicated that they will be formed shortly. Amongst most sensible councils there is an enthusiasm to get on with the job, and that is what we will do. Only a handful of councils have indicated that they want a poll. The rest are moving forward and getting on with the job.

I realise that a federal election is coming up and everyone will want to play politics, including the Prime Minister and the federal government. The only problem with the federal government is that it is led by a Prime Minister who is simply uncomfortable living in the 21st century. That is what this is all about and those opposite reflect it. The problem is that this represents major economic reform for Queensland and again the Prime Minister is seeking to stunt the growth of the state. We are will not allow that to happen. We will pave the way for the future of this state.

We knew reform was going to be difficult. We knew that it was going to be hard. We knew that the National Party would play base politics, but at the end this is good for the state and we are determined to deliver it. The assertions of the Leader of Opposition simply confirm his lack of understanding of the reform process and his lack of vision for the future. Firstly, the government does not set rates. In Queensland rates have always been determined by local governments without interference from the state. The Leader of the Opposition is saying that we should move in and set rates for councils. That is a nonsense.

Mr SEENEY: I rise to a point of order. I find that reference offensive and I ask that it be withdrawn.

Mr SPEAKER: There is no point of order.

Mr BEATTIE: Secondly, councils—

Mr SEENEY: I find it offensive and I ask for it to be withdrawn.

Mr SPEAKER: The Premier said 'the opposition'.

Mr SEENEY: He did not. I am sorry, Mr Speaker—

Mr BEATTIE: Mr Speaker, to save the time of the House I will withdraw whatever the member finds offensive.

Secondly, council services will not be lessened; they will be strengthened. Thirdly, we are providing a staff support package guaranteeing jobs through to 2011 while affected councils make the transition. That means that there will be no forced redundancies for any employees other than chief executives and 724 politicians.

The nonsense continues. The Local Government Association is now filing an application in the Supreme Court. They will continue to waste taxpayers' money. That is what the opposition is about.

Time expired.

Mr COPELAND (Cunningham—NPA) (5.58 pm): I rise to support the motion moved by the Leader of the Opposition and to speak against the amendment moved by the Minister for Local Government, Planning and Sport and seconded by the Premier.

The whole process of local government reform in Queensland has been a disgrace from day one and it remains a disgrace with the actions of the government. Finally it has acknowledged that it has stuffed up on one issue, but there are so many other issues regarding the whole process that it has stuffed up on. There is a long way to go.

Throughout the debate a number of media commentators have said that only mayors and councillors are upset by the whole reform process. In a lot of cases they have been sucked in by the government's line that only 700 politicians will lose their jobs. I invite any one of them to come to my electorate. I invite them to visit the communities that have been completely disfranchised in this process. I invite them to visit those communities and witness the anger, frustration and desperation of the people who live in those communities and who know how this will affect their communities. That anger, frustration and desperation is real and palpable.

It is offensive for the Premier, other members of this government and some commentators in the media to dismiss this point by saying that it is just a bunch of politicians who are upset at losing their jobs. It is offensive to the people of the communities, it is offensive to the councils that do their best to represent and develop their communities and it is offensive to all of the people who are going to be completely disfranchised in this process.

This will affect local communities. It will affect the way that communities operate. We need a no disadvantage test such as the Labor Party is so keen on having in a whole range of other areas. We need a no disadvantage test to make sure that these reforms will not disadvantage the communities. However, we will not have one because the government knows that those communities will be disadvantaged. The government knows that those communities will suffer. It knows that there will be rates increases and in some cases they will be substantial. For a lot of those communities, that will be for no benefit whatsoever.

I would like to highlight how real people will be affected. I attended a public meeting at Clifton where a member of an SES group said that, prior to the amalgamation of the Warwick Shire in the early 1990s, there were five SES groups within the communities. Each little community had its own SES group and its own facilities. What happened? Now there is one group based in Warwick. None of the other communities have an SES group or any equipment. The equipment is held centrally in Warwick. That will happen time and time again.

In my electorate the small Broxburn country music festival is run by a group of volunteers. What happened during the public liability insurance crisis? The Pittsworth Shire Council stepped in to provide insurance cover so that that community event could continue. The Toowoomba City Council has not had to do that. It has not had to step in to help community groups, because of the size of the groups and their activities. They came to me last week saying, 'How are we going to make a decision about running our event in May when we don't know whether it is going to be able to continue under the new council?' That is a fundamental event for that community, the only event really that happens in Broxburn. What will happen to the small country halls that were taken over by those councils? This will fundamentally change the way that those communities operate.

In Toowoomba there has already been talk about how it will manage with the number of jobs that will be centralised over time in Toowoomba because the office accommodation is not sufficient. That can only mean one thing—that jobs are going to move from those small communities where local jobs mean local services and support for local businesses and local communities. That process is already starting. That is the reality of what will happen. Those jobs will leave those communities. They will be centralised. There is no way in the world that a Toowoomba Regional Council will continue with a service centre in Greenmount. That is just not going to happen. That is the only thing that is in Greenmount to keep it going. That is how it will affect that community.

This state government has long banged on that it has to have stronger councils to deliver stronger infrastructure and services. It is the height of hypocrisy for a state government, completely incapable of delivering efficient services and infrastructure in Queensland, to lay the blame at the feet of local governments. It is pure and simple hypocrisy of the worst order. What is more, when it comes to the Toowoomba Regional Council, not one submission suggested the outcome that was delivered by the reform commission. There was one submission from the Toowoomba City Council that recommended quite a large council, but it certainly is not what was delivered. Every other council that makes up the proposed Toowoomba Regional Council wrote a submission against that. All seven of those councils were against it, yet that is what has been delivered.

Hon. AM BLIGH (South Brisbane—ALP) (Deputy Premier, Treasurer and Minister for Infrastructure) (6.01 pm): I rise to oppose the motion moved by the Leader of the Opposition. What we have before us tonight is the usual mixture of policy hypocrisy, policy confusion and policy paralysis. There are so many reasons to vote against this motion that I do not have time in the five minutes allotted to me. Let me turn first to the beginning of the second part of the motion which recommends a no disadvantage test be conducted so that ratepayers can be assured of a number of things. I have lost count of the number of times that the opposition has been given an opportunity to support a no disadvantage test for workers when it comes to their basic entitlements like long service leave, overtime and penalty rates. Every single time those opposite have been given an opportunity to support a no disadvantage test for workers they have walked away from it; they have voted against it.

Mr Seeney: Here's your chance.

Ms BLIGH: To walk in here proposing a no disadvantage test is nothing short of staggering hypocrisy. But perhaps most alarming is the method by which those opposite propose to achieve the no disadvantage test. They propose to achieve the no disadvantage test by guaranteeing that ratepayers will not see a rate rise above the CPI. There is only one way to achieve this and that is for the state to basically prohibit local governments from increasing their rates by anything more than the consumer price index. In the very same breath that they are pronouncing the importance and the independence of local government—

Mr Seeney: You don't understand what's going on at all.

Mr SPEAKER: Leader of the Opposition, please.

Ms BLIGH:—they are seeking to fetter the right of local governments to determine and manage their own finances.

Mr Seeney: That is not right.

Ms BLIGH: It is fundamental to local government operation that they are able to set their own rates. They are accountable to their constituents for those rates.

Mr Seeney: Pauline Hanson's way: take a falsehood and build an argument on it. Your original proposition is wrong!

Mr SPEAKER: Deputy Premier, can you take your seat for a moment. I am aware that the Leader of the Opposition has already been warned under standing order 253 and I would ask him to desist from further continued interjection.

Ms BLIGH: I will read the relevant parts of the motion again for the benefit of its mover—

2. a no disadvantage test be conducted so that ratepayers can be assured that—

- Rates will not rise above the CPI;

Whatever method is used to assure that, it will see local governments unable to make a decision to invest in a major piece of new infrastructure and put up their rates accordingly and go to their constituents and put that argument. Then it is up to the constituents whether or not they support that. That is how a democracy works. That is how local governments have worked. This government will not be moving in to set rates for local government. We will not be limiting their ability to see their rates rise by more than the CPI if that is what the council determines. That will be a matter for their constituents to decide whether or not they vote for them at the next election.

When those councils do take into account their financial requirements in the next six months—in the next six years—they will have to take account of many of their financial circumstances. When they do they will be looking, for example, to what the state government provides them by way of financial support. In this financial year how much money will the Queensland state government be providing to support the operations of Queensland's local councils? Just over $788 million. It is a very sizeable investment—a well-placed investment in the activities of local government. What sort of support do members think they get from the federal government? Do members think it comes close to $788 million? It is just over half that, at $455 million.

Frankly, if John Howard really cared for one minute what happened in local government in Queensland, if he really cared about the needs of those very remote councils servicing very large parts of this country, he would be matching us dollar for dollar. He would be putting up the dollars out of his surplus to provide these councils, which in many cases struggle to provide the services they need, with support for roads and increased infrastructure, whether they are being amalgamated or not. But members will not hear one word from John Howard about more financial assistance. We did not see it in this budget and we will not see it in the election campaign because it is not a level of government he cares about. Everything he has said in the last six weeks on this issue has exposed him as a fraud. John Howard's agenda here is a fraudulent agenda. He is not prepared to put his money where his mouth is, not one cent into the real issues that face local government.

Mr SPRINGBORG (Southern Downs—NPA) (6.06 pm): This whole government amalgamation process has been undemocratic and ill-conceived from the start. That is why we now have the government completely back-pedalling from where it was in recent times. That is why we see the federal opposition leader in a mad panic, chastising his own political ilk in Queensland and asking them to reconsider what they are doing. I do not believe that there is any fair dinkumness whatsoever from the federal opposition leader, because in 1993-94 he was the one who actually led the charge for forced amalgamations across Queensland without a referendum. His commitment to this is a sort of latter-day conversion based on his political future, not on the future of those communities.

I do not know where the Deputy Premier has been in recent times, but she has not been on planet earth in the last 24 hours. Yesterday, I heard the Prime Minister say, with regard to a commitment from the budget surplus, that he will be bypassing these useless state Labor governments—including this one—and will be putting money straight into facilities in local communities just as he has done in relation to road funding in recent times. Go out there and ask councils what they think about being able to get their money directly from the federal government without the absolutely useless, incompetent interference of the Labor Party in Queensland. We know that community halls and facilities are going to be advantaged by a continuing coalition government in Canberra, because John Howard has made a commitment that that money will go directly to them. The Deputy Premier has her wish: it has happened. The point is that she was not even awake or alert enough in the last 24 hours to see it happen.

We are seeing in Queensland a bone idle, lazy Labor government now lecturing us about growth when it has done nothing about addressing the growing pains of Queensland in recent years. Can members name one major road that the government has actually built akin to the M1 that the coalition

built in two years and four months when it was in government? It has built absolutely nothing. Can members name one major piece of water infrastructure, or even a minor one, that has benefited south-east Queensland today? In actual fact, when we warned for years in this place that there was an infrastructure crisis in Queensland and that we would run out of water, what did this government say? It said, 'No, there isn't. We now have demand side management. It is not a problem. We don't build dams anymore.' 'Dams are boys toys', said the now Minister for Child Safety, 'They are blokes things. We don't build dams anymore. There's a whole new way of doing it.' I do not know what the new way of doing it is. Those opposite talked about all sorts of grandiose things like praying for rain. That was their approach, not actually building infrastructure. So those opposite should not give us a lecture on managing for growth when they have managed for anything but growth.

This whole approach is very, very sinister. It is not about preparing councils for the future or managing for growth because we know that managing for growth is about what gets done. It is not about prattling on or promising things or that bigger is better. I can tell the House that in my area I have the ultimate experience of four councils being fused into one. The government should ask people out there if it has made for better planning and better processes, notwithstanding the high quality of councillors we have. Even the mayor himself and the councillors themselves will say that they will have to have a more highly paid CEO and they will need a bigger planning department.

Government members should go out there and ask those people about the processes and the structures. Planning will now be more convoluted and it will take longer to get development approvals through. Go to a place like Toowoomba and see how long it currently takes there compared to a place like Warwick, and then go to Goondiwindi and see how long it takes there. With a small council administration, you get an answer in a day, the next place is weeks and the next place is months. The government has cultivated administrative structures. The government is not about a process which is outcomes driven; it is about administrative structures.

What is wrong with having a no disadvantage test? Has anyone demonstrated to me or any of my constituents that rates will be lower? The experience from previous amalgamations is that they are actually higher, that there are fewer services for people, that the services are centralised and, frankly, that there is less representation and they pay more for it. That is what we will get. Government members have not talked about those issues; they have talked about a whole range of airy-fairy rubbish.

The real motivation behind what the government is doing here is empowering itself for the future. The union movement is deteriorating as a breeding ground for the Labor Party. Its membership is deteriorating and its resources have deteriorated. It has always irked the Labor Party that it has never controlled local government as a whole in Queensland. The government's thinking is centralise it, make it stronger, politicise it and it will then have a breeding ground for its own to come through in the future. The government will have hundreds of billions of dollars worth of resources that it could actually get its hand on to prop up its own political cause. That is what this is about. This is not about building Queensland in the future; this is about building the Labor Party in the future. No-one make any mistake about it.

Interruption.

DISTINGUISHED VISITORS

Mr SPEAKER: Before calling the member for Hervey Bay, it is with a great deal of pleasure that I welcome to the Legislative Assembly tonight delegates from the Gyeonggi Provincial Assembly. It is a great honour and privilege to have you here for the days that you are here. I am looking forward to hosting a reception and meeting you all. As the Speaker of the parliament, can I say how very strongly we regard the country of Korea, as indicated by the fact we have a trade commissioner, Matthew Kang, whom many of you probably know. It is my pleasure as Speaker to welcome you to our Legislative Assembly. I look forward to meeting you at about half past six with other members. Thank you very much for being here.

Honourable members: Hear, hear!

LOCAL GOVERNMENT REFORM

Resumed.

Mr McNAMARA (Hervey Bay—ALP) (6.12 pm): Tonight National Party members come before us and stand in this place and invite us to think small. They invite us to look to the past. They invite us to forget about the future. They invite us to tell people what they think they want to hear. National Party members come here tonight and offer volume instead of thought, they offer shrill yelling instead of reason.

Since World War II, it is my suggestion that politics has been pretty easy. We have been lucky in this place and the politicians who have been here in that time have been lucky in that we have lived through a long period of growth, with resource expansion, population expansion and wealth expansion. But the years that face us now will be tougher, and this is a time for boldness. This is a time for grasping the nettle. It is a time for serious people to step forward and deal with the serious issues that confront us.

No matter what people think those issues are, inevitably they all lead to the same place. Whether the issue is sustainability, whether the issue is energy security or global warming, whether the issue is simply saving lives on our roads, in the end we come back to much the same place. It depends effectively on good town planning, strong local government and smart urban design. These issues, whether you go from the global to the particular, confront us all.

Today I was very lucky to meet with the British delegation, which many members have dealt with, and they set out exactly the same issues—about energy security, resource security and the challenges that face us as a society which are unprecedented over the last half a century. Yet what do we get from the conservatives? This constant request that we look to the past, not to the future, that we go for waste rather than conservation, that we adopt the inefficient over the efficient. This parliament has an obligation not just to the people of Queensland today but to the people of Queensland of the future. We have an obligation to build a state with capacity, to build local government that has the capacity to deal with the demands that are going to arise as we pass through this transitional period of easy energy into expensive energy.

Albert Einstein once observed that the sort of thinking that got us into this mess will not be the sort of thinking that gets us out of it. Yet, regretfully, opposition members stand here tonight and simply say that they oppose everything, that they simply oppose all reform. They cannot accept that bigger councils can possibly provide more skilful town planning departments, staff with higher skill levels or better services more effectively. The opposition's motion before us tonight invites us to free local government by putting enormous chains upon their freedom to set their own rates. The motion that the opposition bring here simply invites us to somehow abdicate our responsibility to be a government for Queensland now and into the future.

Much has been written in many, many journals about the process of amalgamation and I want to drop a couple of quotes from my local paper, the *Fraser Coast Chronicle.* This is from one of the many editorials written by the editor of the paper, Nancy Bates, whom I think it would be fair to say is not a Labor crony. On 14 August she wrote—

... Premier Peter Beattie and Local Government Minister Andrew Fraser will be hailed in years to come for having the courage and vision to reform Queensland's local government.

…

Amalgamations had to happen sometime.

…

Full marks to Mr Beattie and Mr Fraser for standing firm in the face of vitriolic protests and red hot rallies... Stronger councils are now going to emerge and leave behind the debilitating parochial snarls and weak reactionary councillors.

…

Within a year Queenslanders will be wondering what the fuss was about; in five years they will look back with vague memories of quaint ineffective councils.

I suspect they will also look back with vague memories of the quaint and ineffective opposition with which this parliament is unfortunately blessed.

This is a time for people to step forward. I guess I should give opposition members some credit. The idea they have come into this place with tonight of suggesting that councils should be fettered in their ability to set rates is perhaps the ghost of a whisper of a policy idea. It has not had any costings or development and I suspect it was worked out on the way to the coffee shop this morning, but it is at least the beginnings of an idea. Regretfully for the opposition though, Queenslanders recognise that Queensland needs a government with vision, with a commitment to the future and which is prepared to take the hard decisions for all Queenslanders.

Time expired.

Mr JOHNSON (Gregory—NPA) (6.17 pm): The one thing the member for Hervey Bay had wrong is that we in the coalition are not against change; we are about supporting the general multitude of Queensland and letting them have the opportunity to have a referendum. That is something this government denied the people of Queensland on 18 April this year. It will go down in history as the day democracy was eroded in Queensland because of the government's standover, dictatorial tactic.

I sincerely hope that every government member analyses and evaluates the words of the motion the Leader of the Opposition has moved here tonight. It is about the rights of people, it is about securing their assets, it is about securing their jobs, it is about securing their futures. It is also about making absolutely certain we see growth in every aspect of local government right across Queensland, not just where the major growth is in the south-east corner or up the coast where we have the tree change or the sea change.

The other thing the minister should remember is that the wealth of this state is generated in those areas edged in green. That is where the dollars come from. That is where the quality of life that these people enjoy comes from. It is from those people out there. The 80 per cent of people who live in the south-east corner are enjoying the blood, sweat and tears of those 20 per cent who live out in those regional areas—in the coalmines, out in the cattle camps. The real issue here is the future of those people in some of those remote towns. Where will they have jobs? How are their assets going to be protected? The Premier said here tonight that they will be strengthened. I hope the Premier can prove it.

I note that the member for Lytton is the next to speak in this House. I put on record here tonight that a former member for Lytton, the honourable late Tom Burns, who was one of the great local government ministers of this state, would be turning in his grave knowing what this mob opposite has done. Tom Burns was a champion for the battler, he was a champion for the working man.

Members opposite in this House now do not understand what working people are about. Go out and talk to the roo-shooters in Isisford, Blackall or Tambo, the shearers in those towns and the council workers in those towns. Their houses might be worth only $50,000 or $60,000. Members' houses might be worth $400,000 or $500,000, and probably by the end of next week they will be worth $505,000 but the houses of people living in those towns will not be worth any more than $40,000. They will probably be worth $30,000 because of this dictatorial, standover tactic by this Beattie Labor government. This will go down in history as the demise of rural and regional Queensland.

Talk about growth—those local authorities in rural and regional Queensland have been the custodians of responsible leadership in those regions for well over 140 years. Growth operations like the Remote Area Planning and Development Board have identified how to get growth and development into those regions. They have identified how to get business opportunities whether it be in a shire like Diamantina, Isisford or Winton, or whether it be in a shire like Longreach, Barcaldine, Blackall or Tambo. It is about identifying issues on a regional scale. They have done a regional analysis and this government cannot identify with that.

The fact is that the discards in this game of cards that the government is playing are the employees of local government. The government cannot guarantee security of tenure in jobs. It cannot guarantee the security of their assets. I say to the government here tonight: start showing some discretionary tactics and make sure that this smokescreen is not going to be hoodwinking the logical thinking people of the rest of Queensland. I can assure the government that come the next election in this state we will not let those people forget, and they will not forget either. They are sensible, sane, logical-thinking people. They know who shafted them. They know who has put them down. It is the Beattie Labor socialist government that has one agenda, and that is to put those people down. It is about building WorkChoices of their own making in building a union movement. Why did Gary Howard, the mayor of Duaringa, tear up his Labor membership card? Because he does not support what this government is doing. He is a true member of the Labor Party. He is one of those people whom a lot of Labor members cannot relate to and do not understand how he operates. He represents the working people, and he cares about the working people like we in the coalition do.

Hon. PT LUCAS (Lytton—ALP) (Minister for Transport and Main Roads) (6.22 pm): It has become increasingly clear that there is only one side of politics that is prepared to show leadership on the issue of local government reform, and that is the Beattie Labor government. This is not about councillors; it is about communities and it is about providing a sustainable future for those communities. It is roads that people drive on, not minutes of meetings of unsustainable councils.

Previously in the House the member for Southern Downs talked about how in one of his communities Main Roads provides 75 per cent of the funding for the local council. And he is right. We are happy to do it because we are proud of the partnership between local government and Main Roads, but it does say something about the sustainability of some councils. Main Roads assists in providing permanent employment for many local government employees in rural and regional communities. In the Bungil shire this financial year alone the state will provide $10.3 million for roadworks. The mayor of Bungil, Rob Loughnan, was recently on radio saying that his council was able to keep rate rises to a minimum because of 'road construction work for other authorities ... despite further reductions in council's financial assistance grants from the federal government'. While the federal government is walking away from local councils, it is the state government that is propping them up.

Let us look at some other councils around Queensland—Aramac, for example. In 2005-06 Aramac's total income was $9 million, of which only $700,000 was from rates, less than 15 per cent. So where did the money come from? In 2005-06, Main Roads provided $2.093 million to Aramac for roadworks. That is 23 per cent of Aramac's total income—nearly one-quarter. Most of this was for a 25-

kilometre reseal of the Aramac-Torrens Creek Road. So Aramac got $700,000 from ratepayers and $2 million from Main Roads. Aramac shire itself recognises that it was reliant on funding from other sources. In its 2005-06 annual report it states, 'Rates revenue makes up less than 15 per cent of the total funds the council receives. This gap is funded mostly by contract works as well as grants from the state and federal governments.'

Let us look at another example—Boulia Shire Council. In 2004-05 revenue was $9 million and only $590,000 was collected in rates. That is a mere 6.5 per cent. Where did their revenue come from? $3.623 million came from Main Roads. Main Roads was contributing six times more into Boulia's coffers than what ratepayers were contributing. Forty per cent of Boulia's budget came directly from Main Roads.

I can keep going. In 2006-07, Main Roads provided $2.6 million to Calliope Shire Council—16 per cent of its total capital works budget. It was a record budget but it would not have been without Main Roads. For Tambo Shire Council the total revenue in 2005-06 was $4.5 million, of which $720,000 or 16 per cent came from ratepayers. How much came from Main Roads—$614,000. So Main Roads alone was contributing 13 per cent of Tambo's budget—almost as much as ratepayers.

The federal government has recognised Queensland does more than most other states when it comes to support for local government. The 2004-05 local government national report prepared by the federal Department of Transport and Regional Services notes, 'Western Australia and Queensland are making a serious contribution to funding local roads' and 'states could follow the lead of Queensland and Western Australia by providing more financial support to councils for local roads'.

The state government spends six times more on roads in western Queensland than it collects in registration. In western Queensland in 2007-08, based on the electorates of Mount Isa, Warrego and Gregory, the state government will spend around $121.2 million on roads while we will collect only $20 million in vehicle registration. This financial year the state government will provide $76 million in new funds directly to local government for their roads through the Transport Infrastructure Development Scheme. But Local Government Association president Paul Bell said, 'The LGAQ commends the state government for its efforts and encourages the federal government to increase its efforts.' Not only that; from time to time we award work to local governments on the state controlled network on a sole invitee basis. On average, this is in excess of $200 million each year. That is a huge boost to communities. Bauhinia shire, for example, has commenced a 12.9 kilometre pavement reconstruction on the Dawson Highway. The Roads Alliance is a classic example of it.

We have seen a very interesting public debate here. We have an opposition that wants control over councils' rating ability but none of that exists at the moment. It has never moved a private member's bill about it in the past. We have councils which want the states to fund them in excess of their rates base for roads and other work in their areas and we have councils that want us to dig them out of planning fights such as happened with Noosa council. And we have councils such as Douglas where there is so much infighting that it needs the state government to interfere for them.

What we will do is continue to fund roads. We will continue to help them with their planning dilemmas. We will continue to help sort out internecine brawls that they all suffer from, but most of all we will provide leadership. We will provide the leadership that is so lacking. We will provide leadership to give local government a sustainable future. With those opposite, if we just changed the names for 1924 when the City of Brisbane Act was enacted, the same arguments about what a great success it was—

Time expired.

Division: Question put—That the minister's amendment be agreed to.

AYES, 50—Attwood, Barry, Beattie, Bligh, Bombolas, Boyle, Choi, Croft, Darling, English, Fenlon, Finn, Fraser, Gray, Hayward, Hinchliffe, Hoolihan, Jarratt, Jones, Keech, Kiernan, Lavarch, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Pearce, Purcell, Reilly, Roberts, Robertson, Scott, Shine, Smith, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wendt, Wettenhall, Wilson. Tellers: Male, Nolan

NOES, 27—Copeland, Cripps, Cunningham, Dempsey, Flegg, Foley, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, Malone, McArdle, Menkens, Messenger, Nicholls, Seeney, Simpson, Springborg, Stuckey, Wellington. Tellers: Stevens, Rickuss

Resolved in the **affirmative**.

Division: Question put—That the motion, as amended, be agreed to.

AYES, 50—Attwood, Barry, Beattie, Bligh, Bombolas, Boyle, Choi, Croft, Darling, English, Fenlon, Finn, Fraser, Gray, Hayward, Hinchliffe, Hoolihan, Jarratt, Jones, Keech, Kiernan, Lavarch, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Pearce, Purcell, Reilly, Roberts, Robertson, Scott, Shine, Smith, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wendt, Wettenhall, Wilson. Tellers: Male, Nolan

NOES, 27—Copeland, Cripps, Cunningham, Dempsey, Flegg, Foley, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, Malone, McArdle, Menkens, Messenger, Nicholls, Seeney, Simpson, Springborg, Stuckey, Wellington. Tellers: Stevens, Rickuss

Resolved in the **affirmative**.

Sitting suspended from 6.40 pm to 7.40 pm.

NATURAL RESOURCES AND WATER LEGISLATION AMENDMENT REGULATION (NO. 1) 2007

Disallowance of Statutory Instrument

Mr HOPPER (Darling Downs—NPA) (7.40 pm): I move—

That the Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007, (Subordinate Legislation 2007 No. 98), tabled in the parliament on 5 June 2007, be disallowed.

I have great pleasure in moving this motion tonight because it shows the people of the bush who are under the control of this arrogant government that they do have a voice in parliament. The opposition is that voice tonight. The people of the bush are sick of these charges being placed on them by this arrogant Beattie government. This stockfeed charge might not sound much but it is 83c a head for cows and 10c for calves. But when people have exhausted everything because there is a drought—and we are in the worst drought in history—they have to look to the long paddock, as we call it, which is either a stock route or road system.

When people get to the stage of taking their cattle on the road they have usually sold their calves, got rid of their weaners and all they have left in a drought situation is their breeding stock. A farmer might have to take 500, 600 or even 1,000 head of cattle out on the road. Ask the member for Gregory, the member for Warrego and the member for Charters Towers how many cattle they see on our stock routes or roads. These farmers do not need to be faced with this charge. If they have 1,000 head on the road they have to pay an $800 fee to the government. This is administered by their local shire. It is simply unacceptable.

What is the government doing? It is stealing from drought-affected people. I will tell members why we are doing that. We are doing it because we are $53 billion in debt. This government has clocked up a $53 billion debt. That amounts to $12 million a day in interest. Imagine what we could do for 365 schools with $12 million a day. If we put $12 million a day into 365 schools imagine the Queensland we could build. Money is nothing to this government. We just borrow money when we have not got it or we milk farmers with charges like this. That is exactly what happens.

I run a breeder property at Bell. The other day I had to wean cattle. We had to buy hay. We had to pay $25 a bale for lucerne hay.

Mr Shine: You're not alone.

Mr HOPPER: I know I am not alone. That is demand and supply in a drought situation. We are so short of lucerne hay. Before these farmers go out on the road they have exhausted all their money. They have been trying to keep their cattle and stock alive. They have been buying hay to feed their cattle. The road or the stock route is the absolute last straw.

Members need to put themselves in that situation. Where do the farmers live when that happens? A lot of them either live in the truck or the horse float. They have to water their cattle while they are on the road. A lot of farmers on the properties alongside the roads or stock routes are flat out getting water because they are in drought. Their bores are cut back and it is very hard to get water. Quite often they have to cart water for miles. They have to have a water truck. They have to have somewhere to live. They have to stay with those cattle for 12 hours while the sun is up and they have to lock the cattle up at night so they do not get hit by vehicles. It is an absolute disruption to their lifestyle. The last thing they want is a greedy Beattie government saying, 'I need 83c for every cow that is eating alongside the road.'

What fruits do we see going back into our stock routes from this charge? A number of mayors and councillors of shires in my area were only too happy for me to make this call. The load is put on them. When a farmer takes his cattle out on the road or gets a permit to feed on the road and has to pay, who does the farmer blame? They get stuck into the local shire council or the local poundman. It is coming from top; it is coming from a greedy Beattie government.

When I was on our dairy farm, quite often when we were in drought we would have to feed the cattle on the road. We would ring up the local council and get permission to do that. We would put a $100 deposit down at the local shire and that made sure that we pulled the electric fence up when we had finished. We would then go out and put an electric fence up and take our cattle out on the road in daylight hours. What happens is that we would have to sit with the cattle and police those cattle, so nothing happens on the farm because all our time was taken up trying to keep stock alive. The last thing we want is a bill from this government to pay for the grass the stock eat and that money go into the coffers.

It is a terrible state of affairs when we have to resort to milking drought-affected farmers in the worst drought in history. This disallowance motion calls for the minimum fee that councils must charge to be nothing. The reason for this disallowance motion is to provide for shire councils whose residents

are faced with the hardship of drought to waive these stock route fees. They would then have the option to say, 'We will not charge you. Put your cattle out here. You police them but we will not charge you.' Most of the councils do this. Most councillors at present are farmers and know their local area. What is coming in the future we do not know. The Lord only knows who will be elected in the future.

Who manages the stock routes? Under the current Land Protection (Pest and Stock Route Management) Act 2002, management of the network is shared between local government and the department of natural resources. Local government is responsible for the day-to-day management of the network while NRW is responsible for providing the framework of the legislation and the policy for stock route management as well as support to local government. This means the general costs and management are borne by local governments that provide the service.

I am sure my colleagues on this side know it is time that the Beattie government showed some heart towards our drought-stricken producers. I think it is time this government did something positive for rural Queenslanders and dropped these charges. This regulation provides a minimum charge of 83c per head for adult cattle and 10c for young cattle. It means that a shire council must at least charge this much for the stock that are agisted along the stock route. That is the minimum fee. That will go into the coffers of this greedy government. It is simply unacceptable.

A lot of graziers are out in the long paddock trying to keep starving stock alive. Many cannot afford this amount, especially those with a large number of stock. They might have been on the road for a very long time and their lives are disrupted. Isn't that enough punishment? Imagine the cost to a farmer of leaving home just to keep his cattle alive because he cannot sell them because they are not fat enough to sell and he wants to keep his breeders alive until the drought breaks so that he can feed his family and educate his children. The kids of people in the electorate of Gregory and Warrego cannot go to a local school; they have to go to boarding schools. That is the cost for a young family living out there. Here we have this government sucking more out of them.

I know that during the drought most councils are very happy to see this fee absolutely dropped. When I first ran this idea past the mayors of Taroom, Chinchilla and Murilla shires they all agreed that the idea had merit and the current drought conditions warranted the relaxing of these stock route fees. I am calling on this government tonight to have a heart and think about those people and let this disallowance motion pass. It would not hurt. The minister could confidently stand up and say, 'I agree with the opposition. It is not often we have bipartisan support in this House but that is a good call. I will drop these charges.' Would it not be a lovely gesture to the drought-stricken providers, the food producers, the wealth creators of this nation for the minister to go to bed tonight knowing that he has helped them out? What a wonderful idea.

I am sure that most councils would be happy to forgo the fees until the drought breaks. After the drought breaks the government can do what it likes, but for goodness' sake it should have some leniency at this time. That is where the opposition is coming from. Under government regulations, local shires are required to submit half of all of the stock route fees to the state government. Councils are required to provide the permit service and maintain facilities, and that costs money. They have their poundman and their staff who have to write out permits. They have to police it to ensure that it is done right so a family driving along the road does not hit a cow, and that takes money and resources. The councils are willing to say, 'Yes, we will help our droughted-affected ratepayers and let them do this.' But what is the Queensland government doing? Our state government is saying, 'Slip us a few more dollars, boys! Slip us a few more dollars! We need your cash! This is a way of milking you dry,' and that is exactly what it is doing. It is doing that to our drought-affected farmers.

Some 1.424 million head of cattle and 2.847 million head of sheep used these stock routes between 1988 and 1997. There has been a gradual decline in the use of stock routes since the 1950s with the advent of motorised transport and further in the 1960s with the introduction of road and rail improvement schemes such as the Beef Roads Scheme. As a result, roads were built throughout Queensland in order to transport cattle. With our system of roads, rail and trucks, it is not as hard as it was years ago when the cattle had to be driven. On the way the cattle would get fat and would then be taken to market. Farmers had to employ a drover who would use the stock routes to take the cattle to market. With any good drover the cattle would put weight on as they went, and that is what the stock routes were designed for. So, yes, times have changed. I ask the minister: how much money is going back into stock routes? How much money from these charges is going back into stock routes? Where is it going? Back into consolidated revenue? Is that where it is going? Back to pay this $53 billion debt? I bet it is! This is milking poor, starving farmers. This disallowance motion is not getting rid of the fees but merely allows councils to waive the fees if they deem it necessary because of the hardship that landholders face during the drought.

Another part of this regulation relates to the $3.36 per megalitre water charge. For those who have an irrigation licence under these regulations, they have to pay $3.36 for every megalitre of water that their licence holds. It has been horrific. Most farmers with these licences do not have any water anyway, yet they still get charged. If they have a 1,000 megalitre licence, they have to pay $3,360 every 12 months. This is just another fee from a greedy Beattie government that is milking our producers dry.

That is exactly what is happening here and it is making those people cough up. It is simply unacceptable. The water harvesting charges in schedule 14 contain that $3.36 charge. This charge has been an interim charge since 2003, and we screamed and bucked when it was brought in. We made a lot of noise about this. These water charges apply to a number of water management areas in this regulation.

The Queensland Irrigators Council has been calling on this government to suspend this charge as it suspended the $4 charge. This interim charge also needs to be suspended as a matter of urgency and payments already made by irrigators should be rebated. We should give them the money back that they have paid. We are in the worst drought in history, and all we hear in this place is that the people of Brisbane are running out of water. Why are they running out of water? Because we have got a footbridge and a football stadium after 20 years of Labor! This government has built absolutely nothing, yet it continues to put charges on people who are the wealth creators of this nation. Tonight the coast had eight inches of rain. If the Wolffdene Dam had been built, Brisbane would have six years water supply right now! But, no, what happened? Kevin Rudd told Goss to sell the Wolffdene Dam site, and it was gone! If that dam had been built, the people of Brisbane would have water now yet they are going to be faced with drinking recycled sewage. That is what those opposite are going to do. They are going to make us drink recycled sewage because they have built nothing—absolutely nothing!

Mr Shine interjected.

Mr HOPPER: The Attorney-General is losing it over there. He was asleep this morning; now he is losing it. Referring back to the disallowance motion, it is just another charge to milk the wealth creators and the food producers of this country dry. I can remember when I put contours in on the farm. We rang DNR and it sent two people out who drew up the contours, we shook hands and away they went. Now we have to pay them so much an hour and a travel allowance. I remember that when we cut through the earth on the power pole at the dairy Ergon Energy came out and put a new earth in and a new capacitor on the pole and it cost nothing. Now to put the power on people have to pay at least $9,000. For every service now provided to anyone there is a fee involved, and this is what the opposition is talking about. Those opposite are milking the people of Queensland dry by making it a user-pays system. Everywhere you look it is a user-pays system. Those opposite have taken the pressure off themselves by charging the people of Queensland and making them pay. We are going to drop these fees when we win government. We are going to give the people of Queensland some strength back and the protection they need from a decent Queensland government.

Time expired.

Mr JOHNSON (Gregory—NPA) (7.55 pm): It gives me great pleasure to second the disallowance motion moved by the member for Darling Downs—that is, that the Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007 (Subordinate Legislation 2007 No. 98) tabled in the parliament on 5 June 2007 be disallowed. I think the message is clear here. The shadow minister and member for Darling Downs identified and illustrated clearly the current status of our state. Many people in south-east Queensland are experiencing the worst drought in living memory and shortages of water. That is not just happening here in south-east Queensland; it has been raging right across Queensland for probably 10 years now in some places. There should be a compassion clause in this statutory instrument to ensure that if a situation like this arises people can be assisted in times of need.

Stock routes were created all those years ago when this state was split up. At that time we did not have road transport but a lot of smaller aggregations, even in western Queensland, the area that I represent. Some of those stock routes were a mile wide and many of the ones down here—some of them might only be three or four chains or five chains or 10 chains or whatever they are—are still part of the state network and are still part of the interlink between properties, towns and districts. As the member for Darling Downs has clearly identified, those areas on the Darling Downs are in desperate need. I know one grazier in Longreach who has just moved his cattle for the sixth time and those cattle have not been on the home property in those six moves! That will give members an idea of how grave the situation is.

People have been buying grass for five and six years. It has got to a stage now where the fun has gone out of it. I have never experienced a drought like this in my lifetime—and I have seen some doozies at Quilpie—and I have seen a lot of walking cattle and a lot of walking sheep. I am not talking about 100 or 200; I am talking of mobs of up to 1,500 or 2,000. Those sorts of mobs of cattle are there to loiter on stock routes and spend a night here or there and camp again and loiter for another day or so and then they move on. The people that the member for Darling Downs was talking about are now desperate. They are in a situation where they might be down to 100 or 200 breeders and they have nowhere else to go. There is no hay on the Darling Downs. I know this for a fact, because I have relatives on the downs and they have been feeding their cattle for about 18 months—I would hate to think what the bill is—and trying to keep their breeders alive. There are no exceptions anywhere out in that region. If there is grass on a stock route, with modern technology such as electric tape they can leave those cattle there in a safe environment. We have to remember that many of these people pull their children out of boarding school or keep them home from school, because it is usually the husband and wife and the kids looking after the stock.

Most times members would find that the mother and the children are looking after the stock by day while the husband goes back to the property to try do some other work—whether it is do something around the station, fix up something that is broken, or tend to the cattle that might be left behind there, or whatever. This is the environment that these people have been subjected to over a long period now. I really think that in 2007 it is time that we showed some compassion and understanding as this situation gets progressively worse.

I have to say in this House that over the past six months the real issue has been how we are going to supply the south-east corner with water. For the Deputy Premier and I know the minister himself, the water grid is a contentious issue. People are wondering, 'What is going to happen if we run out?' A couple of million people here in the south-east corner have been subjected to this situation probably only once. I hope that they will never be subjected to it again. But the people I am talking about are trying to keep the basis of their breeding stock alive on the road. They are down to the last asset they have. This is the only way they can reactivate and rejuvenate their income when, hopefully, the rains come around Christmas time or in the spring when we see some rain from storms. Then they will be able to put the bulls back with their cows. But we have to remember that it is going to be 12 months before we see calves on the ground and it is going to be two or three years before we see productivity again for these poor unfortunate people.

We have to have some compassion. We have to have some understanding. I know that out in the west and in other places the families are looking after the stock and the husband has gone off somewhere else to find an income to support his family and maintain the lifestyle that they are accustomed to. I ask my colleagues to bear in mind that I am talking about the hub, the wealth area of the Darling Downs and other areas that are great cropping areas.

I remember all the years that I was at Quilpie. At the end of the winter, if I had store wethers or store bullocks that I could not finish off I would put them on a truck and send them through to Dalby. There would be some grazier there with a failed crop or the remnants of a crop who would be able to buy those cattle or sheep and finish them off. But that has not happened for 10 years. These people have been in the grip of this drought for 10 years. Never in the history of European settlement in Queensland have we witnessed a drought of the magnitude that we are currently being subjected to.

This issue is about showing some fairness, showing some understanding and showing some compassion. This is about being fair dinkum to the cause. I appeal to the minister this evening to show some compassion to these people, to show some understanding to these people and to waive this 83c per head for growing cattle and 10c per head for calves. There will not be too many calves, because most of those would have been sold off to give the cows a chance. Most times these cows will be dry.

The other side of the situation, as the member for Darling Downs has rightfully said here this evening, is the $3.36 a megalitre for water harvesting. That is another impost on irrigators that is totally unfair. Many of these people are not even getting their water allocation and this has been going on now for four years. I know that out in the central areas that I represent and in the Emerald area some of those farmers are not getting a full quota. We are looking after the mining industry and we are looking after the needs of the towns, but some of the farmers are missing out. Some of them might get 25 per cent or 40 per cent, but please God can we show some sanity and understanding here.

As I see it, some of these policies are put in place by people who do not have an understanding of the complexities of the agricultural industry and the real needs of the people. The real fact of the matter is that this is a crisis of monumental proportions that we have never, ever experienced before in this country. All I can say is thank God for road transport. Thank God for better roads. People have been able to move a lot of stock to different places. But when we look across the eastern seaboard of Australia right down to New South Wales and Victoria, we see that these people have nowhere left to take stock. At the end of the day, if we do not get a crop soon somewhere—whether that be in South Australia or in New South Wales—our feedlot industries are going to be wanting, because there will be no grain to put into cattle feedlots. When we see those big lifts of cattle coming in from the west, again we see that this is about an industry that is on its knees because of the severity of this drought.

We have a quality livestock industry. We have one that this country is fiercely proud of. We have the best farmers in the world. There is no doubt about that. It has been clearly identified and clearly illustrated by people far and wide. We are the envy of the other farmers across the world. Our farmers are not subjected to disease such as foot-and-mouth, mad cow disease or any of those other diseases. But in a time of need, what do we do? We look after our own.

This is an opportunity to make certain that we can look after our own. I appeal to the minister and I appeal to the government members collectively. This is an opportunity now to show some compassion and to show some heart to those people out there who are trying to do the right thing to survive in these trying and difficult situations. In a lot of areas things are good, but it is not good for everybody. That is the issue that we have to remember this evening. I cannot emphasise to the minister enough the importance of recognising that we have to show a little bit of heart and a bit of compassion to people who are not as well off as the rest of us. At the end of the day, we need these people and come the day of reckoning when it does rain, they will prove their worth.

Mrs CUNNINGHAM (Gladstone—Ind) (8.05 pm): I rise to speak in support of this disallowance motion. I think it is an indictment on this chamber that we are even having to debate it. The south-east corner experienced some rain in the last couple of days, but it has occurred after level 5 water restrictions have been brought in. Those level 5 water restrictions are for domestic water users. So people have to shorten their showers and not water the garden as much as they used to. They cannot hose down the cement and they cannot wash their cars. People in the south-east corner have felt the effects of drought.

I ask members to compare that situation to that of farmers who have had to reduce their herd to only the barest of breeding numbers. They have had to sell cattle in a depressed market. As the member for Gregory said, they have had their wife and children out handfeeding cattle—if, indeed, they can afford to purchase feed. Yet those people are getting this sort of a response from the government. Those people do not just not wash their car; in some circumstances they have to stand by and watch their stock deteriorate and in some cases die.

The use of the stock routes has been historic. I think all of us who represent rural areas can look back at designated stock routes as a historic part of the make-up of our electorates. They were put there for droving purposes. Some of the stock routes have been closed, particularly as urban areas have encroached further onto rural land. But for other areas in rural and regional Queensland, the stock routes are an integral part, not so much nowadays of moving stock but of grazing stock in the dry. Those stock routes have to be maintained. They need to be maintained for our primary production, our primary industry.

It is ironic that the department is charging our farmers 83c per head for grown cattle and 10c per head for calves at a time when probably the stock routes would be carrying a very dry fuel load. In fact, by putting cattle on the stock routes the farmers are doing the government a favour in terms of fire control. I have no doubt that most of the farmers have to supplement the stock route feed with licks et cetera because it would be very dry and nutrient poor. But it gives the cattle some bulk.

I think we need to go back to that period when governments recognised the cooperation between urban and rural areas, the interdependence between the city and the country, and recognise that it is time to show some compassion and understanding for our families in rural and regional Queensland. It is not an easy thing to have cattle grazing stock routes. It takes a high degree of vigilance to ensure the integrity of the herd and to protect road users as much as that is possible. I can say that no farmer who has to resort to grazing their cattle on stock routes would find it an easy task to undertake.

I think it is disappointing that we are debating this motion. I think it shows a callous indifference towards our rural cousins, if you like, and I do not believe that is a characteristic that the minister demonstrates in his normal day-to-day activities. After all, it is up to the minister to make a call on this. It is possible for him to change the direction that the department is taking. At a time of greatest need, in this instance the government is sinking the boot in and that is not something that rural and regional Queenslanders will forget.

The issue of water harvesting charges involves a fair trading principle. If a store tried to sell something that either did not meet its description or was not available, it would be charged under fair trading principles. The store would be required to provide the product for the money that the customer has agreed to spend or refuse to take the money.

The government is asking farmers to pay for a product—that is, a water licence—even though it is not supplying that product. Perhaps one option is a two-tiered water charge where there is a small charge for the installation of the measuring system and another charge for the water component as occurs in urban water supply. Farmers are asked to pay for a product that cannot be supplied by the department that is charging them. In every other circumstance the Minister for Fair Trading would be down on such a supplier like a ton of wet cement and would have them before the courts. Therefore, I ask the minister to apply the same principles here. If he cannot supply the product, he should not charge the fee. I ask him to be fair and reasonable with those people.

I know people in my electorate who are being charged for a water licence even though they have not pumped for three or four years. They are paying the charge because, if we do get some good seasons, they want to keep their licence allocation so that they can pump from that water source. However, it is no less annoying or frustrating for them to have to pay a charge when they are not getting a product. As I said, in every other circumstance that would be not tolerated by governments.

I ask the minister to reconsider the charges on the stock routes. For decades our country friends and relatives have invested in the economy of this state and now they are crying out for some consideration from government. They are asking to put cattle on what is effectively dry grass. As I said, and I do not say it lightly, they are doing the government a favour in terms of fire management, weed control and pest control. If the load is reduced, the ability for weeds and pests to proliferate is reduced. Obviously they are not asking to be paid for doing that favour.

They are asking—and asking stridently—the minister to remember that they are in the throes of one of the worst droughts that this nation has ever seen. Financially they are very strained and that is evidenced by the incidence of self-harm and family implosion in rural and regional Queensland. They are asking that this impost in terms of government revenue be removed to give them a glimmer of hope and a glimmer of support from a government that it could be said does not care for the bush.

Mr HORAN (Toowoomba South—NPA) (8.12 pm): I rise to join in this debate to disallow the Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007. I want to speak about the 83c per cow per week that is charged for the use of the stock routes and the $3.36 per megalitre charge on water harvesting in all areas of the state—north, central and south.

The current drought is virtually a continuation of a dry time that started around 1991. In all the time that I have been driving to parliament, I have seen water in the Lockyer Creek only in 1996 and 2001, and there may have been one or two other short occasions. That has been much the same for the south-east of the state from Lockyer Creek west to the Great Dividing Range, for western Queensland, and parts of the north-west and the centre of the state. This drought has been like a long slow cancer.

We see a lot of natural disasters and members from both sides of the House have great sympathy for the victims. We do what we can to support people such as those who suffered tragedy when that dreadful cyclone hit Innisfail. Droughts are like a slow cyclone that goes on for 10 or 15 years. The recovery takes years and years. Sometimes it is not as spectacular as a flood, fire or cyclone, but it is just as devastating. It eats away at people for years and years. It is dreadful for the families that live through it. It is difficult on marriages, on families and on whole districts.

There are a number of options to keep breeders going through a drought and one of them is the stock route system. People can send their cattle away on agistment. Agistment on a private property costs more than agistment on a stock route, but the farmer is eligible for a drought subsidy to bring the cattle home by vehicle transport. However, under the DRAS scheme a farmer is not eligible for a subsidy if his cattle is on the stock routes.

When a farmer uses the stock routes, it costs money to have the cattle supervised. For a normal group of 300 or 400 head of cattle, there will be at least two drovers as well as dogs, motorbikes, probably four horses, and a caravan and truck to maintain. The regulation states that they have to move so many kilometres a day. Of course, they have to try to move to where there is water or cart water in. There is a huge cost involved in managing those cattle, which is why it is so cruel to enforce this charge in the midst of a drought. Again I say that, whenever there has been a natural disaster, all in this House have done whatever we can to support the people involved. In the midst of this natural disaster, we have to provide some assistance.

During the estimates hearings I raised the problems that these people face and the fact that they cannot apply for any drought assistance to bring their cattle home. Some cattle have travelled hundreds of kilometres from a property under the watchful eye of paid drovers or the family. Some farmers have pulled their kids out of school—they cannot afford the school fees anyway—and they live on the road for two or three years. Some shires have blocked the stock route or closed it off because it is out of feed or water. In that case, they can be stranded in the middle of central Queensland. How do they get back? There is only one way to go back. All the feed behind them has been eaten out, so they have to truck the cattle home. However, they are not eligible for a drought subsidy under the rules applied by QRAA. That is another reason why we should not be charging 83c per head in the midst of the worst drought that the nation has ever seen.

Like the other speakers before me, I appeal to the minister to listen to this debate. It is about the humanitarian way that we look after Queensland families. In this House we support a lot of things. We support the subsidies that are paid in metropolitan and south-east Queensland. Hundreds of millions of dollars are spent on subsidising bus and train travel so that people do not have to pay exorbitant costs that are probably beyond the average worker. We understand that is necessary and we support it. These good hardworking Queensland families contribute to the export industry of our state and they need this modest help during the period of the drought.

I also want to speak about water charges. Four years ago these water charges were introduced by the government out of utter spite following the Premier's failed attempt to close down Cubbie Station. I believe that that was one of the blackest moments in this state's history. Another incident occurred one Sunday night not long after when *Four Corners* aired a program that drew untrue comparisons between the cost of water there and in the cities. They did not show the true cost of water. They did not allude to the fact that places like Cubbie had to pay every single cent of the cost of providing the water infrastructure, yet they are not allowed to take water unless the river is in flood and is so many metres above normal level. It has not been full since 1991.

That aside, the Premier tried to close down Cubbie Station and divert the water to the Narran Lakes. They found that was impossible because it went over so many kilometres of sand, rivers and so on. It just was not practical. Then he tried to say that it was causing salinity problems, which was proven wrong. Eventually he went out there to attend one of the largest and most emotional public meetings that I have seen in my life.

The hall at Dirranbandi was chock-a-block. There were people out in the streets with loudspeakers. They were all young families because Cubbie Station is a system of share farmers. The town is full of young married people with little kids who have 1,200 acres each and one tractor. They rely on the water. That is their income. I remember one young man with a child in his arms standing up and saying to the Premier, 'Premier, if you cut off this water will you pay the lease fees on the machinery that I am trying to pay off because this is my living?' It was comprehensively defeated that night and then within weeks we had this vicious charge put on anybody who harvests water. It was a vicious and spiteful payback to irrigators generally but mainly to get at Cubbie Station.

This is actually paying for nothing. The vast majority of these water harvesters harvest overland flow. Some are harvesting from the flood of streams which come from a system where there is a dam or a weir. West of my electorate on the Darling Downs it is from overland flow. Farmers have had their properties laser-levelled so that when it rains they can catch the water in a sump and then suck it up into a ring tank that they have built at a cost of half a million to a million dollars. They have borrowed the money for it and it has been sitting there for years and years empty because it has not rained. It is their own infrastructure that they have put in place. There is never going to be a need for a dam on the Condamine River such as was talked about at Elbow Valley up near Killarney. That was talked about years ago. That dam would not hold as much as the ring tanks on the Darling Downs hold. There are about 300, 1,000 to 1,500 megalitre ring tanks. The storage on farm is there but it has not rained and they have not been able to get the water. They have gone into debt with borrowings and interest to do it. To be charging $3.36 a megalitre for nothing—for fresh air because that is what it is in most cases—is absolutely wrong.

I do not think anybody minds paying a fee if they are actually paying for water that has come from a system that has cost the government millions of dollars, such as a dam, and some water is let out and they can harvest some of that. They do not mind paying for that, but this is paying for the infrastructure that they have actually put in themselves. They have borrowed money, bought dozers and worked for hours to build it. For probably three out of four years most of that infrastructure sits empty. If they get one good year when it rains and water floods across their place, they catch the water, suck it up, pump it in and they then have 18 months water supply. They are going to be charged just for the honour of having the guts to borrow the money, extend their debt, and work hard to make an income for themselves and pay their staff and all the people who drive the trucks and the headers, the agents in Toowoomba who buy and sell the grain and the people who work at Fisherman Islands. All these people down along the chain get jobs through the primary risk that these people took.

I think this was an interim fee. It is not fair. I think this fee is un-Australian. I think this motion tonight to disallow this regulation should be taken notice of. I hope the minister has listened to what I have said about this issue. I know that he would have. This is important. Let us be fair about the things that we do. People do not mind making a contribution to some form of infrastructure, but they do not want to pay for nothing. No-one wants to pay for nothing. That is what this charge is. They are paying for fresh air. It is unfair, it is dishonest and it should be struck out, particularly when we consider what is happening with the stock routes at this time of such stress in the worst drought we have ever seen in this state. I appeal to the minister to take notice. There is a lot of genuine thought behind the motion to disallow this regulation and I would ask him to take notice of it.

Mr PEARCE (Fitzroy—ALP) (8.23 pm): I rise to speak against the disallowance motion moved in relation to the Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007. Fees relating to the use of the Queensland stock route network are prescribed in the Land Protection (Pest and Stock Route Management) Regulation 2003. The Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007 includes increases to some stock route fees. These fees have been increased by the consumer price index only.

Regulatory stock route fees apply to travelling or agisting stock and inspecting a local government's register of water facility agreements. I will briefly explain for members opposite the application of these fees. Travelling stock involves the walking of stock to markets, rail heads and agistment. Quite often in my area I see them being used for moving stock from property to property. The fees associated with this type of usage have not increased in the Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007. Agisting stock involves short-term static grazing of stock on the stock route network and relevant lands. The stock route network consists of stock routes and reserves for travelling stock. Other relevant lands include locally controlled roads. Stock route agistment fees have increased by the consumer price index in the Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007. The fee associated with the inspection of a local government's stock route water facility agreement register has also been increased by the consumer price index in the regulation.

I understand that sometimes it is a little bit hard to get people to understand just how these things work so I will give some detail with regard to the minimal increases applied to these fees. Let me first of all reiterate that it is the policy of this government to increase regulatory fees annually in line with the consumer price index. It is a common practice that members of this parliament know about and should

understand. It is also a practice that the community understands and rightly accepts. Stock routes are the property of the people of Queensland and it is therefore crucial to the sound governance of Queensland that this and other regulations are administered effectively—something that members opposite should be constantly monitoring and are constantly monitoring.

The increases effected to stock route agistment fees in this regulation see the maximum charge for agisting cattle increase from $1.95 per head per week to $2.01 per head per week. That is an increase of 6c per beast and certainly, as far as I am concerned, a lot less than the amount per head—whether it is $5, $15 or $25—per bale of hay over a week to keep a beast alive. The minimum fee for cattle has risen from 81c per head per week to 83c per head per week. That is 2c per beast. Feeding cattle hay for the purpose of keeping them alive is much more expensive than walking them along a stock route or paying agistment to another landholder. Stock route agistment charges that apply to sheep have not increased due to the consumer price index having no effect on such low fees. This is the same reason that fees to travel stock on hoof have not increased by the consumer price index: the fee attached to the activity is too low for any charge to be effective.

The fee associated with inspecting a local government's stock route water facility agreement register has risen from $10.80 to $11.15 under the regulation that is now before the House. As members can see, the member for Darling Downs is clearly wasting the parliament's time in opposing the amendment that we have before the parliament tonight. It is certainly not giving value for money for his constituents if this is the best that he can do to justify his position in this House.

The member for Darling Downs may argue that this regulation should be disallowed on the basis of giving graziers some relief from the effects of the terrible drought being faced by much of Queensland. I have heard some fair and reasonable argument from that side of the House tonight about the severity of the drought. I understand it. My electorate has suffered as much as any other electorate in Queensland. I know about the impact on landholders and in particular on graziers. For me and, I think, for a lot of the graziers I talk to, the cost of putting cattle on the stock route is substantially less than the cost of feeding them and putting them on agistment. With all the graziers that I have in the Fitzroy electorate I can honestly say that over the years where we have been under severe drought conditions I have had probably less than half a dozen raise this issue with me.

This government is well aware of the effects the prolonged drought is having on graziers. That is why the Department of Primary Industries and Fisheries has in place a range of drought assistance measures for landholders struggling with the drought through the Drought Relief Assistance Scheme. The Drought Relief Assistance Scheme provides freight subsidy assistance for transport of fodder, stock drinking water, livestock returning from agistment and restocking. Most of the graziers I talk to are very appreciative of the fact that they can access that assistance at a time when they are really in desperate need. The strong message coming from graziers is that they want me to argue that we need to keep and maintain that type of assistance. They are not asking me to put up an argument for the removal of free access to a stock route.

What the member for Darling Downs clearly does not understand is that the stock route network and other relevant lands are not available for, and certainly cannot provide for, long-term drought relief. The Queensland stock route network makes up approximately two per cent of the land mass of the state. How can two per cent of the state's land possibly provide long-term drought relief to the state's herd?

There are other things that graziers do. What the opposition forgets and what I appreciate about the graziers in my electorate is that they are very good managers. They plan the management of their herd. If they see that they are getting into a difficult situation with regard to drought or other issues, they move their plans forward. They move their stock, sell them or find agistment elsewhere.

I do not see a lot of demand coming from people in central Queensland for this direct access to stock routes. I hear more from the very small grazier who might have only a few head of cattle wanting to get access to the main road or a local government road in his area. We always have a bit of trouble getting access to that. I do not hear too many issues about getting access to the stock routes themselves. The fees that are in place are about managing the stock route so that those who do need access to it can get it because the stock route has been managed in such a way that encourages stock to move at a steady pace day by day. This ensures that everybody has an opportunity to access that stock route.

I have been out on the stock route. I have a reputation in this place for being a coalminer, but I spent some of my early teenage years out on the stock route with my dad moving sheep in north-west New South Wales so I know what stock routes are all about. I know how hard the lifestyle is out there and I know how important stock routes are to those graziers and landholders who depend on getting access to them for their livestock.

As far as I am concerned, we manage the land on behalf of the people of Queensland. The people of Queensland expect that we will maintain those stock routes in a way that is acceptable to their expectations. To do that properly we have to have a fee and the fees are, from what I can see, the very

minimum, the lowest possible. They have to be increased on a regular basis because that is what we need to do to keep pace with the cost of everything else that happens in this world we live in today. I am sorry that I cannot support the motion before the House.

Mr MESSENGER (Burnett—NPA) (8.32 pm): It is with great pleasure that I rise to support the disallowance motion as moved by the member for Darling Downs. If the coalition's disallowance motion is passed tonight, the gross inequities which currently exist in the water supply system managed by this government will become a little fairer. It will fundamentally mean that this government will fairly share the risk involved in the business of water supply to an industry which creates enormous amounts of wealth for Queensland and community wealth and jobs.

A point that I think most members opposite do not really understand is how we actually produce wealth for this country. We can either make it, mine it, grow it or show it. Quite frankly, if you are not directly involved in one of those activities—make it, mine it, grow it or show it—then as a business you are just taking in each other's washing; you are just recycling the wealth that those four primary activities create. I would have to say that one of the reasons those opposite do not fundamentally understand how wealth is created is that they have never been involved in small business in their lives.

Government members interjected.

Mr MESSENGER: Maybe a few of them. They are either a teacher, a union rep, a union hack or maybe a lawyer—that covers the whole gamut of experience from those opposite.

Government members interjected.

Mr MESSENGER: Okay, a police officer.

Mr HINCHLIFFE: I rise to a point of order, Madam Deputy Speaker. I take offence to that. I am not from any of those categories.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Would the member—

Mr MESSENGER: I withdraw, if you want me to, Madam Deputy Speaker.

Madam DEPUTY SPEAKER: Thank you.

Mr MESSENGER: SunWater, the government owned corporation which manages water in my district, is not doing a very good job. It allowed farmers to go out and invest significant money into crops without warning them about the impending decrease in water allocations. It took two weeks longer to finally announce the allocations. Meanwhile, farmers went out and bought extra water at $700 a megalitre and then woke up the next day and found out the extra water had been allocated to them, so the thousands of dollars they spent on water was wasted.

We know we are battling one of the worst droughts in recent living history—we all know that—but it is a fact that we are also battling one of the worst managed government owned bureaucracies. There is no communication, no empathy or understanding and no helping hand from the government which should be willing to share the risk during the bad times. That is the important principle—that this government in times of drought, in times of crisis, should be willing to share the risk. All we have is this Labor government with its hand out, wanting record charges for basic infrastructure. The farming and horticultural industries in my part of the world—the Bundaberg and Burnett industries—contribute almost half a billion dollars to Queensland's economy. It is around $350 million in the horticultural industry and around $120 million in the cane industry. That is $0.5 billion worth of wealth created for our state.

In the past few weeks my office has been flooded with phone calls from desperate farmers seeking my assistance with regard to surface water allocations announced by SunWater in January this year. One farming family I was approached by are Dean and Rosslyn Akers, who are small crop growers in the Burnett who currently grow sweet potatoes and zucchinis. I might add that they are the largest producer of sweet potatoes in Australia, growing 400 acres a year. According to Mr Akers, two years ago farmers in the area were allocated 100 per cent of their water allocation by SunWater and then back in March it was cut down to 46 per cent. However, from 1 July this year their water allocation is down to three per cent but they are expected to pay for the 100 per cent allocation.

Mr Pearce interjected.

Mr MESSENGER: I take the interjection from the member for Fitzroy. Yes, sure, it has gone from 100 per cent down to 46 per cent but then it has gone down to three per cent. Why wasn't there better management on SunWater's behalf? Why the sudden drop? Why couldn't there have been better communication from the SunWater officials? I think the officials are just lousy. In fact, they may as well not be there because we know they get their orders from Brisbane. We all know it is centralised in Brisbane—whatever they want. There is no consultation or consideration for the local people.

Anyone with common sense could see that this would result in crops dying and a significant number of employees losing their jobs. Mr Akers's situation is that 60 jobs will be lost as a result of his reduction in allocation and, might I say, the mismanagement on behalf of SunWater. Mr Akers has informed me that there are other tomato, English potato, snow pea and melon farmers just about to lose everything else as well.

Quite frankly, farmers in my electorate are being robbed by SunWater and robbed by this government. No farmer can profitably manage their business and survive the climatic vagaries when this government, through its corporation, dictates such massive drops in water allocations while still demanding 100 per cent payment for irrigation water. Mr Akers believes that the sensible solution would have been to allocate the south side—which is the area in the Burnett where the farmers are currently struggling—with 20 per cent so that all the farmers could finish off the crops that have already been planted and hold off planting until water allocations are increased. Mr Akers stated—

All our money is out there in the ground at present, we have prepaid soil, fertiliser, plant, water, spray etc to try and grow a crop to retrieve our upfront money plus a little more to make a living. This situation will be a total right off if more water is granted.

I have taken up this matter with the minister for natural resources. He is well aware of that and I hope this reinforces it for him. I ask that this situation be urgently investigated and a short-term solution be found so that our hardworking farmers, their families and their workers who contribute to the wealth of our community are looked after.

Another local example is that of Geoff Mansell from Exotica Plants, a nursery at Cordalba. He also contacted my office raising concerns with SunWater's grossly unfair water management policy. Mr Mansell wrote—

We purchased a water allocation from Sun Water after 2/04/07. We purchased High Priority, Peak water, the most expensive, as we need water all the time for our wholesale export nursery business.

Once again, this is a business generating wealth and export dollars for our community—export dollars that we need to pay for all those other imports that come into our country. He continues—

After we had paid our deposit we were informed that all allocations, including High Priority, for the new water year beginning on the 1st of July this year could be announced to be anywhere between 0-5%.

Never was it mentioned that we would be on a different allocation from existing High Priority purchasers who had their purchases finalised prior to 2/4/07, and therefore be discriminated against in this new water year by reducing our allocation to zero and giving existing customers 85% of their allocation.

We understand that these are critical times with water but do not understand that the water allocation we purchased in good faith prior to the beginning of this new water year is subject to this discriminating action.

We have also received a copy of a new document titled 'Critical Water Supply Arrangements for the Bundaberg Water Supply Scheme' which has come into force from 01/07/07. Why, I ask, have we been subject to this act when we purchased water prior to its commencement date?

It has been mentioned that we purchased a 'dry allocation'. This I believe is a purchase of a water allocation that is useable after the catchments have a certain amount of water in them. We did not purchase such an allocation and have in fact been using our water prior to 01/07/07! This I believe gives us just as much right to have our allocation at 85% as we are an existing customer.

Therefore, for some reason, which we do not understand, SunWater is discriminating against its customers who purchased water allocations after the 2nd of April this year.

We also accept that mistakes can be made and think that a better option is to lower the high priority allocation to a lesser amount and make the cut-off point the start of this new water year.

Another interesting point I will make is that last weekend Childers held its annual Multicultural Festival and at the festival I was surprised that SunWater had a booth with the logo in large letters, 'Water for Life', promoting Paradise Dam. I did not go in but assume they were selling allocations there! This I don't understand.

On the point of Paradise Dam, it is the only dam that has been built in this state for 19 years—that is including the Goss years and right through. It is no wonder that the people of the south-east corner, as mentioned by the shadow minister, are faced with drinking recycled toilet water because of the inaction and unpreparedness of this government.

Time expired.

Mr HOBBS (Warrego—NPA) (8.42 pm): I am pleased today to speak to the disallowance of this regulation. I endorse the words of the shadow minister, who covered in detail a lot of the costs and charges placed on primary producers. I want to talk in particular about stock route fees. The member for Fitzroy talked about the fact that fees rise in accordance with the CPI. I have no problem with fees on stock routes and CPI rises in normal times, but there needs to be flexibility. When things are exceptionally bad—as they are now, and it is well recognised across the whole nation that these are exceptional circumstances—we need to have the flexibility to be able to reduce those fees.

The member for Fitzroy mentioned that he has not had a lot of people coming to him on this issue, and I am sure he has not. I think he spoke quite genuinely, but I guess the reality is that he has had a better season than most of us in the bottom half of the state. That is what happens. When the pressure is really on, it is really on. Certainly throughout my area it has been extraordinarily dry. One of the last places in the world anyone wants to go with their stock is out on the road. It is a pain in the neck. It is dangerous, stock is lost and it costs money at the end of the day. We need to have a bit of compassion and a bit of understanding so that at least if people are out there they may have a chance of survival.

Take, for instance, the case of my own family and my son, who runs a property out there. We put our cattle on the road and they ended up wandering up north and back down south again. We brought them back home and they had actually lost condition on the road. Now they have been away for 12

months up near Muttaburra, towards Hughenden. They have been there for 12 months or so and they will probably be there for another 12 months, the way it is going. That is the way it is on the land and we are happy to do it, but we do not need further burdens.

I want to give the House another example; that of the Winks family. They sent cattle away on agistment to a property in Moree and they were there for several months—it might have been nearly 12 months. The feed ran out and they could not bring them home, so they put them on a stock route. They drove them around on the stock route but eventually the stock route was closed and they had nowhere to go so they had to bring them home. Guess what? They were refused the rebate to bring them home again. There has been a hell of a fight to try to get that approved. It just drags out. It seems as if the administration people within DPI have no idea. They are either off with the pixies or they are new kids on the block who have no idea of what the practicalities are. It is very frustrating because the people out there are trying their best to make a living but there are all these administrative hurdles in place. I appeal to the government to ensure that those departmental people get on with the job, understand what they are doing and approve the applications rather than nitpick over a lot of those issues.

I think it is important to touch on agistment of cattle near main roads. In many instances it is not suitable to have cattle on some of those very busy roads unless they are fenced off with an electric fence or whatever the case may be, but in some places further out there is much less risk. I have been working with Main Roads people trying to work out a system whereby a risk assessment is done. I believe that is a good system, whereby if there are not too many cars going by and the size of the paddock or the reserve is okay, it should be okay for stock to be agisted on those areas without having to either fence them off or have them supervised. The reality is that in places such as Cunnamulla and beyond they probably have to drive 50 kilometres to 60 kilometres to the reserve anyway. To then be expected to remain with the stock all day or to put them in a yard overnight is ridiculous. I think we need to have further assessment of that.

Water charges is the main issue that I think we need to talk about, particularly part A and part B tariffs. This morning when the member for Darling Downs asked the minister questions about those fees one of the things I think the minister did not realise is that in the area of St George irrigators are not eligible for QRAA assistance. That is the point I need to talk to the minister about. The part A tariff is the infrastructure fee. I can give the minister an example of this. Some irrigators over the last 18 months have had 15 per cent of their entitlement and they have had to pay 96 per cent of those water charges. So $125,000 is what has been paid and they have received only 15 per cent of the water.

The point we are making is that there needs to be some assistance for those people in those circumstances. Those opposite cannot reasonably expect people to keep on paying for water that they do not get. In Brisbane people do not pay for water they do not get. Why should people out there who have the same sort of infrastructure which the government supplies pay for water they do not get? That does not happen in Brisbane.

Part B is the water charge for the water used. That is different because they are not paying anything for that because there is no water being used.

Mr Reeves: The member for Warrego, I think you are wrong. People pay rates here in Brisbane and some of the rates pay for the infrastructure.

Mr HOBBS: No, water charges are separate to that.

Mr Reeves: The water charge that they have is for the water that they use. Part of the rates that councils have collected have gone to pay for infrastructure in the past.

Mr HOBBS: I do not know about that. The part A water tariff is for infrastructure. They have to pay for that out there. I do not think they pay for that here. Water charges pay for the water side of things, not the rates. The rates pay for the administration and other things. When I was a councillor and chairman those charges were separate. I think that they are separate here. Whether they are or they are not the point is that farmers are paying an enormous amount for water. They are paying $125,000—these are pretty big farmers but not that big—and there is no water. Under these circumstances there needs to be some assistance.

Every application from the St George region to SunWater has been refused. I think it is very unreasonable. The member for Toowoomba South talked about the $3.36 charge for each megalitre of water. It was a very unfair tax put on farmers at that time. He is quite right that the Premier went out to Dirranbandi. I was there for that meeting. They were hanging from the rafters and they were furious. At the end of the day the charge was put on. If those people out there get water they have to pay these charges.

It is quite extraordinary that they have to pay this sort of money when they have to provide all the infrastructure. In the city the pipes are laid and people turn the tap on and pay for the water. The irrigators have to build the infrastructure themselves. It costs them hundreds of thousands of dollars and in some cases millions of dollars. There has been no return for that money for the people out there. It is a serious situation.

I ask the minister to look at the part A tariff because the people at St George are not eligible for QRAA assistance. If the minister would look at that it would be greatly appreciated. There needs to be some sort of help for them.

Mr KNUTH (Charters Towers—NPA) (8.53 pm): The member for Darling Downs has moved that the Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007 be disallowed to prevent further financial disadvantage being placed on primary producers. The motion moved by the member for Darling Downs calls on the government to reduce the minimum fee that councils must charge graziers to use stock routes during times of drought. The disallowance motion is not requesting the removal of all fees but rather seeking to give councils the option to waive the fees if they consider it necessary because of financial hardship.

Local councils are well aware of the economic advantages of looking after landowners in times of drought. The grazing industry provides a great boost to local economies in good times. The rural areas ride on the back of the beef industry. I know that over 40,000 cattle go through the saleyard in Charters Towers each year. That provides considerable wealth to the region.

We could actually afford to lose the mining industry which was not there for over 70 years and possibly the tourism industry but not the beef industry. Places like Charters Towers, Hughenden, Richmond, Alpha and Muttaburra rely on the beef industry. It provides economic wealth for those towns. As I was saying, we see 40,000 cattle go through the saleyards in Charters Towers. It provides jobs for council workers and railway employees who pick up the cattle. The motels are often at capacity. It provides work for the engineering works and produce producers. This is the case for all rural areas. It is important that we look after the rural industries and the rural people and landowners given the considerable wealth they generate for the economy.

The last thing we want to see is those rural industries destroyed and everyone moving to the south-east. We have seen the catastrophe in the south-east because of a lack of planning. We need planning to ensure that landowners are looked after so that they can generate the wealth and maintain the economies of our local rural communities.

The use of stock routes as an alternative agistment option in drought conditions provides relief to farmers and the chance to strengthen weak cattle prior to their transportation to other parts of the state that can provide agistment and keep the cattle alive. General maintenance costs of the stock route networks and the cost associated with issuing permits are the responsibility of local councils as is the daily management of the network. As well as maintenance and administration local councils bear the financial cost of new infrastructure. In other words, stock routes across the state are subsidised heavily by local councils and yet they remain the property of the state. In times of hardship, however, it is the local councils who are prepared to forgo fees for the benefit of locals while the state government continues to try to suck blood from a stone.

The disallowance motion would give local councils the capacity to waive fees if they consider it necessary because of financial hardship being experienced in times of drought. It endeavours to eliminate the portion of the financial burden and personal distress faced by rural people in unfavourable and extreme weather conditions. Considering the contribution to the state's economy by primary producers—I believe it is around $10 billion to $14 billion—more should be done to assist them and the local councils who support them.

This government desperately needs to support this motion and turn from its antirural position that it has taken over the years where it continues to gut rural communities and rural people. The Premier said on the ABC that many rural people will never vote for them therefore Rudd's chances will not be affected during the next election. This is a chance for the government to redeem itself and vote to support rural people and understand rural issues.

We can understand why rural people will not vote for those opposite. They have introduced legislation like wild rivers, introduced the spy in the sky satellites and the dob-in-the-farmer hotlines, they have allowed the extreme left-wing greenies to infiltrate the Environment Protection Agency and they have introduced the Vegetation Management Act. Year after year they have introduced policies that blind Freddie can see are antirural policies.

Vegetation management is another one. Land management is about sowing the good seed and producing the best crops and, in the end, putting the best food on our tables. This is about giving landowners the opportunity to produce good food, to look after their cattle and to provide jobs. They can then put a good rump on our tables, put a good rib fillet on our tables, put a good T-bone on our tables. Those opposite cannot see that. It is so disappointing and sad that decisions and the fate of rural Queenslanders is decided by votes of members in the Brisbane area. Rural people do not care if those opposite build a footbridge. They do not care if they build tunnels or big shopping centres. They are not interested in what those opposite do. But time and time again this government has attacked rural people and time and time again it has introduced rural policies that have condemned rural people. This is an opportunity for members of the government to redeem themselves. I call on them to support the people of Queensland by supporting this motion moved by the shadow minister for natural resources.

Mrs MENKENS (Burdekin—NPA) (8.59 pm): I am delighted to rise this evening to support the shadow minister's disallowance motion. I particularly want to commend the member for Darling Downs for his foresight in bringing this matter before the House for discussion, because it is an important matter. We are aware of the drought. We hear a lot about the drought. We hear about the drought because it is affecting the cities, but it is also ravaging many thousands of hectares of southern Queensland and many landholders are suffering enormously as a result.

Many landholders who are faced with absolutely no pasture as a result of the drought have taken their stock on to the stock routes in an effort to keep them alive. As they use those stock routes, landholders are required to pay agistment to the value of 83c per week per head of adult cattle and 10c per week for calves. The process is that local councils are required to charge this, but as the management of the stock routes is divided between councils and the Department of Natural Resources and Water half of those fees are paid by the council to the state government. The purpose of this motion is to cause the department to seriously consider this whole matter—to seriously consider this matter and to drop its charges. As a result, many councils will also be willing to waive their charges as well. The shadow minister has spoken with many councils and he is aware that they would be conducive to considering this situation if the state government will waive its charges, and that is the purpose of this motion.

We are facing some extraordinary climatic conditions. We are hearing a lot about climate change and we are hearing all sorts of things about this being the worst drought we have ever seen. However, this is also being faced by landholders, and that is the message that is not getting out there very strongly—that is, it is not just our urban water users who are facing the drought but landholders as well. We are hearing over and over again that this is the worst drought in history. As such, if that is the case, these are mitigating circumstances—totally mitigating circumstances.

As the shadow minister said, this motion does not do away with all fees. Nobody is asking for a total grant for these people. It only gives government the power to waive its part of the fees. So this motion is asking the government to consider some of its constituency. It is the state government department that must take the lead on this issue, as councils are locked into the current regulations and must abide by those current regulations. Very few of us are aware of what is actually happening out in western areas. There are many small property holders facing this problem and there are dozens of families who are out in the long paddock, as those stock routes are euphemistically called. The people we are talking about are not large companies. They are not large companies that employ staff. Rather, they are struggling families—husbands and wives, fathers and sons and fathers and daughters, and they are doing it tough.

I am told that there are whole families who have left home with their children and who are out on the road. The mothers are no doubt giving their children schooling as well as working with the stock, trying to feed the family and trying to pay the bills, and that is the biggest issue. Taking stock on to the stock routes to survive is not easy—gambling on feed between waterholes and working in with other mobs of cattle being driven on the stock route. As well as this, when they are working the stock routes there are often problems with neighbouring stock and also with neighbouring landholders. There is occasionally animosity from neighbouring landholders and of course there is always the battle for access to any available pasture. It is an extraordinarily stressful and thankless task. Many economists say, 'Why don't these people just sell their stock and wait out the drought?' But it is not as simple as that. That stock they have out on the road has possibly been bred for many years and they may have developed certain breeding strains that will take them years to rebuild. That stock is their entire investment. Their mortgage rests on that asset. Once that stock is sold, at no doubt very little return because of the poor state of the stock, their asset has diminished. They will have lost their breeding stock. This is their breeding stock. To replace that after this drought finally breaks if they sell it could be very unviable.

At the end of this drought—and no doubt it will break—store cattle will be selling at an absolute premium rate once the drought breaks, because there are many property holders out there looking to restock as soon as they get grass and decent pastures. Also, the cost of breeder cows will be totally prohibitive, and to a certain extent that is probably what the majority of these families out in the long paddock are counting on. They are protecting and preserving their breeder stock. Keeping that stock is the only real alternative that most small producers have. I certainly know from our own personal experience from 1987 to 1990 during the northern drought how very difficult financial survival was for rural producers. North Queensland at the moment has been a little bit more fortunate than the southern areas this season, but by golly it suffered in the past. Different areas of Queensland over the years have certainly suffered.

I noted the member for Fitzroy's comments, but I would also put it to him that maybe his area is not suffering as much as the further south-west is. The plight of rural people is fast being forgotten as the masses centre in city areas. Queensland is becoming city-centric. Perhaps in itself—maybe in some ways—that is not bad, but let us not forget that it was the rural industries that created Queensland. As the popularity of city life becomes economically more popular and socially more popular, country people are falling further behind and, tragically, this is a real fact. The biggest export from all of our country

towns and all of our country areas is our young people. We need family farmers. We need small family industry. The intent of the motion before us tonight will assist in no small way towards supporting those people.

I support the shadow minister's call and ask the government members opposite to have a heart—to have a heart and support these struggling Queenslanders. What is a quite insignificant sum to the department's budget could mean the difference between survival and ruin for so many families, so I repeat the shadow minister's call. Minister Wallace, have a heart and consider these people! The minister comes from a country area. He understands drought. He understands how country people work. These are exceptional circumstances and we know the south-east is suffering from a lack of water. These people are not just suffering from a lack of water but a lack of feedstock as well. Their livelihoods are on the thinnest edge. I support the shadow minister and coalition in this initiative, and I commend the motion to the House.

Mr SEENEY (Callide—NPA) (Leader of the Opposition) (9.08 pm): As the final speaker in the debate I have to make some comments and put on record just how extraordinary this debate has been tonight—just how extraordinary debate on this motion to disallow the regulation has been in this parliament. In the almost 10 years that I have been here I do not think I have ever seen a debate where nobody from the government except one member has been prepared to speak. Even the member for Fitzroy, who spoke on the government's behalf, supported us. He supported us!

Mr WALLACE: I rise to a point of order.

Mr SEENEY: Oh, the minister is on his feet now!

Mr WALLACE: I rise to a point of order. We have more speakers on the list than just one, but we have let the opposition have a say because it wanted to have a say.

Madam DEPUTY SPEAKER (Ms Darling): Minister, there is no point of order.

Mr SEENEY: That is quite clearly wrong, and I table the speaking list.

Tabled paper: During his speech tabled a copy of the speaking list for the debate of the disallowance motion.

Mr WALLACE: Madam Deputy Speaker, I take offence at that. It is not wrong, and I table the speaking list as well which shows the member for Ipswich West as the next speaker and it does not even have the Leader of the Opposition on the list.

Madam DEPUTY SPEAKER: Order! Minister, do you take personal offence? Do you require that to be withdrawn?

Mr SEENEY: I did not refer to him personally, so he cannot. I did not refer to him personally, but I will. He should just hang around. I will refer to him personally in a minute. Because it is usual in these debates for the first thing the government to do is to send the minister in to justify the regulation that is the subject of the disallowance motion. That is the purpose of the debate. That is why there is a provision in this parliament for regulations to be disallowed. I point out to the people who are reading or listening to this debate that regulations are not usually debated in the House. Regulations are usually introduced by the minister and if the opposition believes that the regulations need justification, it moves a disallowance motion. Then the minister comes into the parliament and justifies not just to us but to the people of Queensland through this parliament why the regulation is necessary and why it has been introduced. Tonight, the minister, in his absolute arrogance, has chosen not to do that. He has chosen to sit there—

Mr WALLACE: I rise to a point of order.

Mr SEENEY: And he can object to that.

Mr WALLACE: I rise to a point of order.

Mr SEENEY: I withdraw.

Madam DEPUTY SPEAKER: Order! Leader of the Opposition, resume your seat and I will listen to the point of order of the minister.

Mr WALLACE: I rise to a point of order. Standing order 59 says that the minister has 20 minutes in reply. He does not start the debate; he replies to the debate.

Madam DEPUTY SPEAKER: Again, there is no point of order.

Mr SEENEY: Absolute rubbish. There is no point of order. The minister comes in here and justifies why the regulation is introduced. This is the way it has always been. This minister has chosen not to do that, because this minister simply does not have the competence to do that. He does not have the support in the parliament. He does not have any support among his colleagues to come in here and justify why the regulation needs to be introduced.

That illustrates a couple of things. It illustrates this government's attitude towards natural resources and anything to do with rural and regional Queensland. There has been a parade of incompetent ministers for natural resources through this House since the Beattie government has been in power. First of all, we had the now minister for education. He was an absolute joke as the minister for

natural resources. Then we had the minister who now has responsibility for health. He was a step down, if you like, in the scale of competence when it came to issues relating to natural resources. But the current minister takes the prize in terms of any knowledge or understanding of the issues of this portfolio. To the Labor government, natural resources is a joke. To the Labor government, it does not matter. To the Labor government, issues such as stock routes and water charges do not matter. The members opposite think that it is a joke. They have not got a skerrick of interest. No member opposite is prepared to stand up and justify the regulation that the minister has introduced. No member opposite is prepared to stand up here and exhibit any sort of knowledge about these issues—except the member for Fitzroy, and he agreed with us. He agreed with the shadow minister for natural resources, because the shadow minister for natural resources knows what he is talking about.

There is no contrast in this parliament more stark than the contrast between the minister for natural resources and the shadow minister. The shadow minister has forgotten more about natural resources than the minister will ever know. That is the source of some embarrassment here tonight. That is the source of the embarrassment that we saw yesterday in the parliament when the minister was asked the question. That is the embarrassment that we see. Every time my honourable friend is asked a question he squirms in embarrassment, because in the Labor government he got the booby prize. He got the job that nobody wants. He got the job that nobody wants because nobody knows anything about it and nobody cares.

But on this side of the parliament, we have a shadow minister who does know about natural resources and he does care. We have a shadow minister who knows the importance of stock routes and who knows the importance of water charges and who knows the effect that these things have on people's lives. Tonight, speaker after speaker after speaker on this side of the House has stood and illustrated how these things that the members opposite think are insignificant, funny and strange have an impact on people's lives. That is what the members opposite will never understand. Because for them, what is a funny little debate has an impact on people's lives. It has an impact on people who are struggling to maintain their business, their families and everything else that they have. The decisions that the members opposite make, without knowing what they are talking about, have a profound impact on these people. That is the message that has been put forward by speaker after speaker on this side of the House and that is the message that the government has so obviously ridiculed tonight in the parliament.

The members opposite should all hang their heads in shame, as the member for Maryborough is doing at the moment for the record. They should all hang their heads in shame—

Government members interjected.

Mr SEENEY: I am sorry, as the member for Hervey Bay is doing at the moment. He is so insignificant and his contribution is such that nobody knows who he represents in here. Because like so many other nameless government backbenchers, he does not represent anybody but the Labor Party. He does not have any constituent worth talking about; he just represents the Labor Party. That is the sort of approach—

Mr GRAY: I rise to a point of order. I take great offence to that. People on this side of the House very much represent the people of the electorates in which they live. I ask the member to withdraw.

Madam DEPUTY SPEAKER (Ms Darling): Order! There is no point of order. The Leader of the Opposition is on his feet. He is attracting a lot of interjections. I remind members that if they continue to interject they must return to their seats.

Mr SEENEY: I appreciate the interjection from the member for Gaven. It gives me an opportunity to point out to the House how little he knows about the privileges of this House, because he cannot rise on a point of order as I never referred to him. He has been here long enough to know the basics, but the people of Gaven will be relieved to know that he still does not know the basics of this place.

I return to the motion before the House, because it seeks to disallow this regulation on a number of grounds that have been well and truly illustrated by speakers on this side of the House. The regulation should be disallowed, because no defence has been offered. No justification has been offered. As I said at the beginning of this contribution, the only member from the government ranks who was prepared to stand and speak actually agreed with us. So if this regulation should be disallowed, it should be disallowed for all of the reasons that were advanced by the shadow minister and that were advanced by other speakers on this side of the House but, most of all, it should be disallowed because it has been introduced by a minister who is too incompetent to understand its effects. It has been introduced by a government that has no idea of the issues that are involved with the application of this regulation on the ground. The regulation should be disallowed because it does not make any sense in reality. It should be disallowed because the charges that are encompassed in this regulation are unfair and unjust.

Stock route charges could never be justified when they were first introduced. The increases that are encompassed in this regulation can no more be justified than the original charges could be justified when they were initially introduced. The water charges that are part of this regulation can no more be

justified now than they could have been by the former minister for natural resources when he introduced these water charges in response to what he saw was some sort of personal slight by the major irrigators on the Lower Balonne. Those charges became known as the Cubbie tax, because that was the reason they were introduced. They were a a personal hit back from the minister at the time.

This minister does not have a clue about those issues. He does not have a clue about what is encompassed by the regulation and it should be disallowed.

Time expired.

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland) (9.18 pm): Thank you, Madam Deputy Speaker, and I thank you for your patience while listening to that last speaker. I thank all members who contributed to the debate tonight. Of course, I say that the government will be voting against the motion tonight.

This regulation, which the opposition has requested be not supported, amends fees made under 11 acts that are administered by my portfolio. These are the Acquisition of Land Act 1967, the Building Units and Group Titles Act 1980, the Foreign Ownership of Land Register Act 1988, the Land Act 1994, the Land Protection (Pest and Stock Route Management) Act 2002, the Land Title Act 1994, the Surveyors Act 2003, the Valuation of Land Act 1944, the Valuers Registration Act 1992, the Vegetation Management Act 1999 and the Water Act 2000.

The opposition says that we should get rid of the fees for all of those acts. That list covers just some of the responsibilities tackled by the Department of Natural Resources and Water, which handles the big landscape issues confronting Queensland such as water, salinity, vegetation management, native title, cultural heritage and climate change. Having those responsibilities explained is about as close as the member for Darling Downs is ever likely to come to administering a department of the Queensland government.

My department has service centres from Cairns south to Robina and west of Charleville to Mount Isa. Its works covers all of Queensland, providing land revaluations for every property in Queensland at least once every five years, the registers of legal title and the ownership and interests of all land and water allocations in the state, and it tackles the big natural resource allocation and management issues facing the state of Queensland. This includes having begun or already completed the allocation and sustainable management use of water in more than 91.5 per cent of our state's catchments through the water resources planning and operational planning processes.

The department's implementation of the government's vegetation management policy, including the end of broadscale land clearing in Queensland on 31 December 2006, has resulted in a reduction of up to 20 megatons of greenhouse gas emissions per year in the first target period to 2012 of global greenhouse emissions accounting. This is the single biggest contribution to Australia's climate change to date and places Queensland at the front of the field in response to climate change. It is a shame that the begrudging present tenant of The Lodge in Canberra could not even acknowledge this major contribution by Queensland to Australia's achievement of greenhouse gas reductions in line with Kyoto.

Returning to the fees that are made under the 11 acts I listed earlier, as members would be aware the government's policy concerning such fees and charges is quite clear. In line with government policy, those fees and charges are indexed annually by the full movement in the actual Brisbane all groups consumer price index for the December quarter, as published by the Australian Bureau of Statistics. The CPI used by the department in this year's review was 3.4 per cent.

If the member for Darling Downs has a problem with this government increasing fees by only the CPI, then maybe he needs to talk to his federal colleague Mr Costello, as it is the federal government that is responsible for keeping the lid on inflation. In applying the CPI increase, the department also uses a fee rounding policy, which is that all fees increased by the CPI that are less than $5 would be rounded down to the nearest cent. Fees increased by the CPI that are between $5 and $100 will be rounded down to the nearest 5c. Fees increased by the CPI that are between $100 and $500 will be rounded down to the nearest 10c and fees increased by the CPI that are above $500 will be rounded down to the nearest dollar.

The member will see that my department has a policy of always rounding down, unlike many industries which use a mixture of rounding up and down. This has been adopted to promote consistency and ensure that no fees are increased by more than the approved CPI. It also ensures that fees less than $5 are not increased by the CPI and then rounded back down to the original fee without any indexation from year to year. With this year's CPI of 3.4 per cent, fees less than 30c will not be increased at all.

I refer the member for Darling Downs to section 30A of the Statutory Instruments Act 1992, which states that a reasonable cost may be prescribed as a fee if the power is conferred by law. The power includes a power to prescribe the fee as an amount that a specified person or body considers to be reasonable and that is not more than the reasonable cost of doing the thing. As there are no new fees

contained in the subordinate legislation and, as such, the Natural Resources and Water Amendment Regulation only amends fees consistent with government policy, the department has stayed within the confines of the Statutory Instruments Act 1992.

The Natural Resources and Water Amendment Regulation amends 296 fees in 11 different regulations. Those 296 fees are charged as a fee for service, delivered from 41 different natural resource and water service centres situated around the state and through all nine distributors of some of the department's products and services. Getting rid of those fees would mean that the taxpayers of Queensland would have to pick up the cost. For instance, if we followed the opposition's advice tonight and got rid of the fees for land titles in the land titles regulations, where in the order of 200—

Mr Hopper: We are not talking about that and you know we are not. We are talking about the 83c.

Mr WALLACE: You are talking about the regulation. It is in your motion.

Madam DEPUTY SPEAKER (Ms Darling): Order! Minister, direct your comments through the chair.

Mr WALLACE: Madam Deputy Speaker, I thank you for your guidance. The member for Darling Downs is talking about the regulation. When we look at the land titles regulations, in the order of 210,000 title searches are provided each month using a fee of 30c for each search. That would equate to a loss of $63,000 per month to the Queensland taxpayers. We subsidise land developers and others who do land title searches to the tune of $756,000 per year. That is a lot of money for the Queensland taxpayers to pick up just because the opposition wants to knock out this regulation. These services range from the acquisition of land for public works and other public purposes to the provision of sustainable management of water and other resources across the state, a regulatory framework for providing water and sewage services, and the establishment and operation of water authorities in Queensland.

Fees relating to the use of the Queensland stock route network are prescribed in the Land Protection Regulation 2003. The Natural Resources and Water Amendment Regulation includes an increase to some stock route fees. The majority of fees, however, have not changed due to the government decision and the fact that some fees are so low that the CPI increase combined with the rounding policy has no effect. The fees that have risen have only been increased by the consumer price index.

Let's face it: if the member for Darling Downs has his way, there would be no fees charged for any services provided by the state government. Then he would be whingeing that no services are being provided because there is no money in the kitty to pay for them. It is like having your cake and eating it too.

Some of the stock route management permit fees in the Land Protection Regulation 2003 have not been adjusted by CPI for several years as the fees attached to some activities are too low for any change to be effective. Regulatory stock fees apply to travelling or agisting stock and inspecting a local government's register of water facility agreements. Because I love a challenge, for the benefit of the member for Darling Downs I will briefly explain how those fees are applied.

Travelling stock involves the walking of stock to markets, rail heads and agistment. The fees associated with this type of usage have not increased in this regulation. The fees associated with short-term static grazing of stock on the stock route network and relevant lands and the inspection of the local government stock route water facility agreement register have been increased by the CPI in this regulation.

The proposed increases to fees contained within the Valuation of Land Regulation 2003 are again in line with the CPI. Those fees allow for the provision of valuations to local governments as one tool to help them calculate general rates. Those fees also allow for the supply of valuable property and sales information to the public to enable them to make more informed property related decisions.

Turning to parts 3, 4 and 7 of this regulation regarding fees charged under the Building Units and Group Titles Act 1980, the Foreign Ownership of Land Register Act 1988 and the Land Title Act 1994 respectively relate specifically to businesses conducted through the Department of Natural Resources and Water's land registry or, as it is often called, the titles office. Regulated fees are charged on a user pays basis for services such as providing the department's customers with title searches and other registry information, copies of documents and surveys and plans, and for requesting interest in land, water allocations and other natural resources. The department has taken the opportunity in this year's regulatory fee amendment to improve the clarity around fees administered by the titles office and empowered by the Water Act 2000, the Land Act 1994 and the Land Title Act 1994.

Fees that were formerly described as an optical disk printout have now been changed consistently in three regulations to be simply described as an image. That is because of the changes in technology over the last couple of years. This positive change affects over 600,000 transactions with the public alone. Again, the opposition is saying we should knock out the regulation which prescribes a fee for that act.

The Land Registry or titles office through its automated titles system manages electronic registers of legal title to ownership and other interests in land, water allocations and other natural resources. During the last financial year more than three million information products were provided to customers on a fee basis. Again the opposition is saying we should not charge. This was an increase of 15 per cent on the previous year and the highest volume ever. It shows that our titles system in Queensland is working and working very well. Significantly, around 97 per cent of these information products were delivered to customers in the convenience of their own homes and offices in real time over the internet.

The government's policy commitment to the people of Queensland means that the fee structure has remained largely unchanged since the mid-1990s. During this period fees have undergone only minor increases aligned with annual CPI revisions. It is important that these prescribed fees which help fund administration and critical operations of the Land Registry are allowed to keep pace with CPI movements each year.

No doubt members are well aware that Queensland is continuing to attract interstate migration and investment. During the 2006-07 year some 50,000 titles were created for new lots throughout the state. This was an increase of over 1,100 over the number of titles created for new lots the previous financial year. Again great work by our titles office, but again a fee that the opposition would like us to knock out. Projections indicate that by 2020 Queensland's current population of over 4,180,000 will grow to around five million.

Land is a finite resource and an asset that should be managed for the benefit of all the people of Queensland. It is true that there are fees applied to applications made to the Department of Natural Resources and Water by persons seeking to occupy new state land or deal with their leasehold interest in state land. However, these fees are a minor part of the cost to my department of ensuring that appropriate decisions are made with the allocation of this resource.

As a finite resource, the management of the state's land portfolio requires appropriate consideration of sustainable use and development. As a consequence, the level of investigation and consultation has increased to ensure that the state's land resources are allocated to support the economic, social and physical wellbeing of the people of Queensland and, where appropriate, conserved for the benefit of future generations.

The Natural Resources and Water Legislation Amendment Regulation provides for a CPI increase in the fees for applications made under the Land Act 1994, again something the opposition would see us knock out. However, it maintains a fee structure that is significantly less than the actual cost of processing an application and also less than the fees for similar applications imposed by other states. These fees affect only that section of the community that will derive a benefit from this transaction. This CPI adjustment simply maintains the status quo with the implementation of the user-pays policy.

The Land Regulation 1995 prescribes the rates to be charged for leases and permits over state land. It should be noted that these are percentages of the most recently made valuation for rental purposes. For this reason these rates are not included in the Natural Resources and Water Legislation Amendment Regulation. The Land Regulation provides protection against undue rental increases and criteria for residential concessions.

This regulation proposes an amendment to the fees for vegetation clearing applications and for property maps of assessable vegetation. In keeping with the Queensland government's election commitment to phase out broadscale clearing of remnant vegetation by 31 December 2006, it is no longer possible to apply for approval to broadscale clear in Queensland. The fees for vegetation clearing applications and for PMAVs are a one-off administration fee only. The department carries out significant work to process these applications which are most often detailed and very complex. Therefore, the fee is considered to be entirely reasonable for the service provided by the department.

The regulation proposes that the application and PMAV fee should be set at $306.60 which amounts to a $10 increase from the previous amount. The adjustment to the fees is in line with the Queensland government policy that all fees and charges of the department are to be indexed by the CPI. Applicants do not pay an additional fee if vegetation management officers are required to meet them or visit their property for a field inspection. Vegetation management officers are also available free of charge to respond to any questions landholders may have with regard to vegetation management framework.

I confirm that water fees and charges covered in this amendment regulation are not new water fees and charges. Again they are existing fees and charges—

Mr DEPUTY SPEAKER (Mr English): Order! Members, there is far too much audible conversation in the chamber. Member for Lockyer, there is too much audible conversation in the chamber, please keep it down.

Mr WALLACE: Thank you, Mr Deputy Speaker. I know that those opposite have no interest in water consumers. They are existing fees and charges adjusted for the CPI movement. There are several types of regulatory charges and fees under the Water Act 2000. Firstly, there are water charges

which help to recover a small proportion of the government's costs of water resource management. Secondly, there are other regulatory fees which include fees for applications for licences or development approvals, conducting searches of registers, lodging documents on the water allocation register, obtaining copies of documents and royalties for state owned quarry materials.

The Queensland government recognises the difficulties that farmers face during these times of severe extended drought and is working hard to provide assistance to drought-affected farmers through various programs. The irrigators' fixed water charge rebate scheme is a good example of the assistance that the Queensland government is providing to drought-affected farmers. The scheme was introduced earlier this year and is administered by QRAA. The rebate scheme provides irrigators with a rebate of their fixed water charges where there is or has been low water availability. The rebate applies to the fixed water charge component and is available in relation to the water use period from 1 July 2006 to 30 June 2008. A rebate of up to $10,000 a year is available for eligible applicants. So far the Queensland government has provided $1.2 million to farmers and irrigators through the scheme.

I refer to the fee increases in the Surveyors Regulation 2004. The regulation is made under the Surveyors Act 2003—again something the opposition would see us throw out the window. The purposes of this act relate primarily to the protection of the public in relation to services provided by surveyors. Surveyors provide a very important service in this state. Anyone who owns land in this state wants to know that that land is properly surveyed. Indeed, I have just been speaking to the member for Broadwater about a number of surveying issues. People want to know that their surveyor is properly registered. The registration system is designed to ensure that when the board registers a person they are capable of doing the work that they are required to do. This is particularly important for cadastral surveyors who survey the boundaries of land. This regulation was fully reviewed and rewritten in 2004 with the corresponding impact on fees being only the increase in the CPI.

The current legislation provides for the continuance of the Valuers Registration Board of Queensland whose functions are important to those people of Queensland who rely on valuation services. The board is an independent body and provides protection by ensuring that persons seeking to become registered as valuers meet appropriate requirements before they become registered and that they continue to meet the standard. Most valuers will be required to pay the sum of $163.50 to maintain their registration as a valuer or a specialised retail valuer. Again, it is vitally important to protect the land system in Queensland, it is vitally important to protect those people in Queensland who are buying land and it is vitally important to our banking system which provides the credit for that land.

There are more of these fees that will be thrown out the window should the opposition get its way tonight. How will we function as a government if we cannot charge these fees? Where will the money come from to protect the people of Queensland who need valuers and surveyors? I do not support the motion before the House.

Division: Question put—That the disallowance motion be agreed to.

AYES, 26—Copeland, Cripps, Cunningham, Dempsey, Flegg, Gibson, Hobbs, Hopper, Horan, Johnson, Knuth, Langbroek, Lee Long, Lingard, McArdle, Malone, Menkens, Messenger, Nicholls, Seeney, Simpson, Springborg, Stuckey, Wellington. Tellers: Rickuss, Stevens

NOES, 51—Attwood, Barry, Bligh, Bombolas, Boyle, Choi, Croft, Darling, Fenlon, Finn, Fraser, Gray, Hayward, Hinchliffe, Hoolihan, Jarratt, Jones, Keech, Kiernan, Lavarch, Lawlor, Lee, Lucas, McNamara, Mickel, Miller, Moorhead, Mulherin, Pearce, Pitt, Purcell, Reeves, Reilly, Roberts, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wendt, Wettenhall, Wilson. Tellers: Male, Nolan

Resolved in the **negative**.

CIVIL LIABILITY (GOOD SAMARITAN) AMENDMENT BILL

Second Reading

Resumed from 7 March (see p. 691).

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland) (9.47 pm): At the outset, I can confirm that the government will not be supporting the Civil Liability (Good Samaritan) Amendment Bill 2007. When introducing the bill in March this year, the opposition leader conceded that 'there has been no successful litigation against good samaritans in Queensland to date'. Indeed, the 2002 Ipp report, otherwise known as the *Review of the Law of Negligence, Final Report*, stated that it was—

... not aware, from its researches or from submissions received by it, of any Australian case in which a good Samaritan (a person who gives assistance in an emergency) has been sued by a person claiming that the actions of the good Samaritan were negligent. Nor are we aware of any insurance-related difficulties in this area.

The bill fails to acknowledge that there are already broad statutory protections from liability in Queensland under the Civil Liability Act 2003 for volunteers and rescue workers providing assistance to people in distress in emergency situations. The Law Reform Act 1995 provides protection from liability

for medical practitioners who provide medical assistance in emergency situations. The liability of a good Samaritan will continue to be assessed in accordance with the common law of negligence, as modified by chapter 2 of the Civil Liability Act.

The common law enables the particular circumstances of each incident to be taken into account and adequately balances the interests of both good Samaritans and injured people. At common law, a person who comes to the assistance of another in an emergency situation may owe the person a duty of care. Under the common law, good Samaritans are required to exercise the care and skill expected of a person in their same situation and with the same skill levels. If you think about this, the common law makes common sense. For instance, you would expect a doctor to apply a greater level of expertise to assist a person in medical difficulty than someone who does not have any medical or first aid training.

The protection offered at common law is higher than that under the proposed bill, which would only require a good Samaritan to act in good faith and without reckless disregard for the safety of the injured person or someone else. The government supports the status quo that provides higher protection than the bill would afford if enacted.

The opposition leader cited comments the Premier made about the case of Aunty Delmae Barton last year. Aunty Delmae lay sick at a bus stop at the Griffith University. Many people walked past and drove past Aunty Delmae without offering assistance. This was a very unfortunate incident. Fortunately, some people did stop to help Aunty Delmae. There was no suggestion that people did not help because they feared being sued for offering assistance.

There is concern about the apathy of some people in our society. We should encourage people to be community minded. However, at the end of the day, we cannot legislate against apathy. This bill certainly does not legislate against apathy. Each one of us needs to think about how we would react in situations where our help may be needed.

I would like to pay tribute to the many Queenslanders who have confronted situations where their assistance was needed and they have not hesitated to help. I would like to pay tribute to the many Queenslanders who already volunteer their time and expertise to a range of community services and charitable organisations. The justices of the peace, who are supported by my department, offer assistance to members of the community every day, witnessing documents such as affidavits and statutory declarations.

The JPs in the Community program has been a resounding success around Queensland. Under this program, volunteer JPs operate in shopping centres, libraries, court registries and some law buildings, handling between 1,500 and 2,000 matters each day across Queensland.

Another very important group of people who are assisted by my department are community justice group members. These groups, made up of local residents and leaders in Indigenous communities, provide invaluable service to the maintenance of law and order in those communities. Community justice groups play an important role in the implementation of a range of initiatives targeting the overrepresentation of Indigenous people in the criminal justice system.

Community justice groups were established in 1993 in response to the Royal Commission into Aboriginal Deaths in Custody. The government recently announced an additional $4 million over four years. I thank the members of the community justice groups for their work. They are indeed good Samaritans.

Another prominent example of encouraging community involvement is Crime Stoppers, which has been described by the Queensland Police Service as 'Queensland's most effective tool in the fight to solve crime'. Last year my cabinet colleague the Minister for Police and Corrective Services announced Crime Stoppers figures that were very impressive and they are worth recalling. A total of 32,856 phone calls were made to Crime Stoppers, and as a result 1,292 people were arrested on a total of 2,853 charges; 64 charges were laid in relation to personal safety; 295 charges were laid in relation to property security; 2,301 charges were laid in relation to drug offences; and almost $6.5 million worth of drugs were seized by police.

I take this opportunity to urge honourable members to support Crime Stoppers and alert their constituents to the Crime Stoppers number of 1800333000. This parliament has legislated in areas where people should be responsive, and their failure to respond would be criminal. I specifically refer to the amendments to the Criminal Code unanimously supported by the parliament this year to dramatically increase the penalties for hit-and-run offenders. Under the amendments, which are now in force, the maximum penalty for dangerous driving causing death or serious injury if the offender leaves the scene before police arrive is 14 years jail.

In considering the bill, I am reminded of Lord Atkin's statement in Donoghue v. Stevenson when he observed: 'You must take reasonable care to avoid acts or omissions which you can reasonably foresee would be likely to injure your neighbour.' That is the standard our common law requires—reasonable care.

Debate, on motion of Mr Shine, adjourned.

ADJOURNMENT

Hon. MM KEECH (Albert—ALP) (Acting Leader of the House) (9.54 pm): I move—

That the House do now adjourn.

Gold Coast University Hospital

Mr LANGBROEK (Surfers Paradise—Lib) (9.54 pm): I would like to point out that it is another day and another health drama. Today it is the Gold Coast university hospital—still a blueprint, yet plagued by the Beattie government bureaucracy and mismanagement. Today the Premier announced that the site for the $1.23 billion hospital will be relocated from one side of Smith Street to the other. Almost one year after the Beattie government promised the hospital as part of a treasure chest of election promises in a desperate bid for re-election, the initial plans for the hospital have been scrapped.

It has taken nearly 12 months for the Premier and the health minister to discover these alleged problems with the site that was flagged for the development. I would have thought the billion-dollar project flagged as the great fix to the Gold Coast's health crisis would be well underway, but today we are back to square one—back to the drawing board. For the past decade Gold Coast residents have been ignored when it comes to health service delivery, and patients are paying for it.

Government members interjected.

Mr LANGBROEK: It is Act I, Scene I from *Macbeth*, I see, from the shrieking ones opposite.

On the Gold Coast we are at least 600 beds short and our hospital is chronically understaffed—bubble, bubble, toil and trouble. Every day around 40 patients walk out of hospital without receiving any treatment at all because they are sick of waiting to see a doctor. The Beattie government keeps talking about the action it is taking on the Gold Coast to relieve the pressure on our health services but clearly it is not working when we have ambulances banked up in the street treating patients on trolleys. The announcement today proved just how bad the Beattie government's management of health is.

The Church of Christ is going to have to be moved. I was there a couple of weeks ago. There is a debate about whether the greyhound racing track—something very dear to my heart as former shadow minister for racing—

Mr Stevens: And a greyhound owner.

Mr LANGBROEK: And a greyhound owner—a part-owner of a greyhound, I might point out. The Premier says the relocation will save money. I would like the Premier to prove it. Let us see the books. How much money has been wasted in the past 12 months planning and preparing this site for development? We know the cost to taxpayers has already been in the millions. A much-vaunted pedestrian and cycling bridge was used to link Griffith University with this new health precinct at a cost of more than a million dollars, trumpeted at the time as a great contact between the health precinct and the university. The Premier says the relocation will not delay the opening of the hospital in 2012, but forgive me for being cynical of the Premier's predictions when its other election health promise, the new children's hospital, may also be delayed. I take exception to the Premier's comments that he consulted Gold Coast MPs about the decision. Did he contact the member for Robina?

Mr Stevens: No.

Mr LANGBROEK: No. Did he contact the member for Currumbin?

Opposition members: No.

Mr LANGBROEK: No. Did he contact the member for Surfers Paradise?

Opposition members: No.

Mr LANGBROEK: Did he contact the Gold Coast City Council, which was responsible for the rapid transit planning corridor? No, not at all. Not one non-Labor MP was informed about the Premier's decision. His secrecy and sneakiness is misleading. Griffith University is also unhappy with the lack of consultation and the move.

Ms KEECH: I rise to a point of order, Mr Acting Speaker. The member for Surfers Paradise is misleading the House with respect to that comment and I ask him to withdraw.

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

Electorate of Hervey Bay

Mr McNAMARA (Hervey Bay—ALP) (9.57 pm): Over the last week Hervey Bay has enjoyed two of our premier events for the year—the Hervey Bay Whale Festival held two Saturdays ago and then last weekend the Hervey Bay Seafood Festival. In Hervey Bay we are very lucky indeed that we can have a whale festival and a seafood festival, and that is because we have worked out that whales are not seafood. Unlike some of Australia's important friends, we have worked out that whales are very important creatures that need to be respected and not served as sushi.

In Hervey Bay we were very pleased to receive the support of the Queensland Events Regional Development Program to the tune of $15,000 for the whale festival and $25,000 for the seafood festival. Both events were extremely well attended, with over 10,000 people at both events and growing in popularity. The seafood festival takes the opportunity to celebrate Hervey Bay's history as a commercial seafood port and the families who have been involved in the industry there for a long time take great pride in their efforts to develop a sustainable seafood industry.

Hervey Bay is becoming the beneficiary of seafood tourism. People come to Hervey Bay particularly to enjoy the very clean and beautiful local product that is available. It was interesting to see the very long queues of people at the seafood festival waiting to buy local fresh seafood. The opportunity should not again pass without noting that that clean product which we have is something that we should all value and indeed some people and organisations in our community could value a little more.

I am frequently disappointed when I visit the seafood counter at Woolworths and Coles and am confronted with seafood sourced from overseas destinations. I personally choose not to have seafood from the polluted waters of the Mekong or the Nile. I certainly take this opportunity to call on Woolworths and Coles to source more local seafood. On some days we cannot buy Australian seafood in the major retail outlets. That is a major regret.

I strongly support the commercial seafood industry and the commercial fishing industry in Queensland and have gone in to bat for them on many occasions. They have a right to a livelihood and they form an important part of our export industries and our regional economies. The celebration of that history in Hervey Bay was something that I was very proud of. The numbers rolling up suggest that the demand for Australian fresh local product has never been higher.

Amberley State School

Mr RICKUSS (Lockyer—NPA) (10.01 pm): I rise tonight to speak about the Amberley State School which was built on its current site in the 1980s by the National Party government to service the areas of Amberley, Willowbank, Ebenezer and the Middle Road area around Purga. On 27 June the Prime Minister announced that he would fund a replacement school for Amberley as part of the Amberley Australian Defence Force base redevelopment. The school at Amberley is a vital part of the local community. It is the hub for the after-hours care centre, toy library, scouts and guides. Not only do the local communities benefit from all these facilities but also the service families of Amberley are well serviced by the school and other facilities that benefit the local community.

I attended a meeting in February which informed the local community that the ADF base at Amberley would require the relocation of the school. Paul Watson, ADF representatives, Education Queensland representatives and a lot of disgruntled community members, school families and community groups were present at this meeting. We were informed that if the federal government were to fund a new school Education Queensland would consult widely with the community. Meetings between the Amberley State School committee, the education minister and other members of this dysfunctional government have occurred since February.

Federal MP Cameron Thompson has worked very hard for the local communities of Amberley, Willowbank, Ebenezer and Walloon. The Prime Minister, Mr Howard, on 27 June promised $26.8 million for a new school in the Amberley area that would house over 300 students. This is to be done in consultation with the state government.

However, the local community is now very concerned that the local Labor members of Ipswich have been done over by the minister. We now have an excuse that the school cannot go in the Amberley-Willowbank area because of the lack of sewerage. I table for the information of the parliament a copy of an invitation I received back in March 2006 for the opening of the sewerage system at Greenbank State School.

Tabled paper: During his speech tabled a copy of an invitation to Greenbank Pre School regarding the opening of Kele Effluent Wastewater Treatment system.

Greenbank State School has 900 pupils. It had a septic system. The member for Logan and I organised to have a recycled sewage system put into Greenbank State School. The minister, Mr Welford, came along and opened it and spoke in glowing terms about what a great system it would be and how it was a prerequisite for other schools in the state. I am sure that this type of system would suit Amberley State School as a recycled water project. The recycled water project benefits Greenbank State School. It has had green ovals through the drought and have utilised this water. The federal government will fund a suitable site but this site must also be suitable for the local community in the Amberley-Willowbank area. That is where the people want the school. They do not want this school relocated in Yamanto to replace the Churchill State Primary School which is virtually landlocked. This school must go in the local Amberley area.

Amberley State School; Polyvision

Ms NOLAN (Ipswich—ALP) (10.04 pm): I will respond by making two points before making my adjournment speech. The first point is that while the Howard government has committed $26.4 million for the replacement of the Amberley State School it did it immediately in response to the Labor candidate for Blair's, Shane Newman, commitment through Kevin Rudd that Labor would do that. They did it a year after the federal government began contemplating the move of that school. It was Labor that achieved that money. The Howard government was dragged kicking and screaming to it. Similarly, this government is ready to choose—

Mr Rickuss interjected.

Mr DEPUTY SPEAKER: Order! Member for Lockyer, you were heard in silence.

Ms NOLAN: Similarly, this government is ready to announce a new site for that school as soon as the Howard government responds to our correspondence on the matter. That is the delay in this case.

I want to speak tonight about the Polyvision project which is currently running in Ipswich. Sadly, as we all know, boredom, a lack of education and endless hours to contemplate this dreadful situation creates for many young men the circumstances that allow them to evolve into young thugs. We see this phenomenon emerge all over the world, and even in our own backyard, where disadvantage and ignorance become the standard bearer of the angry young gang member. When ethnicity or religion are added to that mix, the polarising of difference engenders dangerous levels of resentment and often, sadly, a desire to lash out. We see stories unfold in the newspapers of young men from ethnic minorities emerging into young gang members and prowling the streets of many areas of Australia, often with violent intent. We see in Australia the reaction of communities to that, which is always an angry one and never a very helpful one. In Ipswich we are responding in a constructive manner to the emergence of some of those circumstances. What we are doing in Ipswich is running a project called Polyvision which is an outreach event that was held at UQ Ipswich in July 2007. An initiative of the UQ Boilerhouse and Higher Education Equity Support Program, Polyvision targets Polynesian high school students in the Inala to Ipswich corridor.

What it does is bring together those young people and encourage them to dream big dreams and for people to talk to them about why their parents came to Australia and what opportunities there are for them and what they might do with their lives. Polyvision was recently run at the University of Queensland's Ipswich campus. It brought a number of people from Auckland to talk about the opportunities in higher education for young people of Polynesian background. It was a day that was celebrated by many dozens of students from across the community. I genuinely want to congratulate the University of Queensland's Ipswich campus on this terrific initiative.

Sessional Orders; Justice and Other Legislation Amendment Bill

Mr WELLINGTON (Nicklin—Ind) (10.07 pm): I use this opportunity to speak to two matters canvassed today in parliament that I was not able to speak to when they were raised. Firstly, I would like to put on the record the reasons why I supported the government's amendment to the sessional orders. That was for the very simple reason that I believe the government's proposed amendments will provide a better opportunity than the current arrangements for members on the cross-benches to raise issues of importance to our electorates on the floor of the parliament. For the purpose of clarity of the record, I table a copy of the full details of the debate that took place in this very parliament on 11 October 2006 when this parliament adopted the standing and sessional orders which have now been amended as a result of the debate earlier this morning.

Tabled paper: Extract from Hansard on 11October 2006 pages 21-25.

I also wish to speak to the Justice and Other Legislation Amendment Bill. The debate has now been concluded. During the debate I listened to contributions made by a number of members and will be interested to hear the minister's response to the concerns raised by some members in relation to the impacts of the Anti-Discrimination Act and the Industrial Relations Act.

While I do have some reservations about some aspects of the bill, I put on the official record that I believe the overall good intentions of the bill justify my support. I indicate that I will certainly be supporting this bill when it comes up for debate in the future. I would also like to comment on the issues involving the judicial registrar. I know that some members were not happy at all with this amendment. I put on the record that I believe that this is a sensible and practical attempt to try to improve the judicial system in Queensland.

I also understand that some time ago a number of solicitors in my electorate raised this very suggestion. The former Attorney-General, the member for Kurwongbah, reminded me of the letters that solicitors in my electorate wrote. She said, 'Actually, Peter, that's important.' I want to confirm that issue that those solicitors raised. They came up with a practical suggestion, and it is great to see that the government has finally taken those issues on board.

While talking about the courthouse, I remind the Attorney-General that the Nambour Court House is in the central location of the hinterland of the Sunshine Coast. It is in a prime location beside the Nambour Police Station and the Maroochy Shire Council chambers. I believe that it will continue to play a very important role in the future, but we certainly need additional funding from the government to enable the courthouse to play a fuller role in servicing the needs of the residents in the region.

While on my feet, I also want to put on the record that the Maroochy Shire Council chambers in the geographical heart of the Sunshine Coast and the geographical heart of the new supercouncil that the state government has created is a perfect location for the continuation of the council chambers for the new super Sunshine Coast council. It is a very logical location in the geographical heart with easy access in and out and, more importantly, the council chambers currently have the capacity for significant expansion and upgrading with ample car parking available.

Australasian Order of the Old Bastards

Mrs SMITH (Burleigh—ALP) (10.10 pm): Last Sunday I attended my first meeting of the Burleigh branch of the Australasian Order of the Old Bastards. When I received the invitation, I thought someone was pulling my leg. But further inquiries proved that this was a ridgy-didge charity, raising funds especially for children. The International Order of the Old Bastards was started by allied servicemen who were based in Brisbane during the Second World War. They were amazed that the old Aussie saying, 'Hello, you old bastard,' was considered a term of endearment and not an insult. The Australasian chapter was started in 1968 in Sydney with the Royal Alexandra Hospital for Children in Camperdown being the major beneficiary. This was only the beginning. Then came years of trying to convince the powers that be that the AOOB would be an asset to registered charities. The name of course was the main stumbling block. What would the good people of the community think? However, in July 1973 the AOOB was officially recognised and registered.

I was invited to the Burleigh meeting of the AOOB to be part of the handover of an electric wheelchair. Jenny Ashe had been an active, lively member of the group but because of Parkinson's disease her ability to participate was greatly reduced. The members decided that their priority was to raise funds to purchase an electric wheelchair for Jenny. I was made to feel very welcome and it was explained to me that the members were always available to help someone in need. Bob Cameron said that if he needed a brickie, a labourer, a concreter and a truck at 6 am for tomorrow morning to do a good turn for someone, they would all be there waiting for instructions.

I want to congratulate Bob and his band of merry men and women, including Mel Timony, Brian Miller, Robert Brown and Trish Roberts, for their enthusiasm and commitment to such a worthy cause. The group meets at the Treetops Tavern with the support of manager Max Carpenter, who also made a generous donation towards the fundraising efforts. I am now a paid-up member of the AOOB and have accepted the invitation to become the patron of the Burleigh branch of the Australasian Order of the Old Bastards.

Charters Towers, Mining Communities Land Rental Increases; Charters Towers Ambulance Service

Mr KNUTH (Charters Towers—NPA) (10.13 pm): I want to raise a serious issue in relation to a massive residential leasehold land rent increase in the mining communities of Moranbah, Collinsville and Dysart. This increase is one of the biggest rip-offs ever to hit average working families in Queensland's history. Moranbah residents have seen their residential leasehold land rent jump from $870 in 2006 to $3,400 in 2007. This is on top of a homeowner's $1,800 rates bill and home loan and equates to paying an extra $65 a week out of their pockets. Collinsville land rental values have also risen from $75 in 2006 to $930 in 2007—a 1,200 per cent increase.

Minister Craig Wallace's defence of the increase in parliament was horrifying, suggesting that the people of Collinsville have only gone from paying $18 a week for a quarter-acre block. Sarcastically he added, 'Tell me someone in this House who would not mind paying $18 a week rent for a quarter-acre block?' I challenge the minister to get out of his subterranean existence and venture out and visit local Moranbah residents, and he will find that these people are paying the state government an extra $65 a week on top of their home loans and $1,800 a year in rates. Who can afford this after paying the rates, the mortgage, fuel, school expenses and the high cost of living and then hand $65 a week over to the Treasury coffers?

What is hypocritical is that the Beattie government has continued to warn local councils not to cash in on land valuation increases, yet it has slammed local working families with a whopping increase of up to $3,400 a year. This is highway robbery and it is hard to comprehend how the state government can justify this greedy hike. The region contributes billions of dollars to the state's economy and the best the government can do to reward residents is slam them with a $3,400 residential leasehold bill. This hike does not affect the big transnational corporations. Rather, it hits the battler—apprentices, supermarket workers, teachers, nurses, miners and families who service the area.

I call on the Beattie government to adopt the opposition's position where leasehold land rent increases are pegged to CPI or cap the rate similar to rural leasehold land. The minister also needs to look at providing leasehold landholders the opportunity to convert to freehold at 2003 pricing. This will ensure that families are not slugged with a massive increase through the mining boom and not be disadvantaged during a downturn in the industry.

On Saturday at 12.30 pm a Charters Towers man badly injured his leg in a machinery accident. Because of fatigue and a lack of staff as a result of an unwanted roster system, just one paramedic turned up. Because the paramedic was alone, they called the auxiliary fire and rescue service before the paramedic was able to assist the accident victim. The Townsville rescue helicopter was called but was busy, so the Mackay rescue service delivered the man to Townsville Hospital at 4.35 pm.

The Beattie government must listen to the paramedics and throw the roster system out; otherwise the Ambulance Service will end up a greater catastrophe than the health crisis. It will get to the point where the Fire and Rescue Service will be delivering babies in the back of fire trucks. The government's spin doctors must recognise that no matter how much spiel and spin they use to cover things up the fact is that families are being traumatised by a now malfunctioned Ambulance Service. Ambulance officers and paramedics are leaving in droves. The new roster system has dismally failed since the Beattie government introduced it in 2002 and has caused a mass exodus, low morale, high fatigue levels and longer response times. Our local ambulance officers do a wonderful job—

Time expired.

Sandgate Court House; Youth Violence Forum

Ms DARLING (Sandgate—ALP) (10.16 pm): On Monday last week the doors of the brand-new state-of-the-art Sandgate Court House opened to the public. The Sandgate Court House not only provides a more spacious courthouse with modern communication technology but also provides essential accommodation for a modern justice system which values the protection of witnesses and non-judicial settlement options for resolution of issues. One separate room features a closed-circuit television so child witnesses and sexual assault victims can give evidence from a separate room in the court precinct, sparing them the emotional trauma of having to face offenders. The design also features a secure connection from the neighbouring police station straight into the courtroom which will be welcomed by victims of crime, defendants and the community. Mediation rooms and meeting rooms provide settings to negotiate out-of-court settlements, which save both trauma and money for all parties and the state.

By providing facilities to assist with mediation services, the government is recognising the important role that alternative dispute resolution plays in speedily resolving matters without always having to go to court. While courts can adjudicate and come to a decision, many people prefer a mediated outcome where each side can, by agreement, gain at least part of what they want. The new facilities will enhance the opportunity for people to use mediation and help vulnerable witnesses feel a little more comfortable in bringing forward their complaints. I am proud to be a member of a government that recognises the rights of both victims and defendants. I congratulate the Attorney-General on providing the infrastructure to facilitate a modern justice system in Queensland.

I also congratulate the students of the Sandgate electorate for their interest in safety and justice. Next Tuesday night three high schools in the Sandgate electorate will send students from years 10 and 11 to participate in a forum I have convened to discuss solutions to youth violence. Queensland's Youth Violence Task Force, convened by the Minister for Police and Corrective Services and the Minister for Communities, was set up last year to help reduce the level of violence that is ruining young Queenslanders' lives.

The students from St John Fisher College in Bracken Ridge, St Patrick's College in Shorncliffe and Bracken Ridge State High School will present their ideas, discuss issues and solutions with their fellow students and prepare a combined submission from all schools for the consideration of the Youth Violence Task Force. The member for Chatsworth is facilitating the evening and the member for Cleveland, a member of the task force, is also attending. I am very proud of the students for agreeing to be part of the solution to this increasing problem, and I thank their dedicated teachers for making the night a reality.

Sarina and District Community Kindergarten

Mr MALONE (Mirani—NPA) (10.18 pm): I rise to speak on a matter of great importance to families in the Sarina district. The Sarina and District Community Kindergarten has made a submission to this government for the old Sarina preschool site to be removed from the list of properties to be sold on the open market and for the government to facilitate a swap with its existing site, which is currently under a deed in trust with the Department of Natural Resources and Water. Written submissions have been made by the kindergarten and me to the minister for education, the Minister for Natural Resources and Water, the minister for public works and housing, and the Minister for Communities. I have also followed up personally with Ministers Schwarten and Welford and discussed the matter with the minister for primary industries and member for Mackay, Tim Mulherin.

Late last year this government secured the old Walkerston preschool site for the Walkerston Community Kindergarten Association. The Walkerston community and I, as their state member, are sincerely appreciative. It is an act of good faith and a true commitment by this government to early education in the Walkerston area, and it will be for many years to come. As members are aware, there are many people in rural and regional Queensland who are concerned and confused about the future of their communities right now. It is vitally important for them to be able to maintain some sense of community, as it has always been in the past.

During a visit to Sarina last year the minister for communities would have recognised the strong sense of community and family that exists in the Sarina district. The Sarina and District Community Kindergarten is trying to secure a community asset that will ensure the sustainability of early childhood development for families in the Sarina district. The submission by the kindergarten executive is a very comprehensive and professional document that outlines all of the relevant information in support of its proposal. I urge this government to afford Sarina the same opportunity as Walkerston and to progress the proposal put forward in order to achieve a positive, long-term outcome for early education in the Sarina district. This is a vital project for the Sarina district for the early education of the young people in the Sarina district, and for the future of the community.

Sherwood Services Club, *The First 40 Years—Looking Back*

Mrs ATTWOOD (Mount Ommaney—ALP) (10.21 pm): Earlier this year it was a great honour and pleasure for me to launch the Sherwood Services Club's book *The First 40 Years—Looking Back.* I would like to acknowledge the efforts of the President, Peter Pattison; the Vice-President, Matt Conway; the Treasurer, Bill McKenny; the Secretary/Manager, Peter Ward and the other committee members in ensuring the viability of the club. I would also like to acknowledge the men and women of the Sherwood/Indooroopilly RSL sub-branch, without whose support the club would not exist.

When reading the book I have to admit that there were a lot of activities undertaken that I was not aware of. There has been a lot of behind-the-scenes activity that I had no idea about. Some interesting facts appear in this slim but important volume. The club was originally formed by the sub-branch of the Sherwood/Indooroopilly RSL and grew as a social club intent on assisting veterans and the local community around Corinda. Negotiations first started in 1993 to financially, and in a land tenure sense, separate the club from the sub-branch. The lease between the club and the sub-branch took effect on 21 May 1997 with a 10-year term. The term is almost up and the sub-branch is established in its new headquarters across the road. I was fascinated to read the early history of the club and remember when I first visited the premises in the mid-1980s. I lived at Graceville then and went there for an occasional meal.

From the book it is evident that without exception the club has been blessed with financially astute committees. Over the years they have made many prudent decisions resulting in a strong and healthy bank balance ready to be returned to members in the form of improved facilities and benefits. They have done this while at the same time being able to support the local community. This book represents the A to Z of the trials and tribulations of extraordinary people achieving great things to bring the services club to its current position of being one of the leading clubs in Queensland. There are some interesting accounts of other extraordinary people in the latter part of the book—our Aussie veterans, their experiences, aspirations and reflections.

Stan Logan's story was about how proud and brave our young soldiers were as they marched off to war, the relief and celebration when the war ended and the regret and sorrow for families when so many lives were lost. Jim Underdown's recollections were quite extraordinary and vivid. You could momentarily put yourself in his shoes and feel the constant vigilance needed to the dangers around you. Both of these veterans passed away recently and will be sadly missed by all. Jack Cartell's views on war and its effects brought home to me the hardship, the hunger and the terrible conditions that POWs faced as they were surrounded by disease and the dying. Stanley Mitchell's tale of the Rats of Tobruk told of their bravery, their unwavering courage, their pride and their silence in suffering. Lawrence Pattison's experience as a signalman on the *HMAS Bendigo* brought visions of battles at sea, not only with enemy

forces but their struggles with the natural forces and weather effects on the sea. Owen Holland described how to dodge the massive firepower of Japanese forces. The risky vertical dive was taken with accuracy and precision so as to avoid a sure fate by crashing into the sea. Ray Deed clearly outlined how hopeless war is when so many of the innocent are brought to suffering and that no matter what culture we are from we are all human beings with families doing the job that we are asked to do. Graeme Loughton talked about the loggies and their task in cleaning up after the war in Vietnam and the difficulties in managing all of the social and psychological undercurrents from the officers to the diggers during this process.

The Sherwood Services Club will in itself be a long-lasting monument to those men and women by serving and supporting the community. I hope future presidents of the club have the foresight to write another account in 40 years.

Motion agreed to.

The House adjourned at 10.25 pm.

ATTENDANCE

Attwood, Barry, Beattie, Bligh, Bombolas, Boyle, Choi, Copeland, Cripps, Croft, Cunningham, Darling, Dempsey, Elmes, English, Fenlon, Finn, Flegg, Foley, Fraser, Gibson, Gray, Hayward, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Jones, Keech, Kiernan, Knuth, Langbroek, Lavarch, Lawlor, Lee Long, Lee, Lingard, Lucas, McArdle, McNamara, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, Pearce, Pitt, Purcell, Reeves, Reilly, Reynolds, Rickuss, Roberts, Robertson, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Weightman, Welford, Wellington, Wells, Wendt, Wettenhall, Wilson