

WEDNESDAY, 9 JUNE 1999

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

PETITIONS

The Clerk announced the receipt of the following petitions—

Fisheries Regulations

From **Dr Kingston** (408 petitioners) requesting the House to remove all sections of the Fisheries Amendment Regulation No. 3, Subordinate Legislation 1999 No. 58, relating to the legalisation of trawlers to take and sell finfish, winter whiting and blue swimmer crabs from the legislation.

Similar petitions were received from **Mr Wells** (127 petitioners), **Mr Black** (82 petitioners), **Mr Hollis** (37 petitioners) and **Mr Laming** (115 petitioners).

Sale of Liquor by Major Retailers

From **Mr Lingard** (687 petitioners) requesting the House not to increase the availability of liquor in the community by extending the sale of takeaway liquor to supermarkets and other retail outlets.

Gatton Campus of University of Queensland

From **Dr Prenzler** (1,884 petitioners) requesting the House to (a) uphold promises and undertakings given in 1991 through to 1996 to establish the Gatton campus as the preferred location for a world-class education and research facility and (b) to act to ensure that the Animal Health Institute as stated by the Department of Primary Industries in February 1999 is established at the Gatton campus of the University of Queensland.

Bundaberg Base Hospital

From **Mr Slack** (4,008 petitioners) requesting the House to reject any move to close the outpatient facility currently operating at the Bundaberg Base Hospital, Bourbong Street, Bundaberg and to retain it as it currently exists.

Petitions received.

PAPERS**MINISTERIAL PAPERS**

The following papers were tabled—

Minister for Tourism, Sport and Racing (Mr Gibbs), by leave—

Lang Park Trust—Annual Report and Financial Statements for 1998

Late tabling statement by the Minister for Tourism, Sport and Racing (Mr Gibbs) relating to the Lang Park Trust Annual Report for 1998.

MINISTERIAL STATEMENT**Wear Wool Wednesday; Capital City Policy**

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.33 a.m.), by leave: Before commencing my ministerial statement, I acknowledge that today is Wear Wool Wednesday. Today, in common with many other people, I have worn wool—a full woollen suit—as an acknowledgment of this great industry, which has made a significant contribution to the development of this nation.

The Queensland Government and the Brisbane City Council will enter the new millennium in an exciting new partnership. The partnership, spelt out in the Capital City Policy, formalises the very good working relationship that has been built up between George Street and City Hall. Basically, the policy creates a framework for the two administrations to work together to enhance Brisbane as the State's capital city. It will influence policy making, program activity and investment decisions.

A capital city task force, comprising senior officers from the Government and the council, has identified projects in seven key areas, and that is where we will be focusing initially. The two levels of Government will work together to provide resources for priority projects in the interests of not just Brisbane but the whole of Queensland. The Lord Mayor and I will hold summits at least three times a year to drive the policy. What this means is that the big issues for south-east Queensland—roads, public transport, sports facilities and affordable housing—will be addressed by both Governments simultaneously. More strategic planning will mean better facilities for residents and more effective use of taxpayers' and ratepayers' money to create an even more attractive and vibrant capital city. The new millennium gives us the ideal opportunity for this new approach.

In many ways, Brisbane should be the gateway to this State, encouraging investment, tourism and opportunities for all Queenslanders. Brisbane already has an

edge, because it has a whole-of-city local government combined with great economic potential, a fabulous climate and a relaxed lifestyle. The Capital City Policy will allow us to build on these strengths and help us become a key player in the Asia-Pacific region.

The seven key areas that will be the initial focus of the Capital City Policy are as follows: integrated regional transport planning, which involves developing an integrated public transport system for Brisbane, looking at major projects such as integrated ticketing and timetables, busways, bus priority and light rail. Mr Speaker, as you would appreciate, our vision for Brisbane includes not just a light rail project for Brisbane but the South Bank redevelopment, at a cost of \$81m, a pedestrian walkway bridge and the redevelopment of the Roma Street site. The second area is the joint management of sport and entertainment facilities, which will involve investigating the future of sporting facilities, coordinated management and development. As honourable members would know, the Gabba is being redeveloped with a 37,000 seat capacity, and six soccer matches will be played in the lead-up to a quarter final for the Olympics—a total of seven soccer matches. The Government has also agreed with the city council about the development of a major stadium for Rugby League and Rugby Union. That is currently being worked on by the State Government and the Brisbane City Council. That will involve a choice between Suncorp Stadium and the RNA.

The next area is coordinated information management, which will involve looking at sharing technology, such as call centres and library on-line facilities, to deliver better services to residents and businesses. The next area is the integrated marketing of Brisbane, which will involve developing an integrated tourism strategy for Brisbane that allows key stakeholders to define the city's image and infrastructure. Yesterday I mentioned the launch of Australia TradeCoast, undertaken by the Deputy Premier, the Lord Mayor and me, which will enhance trade and job opportunities for Queensland.

The next area is a coordinated festivals and events strategy, which will ensure support for festivals that reflect community aspirations and highlight the city's unique identity. In addition to the arts, there are obviously other major events, such as the Goodwill Games, which are being worked on by the Minister at present.

The next area is an affordable housing strategy, which will encourage the availability of

affordable housing and respond to high priority issues relating to caravan parks, hostels, boarding houses and homelessness. The next area is the Brisbane economic development and gateway ports strategy, which will involve investigating ways to increase investment and exports, encouraging information technology and knowledge-based industries, establishing a management and marketing framework for the gateway ports and agreeing on key development areas and infrastructure funding. Again, that is part of Australia TradeCoast. We intend to lead Australia in exports. All of this and more is contained in the Capital City Policy, a copy of which I table for the information of honourable members.

We also need a partnership with the Commonwealth. The Commonwealth should be involved in a national strategy for infrastructure development, with a focus on strategic investment to drive our capacity to export and to support the quality of life in our cities. It is time the Commonwealth joined in the organisation of a better urban community. Some 63% of Australians live in the capital cities and over 80% live in urban communities in Australia, yet the Commonwealth does not have an urban policy. It is leaving out 80% of Australians through its lack of policy and direction. Today I call on the Commonwealth to participate as a third party in the Capital City Policy.

I am pleased to say that this view has the backing of the Lord Mayor and also the Property Council of Australia. Last week, the Property Council's Executive Director, Ross Elliott, said—

"The next version of Capital City Policy launched by the Premier and the Lord Mayor should also have the Prime Minister as a participant and that is the outcome we will be working towards."

I look forward to updating the House as our plans with respect to the Capital City Policy come to fruition.

MINISTERIAL STATEMENT

Centenary of Federation; Year of the Outback

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.39 a.m.), by leave: In relation to the centenary of Federation and the Year of the Outback, there are important matters I want to draw to the attention of the House. In a little more than 18 months, Australia will commemorate the centenary of Federation—the birth of our nation. The Queensland Government will be marking the

centenary with a number of events, celebrations and community projects. All together, we have committed \$25.83m. Of that amount, \$10.2m will be spent on the Community Assistance Program. This program will help communities around the State to commemorate the centenary in their own way by creating lasting reminders of the past and by celebrating the future.

We had a great response from community groups in the first round of funding, with 384 applications received. Forty-eight projects from around the State were approved by the director-general of my department, and a total of \$2.6m was allocated. Successful applicants will receive between \$5,000 and \$100,000. Eighty-six per cent of the first round of grants were awarded to community groups and local councils from outside Brisbane, recognising the importance of celebrations throughout the entire State. Preference was given to projects that were inclusive, imaginative and demonstrated a high level of community support. They include art exhibitions and historical displays, oral history projects, restoration of significant heritage buildings and the development of walking trails, parks and playgrounds.

One grant, of \$5,000, will ensure that memorials to four men who paved the way for Federation in 1901 will be proudly remembered a century later. The Friends of Toowong Cemetery Association will clean and restore the graves of the delegates to the 1891 Federal convention—Sir Samuel Walker Griffith, John Donaldson, Thomas Macdonald-Patterson and Sir Arthur Rutledge. Funding of \$45,000 will also go to the Saibai Island council to record oral history and pass on traditional skills to the next generation.

The Major Mitchell Trail Steering Committee will receive \$100,000 to identify the route of Major Sir Thomas Mitchell's fourth expedition in 1846—a project that encompasses 12 shires and is designed not only to encourage bush tourism from Europe, the United States and Asia but also to ensure that the heritage trails become a major input for bush tourism. I want to also thank the Centenary of Federation Committee, which is working incredibly hard at the moment, which works through these grants. The Treasurer is in fact a representative on that committee.

I am happy to announce today that the second round of funding for this exciting program is now open. Community groups can apply for grants up until 29 October, and I encourage them to do so. The successful projects will be announced early next year. The

huge response to the first round of funding shows that people not only want to celebrate the anniversary of nationhood but also want to leave a legacy. Regional Queensland made an important contribution in the first round, and regional communities showed great enthusiasm for the program.

While I am talking about regional Queensland, I would like to inform the House that the Cabinet, on a submission from the Minister for Primary Industries, has endorsed a proposal to declare 2002 as Australia's Year of the Outback. The Primary Industries Minister and I have already outlined the plan to the Commonwealth, and I will be urging the Commonwealth to officially designate the year and also agree that the national launch be held here in Queensland—Australia's most decentralised State. Outback 2002 is a great concept. It is an excellent opportunity to showcase the distinctive characteristics of the outback and strengthen links between city and country. As the Minister for Primary Industries has so aptly put it, the potential for the Year of the Outback is only limited by our imagination.

I believe that the Commonwealth and the State need to work on this and on the little things that a lot of Australians do not understand. For example, *Waltzing Matilda* was written during the shearers strike in 1891. It is one of the most emotional songs or pieces of poetry that has been recorded in this country. We need to acknowledge our history. The year 2002 is an opportunity to promote the bush to the world not just from a tourism perspective but to enhance their respect across Australia and throughout the world.

MINISTERIAL STATEMENT

Goods and Services Tax; Arts Industry

Hon. M. J. FOLEY (Yeronga—ALP)
(Attorney-General and Minister for Justice and Minister for The Arts) (9.44 a.m.), by leave: Much attention has been given recently to the Australian Democrats' deal with the Federal Government on its proposed great secret tax—the GST. While the Democrats' leader, Meg Lees, has proposed spelling out a recipe for bread in the Federal coalition's new tax legislation, she and the Federal Government have colluded on a deal which spells out a recipe for disaster for the Queensland arts industry.

Senator Lees and Mr Howard also appear to be reading from different recipe books when it comes to their understanding of compensation for the arts industry. A statement released by Senator Lees after her

deal with the Prime Minister, outlining so-called key concessions she had won, reads in part "a process to carefully assess the impact of the GST on Australia's arts industry and ensure that any adverse effect is remedied through funding support". However, in a letter to Senator Lees dated 28 May the Prime Minister says that the Federal Government will "review the need for additional assistance to the arts in the light of the Nugent review of arts funding, with a view to ensuring that the arts are not adversely affected by the impact of the GST".

The Nugent review does not encompass the GST in its terms of reference and covers only major funded companies in the performing arts. The Queensland arts industry, which employs about 54,000 people directly and indirectly, is much broader than the segment covered by the Nugent review and includes visual arts, craft and design, public art, literature, film, digital art, museums and festivals. The deal struck between the Democrats and the Federal Government includes no up-front concessions to offset the effects of the restructured GST, and cash-strapped arts organisations cannot afford to absorb its impacts. Evidence from other countries where goods and services taxes have been introduced shows a significant downturn in ticket sales.

Last week in Canberra I met with the Federal Arts Minister, Richard Alston, and he was unable to give me any assurances in relation to arts industry funding and the impact of the GST, other than to wait and see what happens. The arts industry will be hit hard by this unfair tax, and so will those many Queenslanders who enjoy the fruits of its labours. In short, the deal struck by the Democrats and the Federal Government on this regressive new tax spells out a recipe for disaster for the Queensland arts industry.

MINISTERIAL STATEMENT

Century Mine Project

Hon. T. McGRADY (Mount Isa—ALP)
(Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (9.47 a.m.), by leave: I wish to inform the House of progress with the Century mine project. This massive project is taking shape rapidly, and I believe it is on track for first production during the third quarter of this year. Full production is targeted for early next year. Once fully operational, this mine will have an annual production of about 5 million tonnes of ore. This equates to about 30% of Australia's zinc production and 8% of the Western World's. Some of the major

components, such as the concentrator and the crusher, are being commissioned right now.

The pit itself has exposed the top of the ore body. At this stage the pit is about 800 metres by 600 metres, and when it is in full operation it will grow to about double that size. I am told that the amount of material being removed from the mine every day would fill the Melbourne Cricket Ground to a depth of three metres. It is obviously a massive project.

I am pleased to say that safety on the site has been good and performance by the construction work force has been the major contributor to this achievement. As everybody in this House would be well aware, safety has to be paramount in these types of projects. So I commend the work force and the company for their performance. I am also pleased to say that the NORQEB transmission line to the site is going well. Stringing of the lines started on 1 May, with the wires being run out by helicopter. The final towers are being put into place and I have been assured that the line will be commissioned and ready for duty by 1 August, as promised. It is obviously a project to be proud of. This will be the biggest zinc mine in the world. However, success can be measured in a number of ways. I believe that one of the biggest successes of this project is the way it has succeeded at community partnerships. There are some very real and practical benefits flowing from this mine to the local communities, particularly in the form of training and jobs.

When I visited the mine recently I spoke with trainees and workers from right throughout the north. They are all working on the project and they place great value on the opportunities presented by it. I am told that there are more than 160 employees of Aboriginal descent currently working at the Century mine. Most of them come from areas of low employment. The company assures me that it is working hard to ensure this situation continues and I commend it for that. I have been involved with this project in many ways over the past 10 years. There is an old saying that you might lose the battle but you win the war. I submit that that saying is appropriate in this case.

In conclusion, there must be a tremendous sense of pride on the part of those members of the communities, particularly the women, who realised that it is projects such as this that can bring training and employment to their people in areas of almost total unemployment. My congratulations go out to all of those people who fought the hard fight and won.

MINISTERIAL STATEMENT

Brisbane Light Rail Project

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (9.51 a.m.), by leave: I inform the House of the progress in the Brisbane light rail project. The Brisbane light rail project is an important initiative to encourage increased public transport usage in south-east Queensland. Also, it will contribute to increased job growth in both the short and long term.

Expressions of interest to develop Brisbane light rail were called from the private sector on 24 February 1999 and closed on 19 April 1999. The response to the expressions of interest was high, with seven proposals received from six different groups. The six groups which submitted proposals were as follows: City Trax, City Transit, Brisbane Light Rail, Brisbane Integrated Transport Consortium, CiVis Transport Consortium and Farnow Pty Ltd.

I am pleased to announce that four groups have now been short-listed for the project. These are City Trax, City Transit, Brisbane Light Rail and Brisbane Integrated Transport Consortium. Those on the short list include some of the most prominent construction, engineering, transport and financial corporations at a State, national and international level. The short-listed group includes the most prominent suppliers of light rail vehicles from Germany, France and Italy. These can provide state-of-the-art expertise, allied with local vehicle manufacturers. Two of the world's top 10 banks, Deutsche Bank and ABN AMRO, have expressed interest in providing finance to bidders for the project. The strength of the companies involved in bidding for the project demonstrates how well it has been received by the private sector.

All of the short-listed groups are headed by local firms, which should maximise the employment creation benefit to Queensland. The planning estimate for the project cost is \$235m, which would result in approximately 300 jobs being created during the construction phase and approximately 80 permanent jobs during operation of the light rail project.

It is planned to call for detailed proposals from those on the short list in mid July 1999. Construction of the project is intended to start in mid 2000. With the continuing cooperation of the Commonwealth and \$65m from the Commonwealth's Centenary of Federation Fund, Stage 1 of the project should be operational by the end of 2001 and Stage 2 should be operational by the end of 2002.

This Government is delivering. The former Government proposed a fundamentally flawed project—one relying on old technology and inconsistent with an integrated approach. We are delivering a modern, efficient, integrated light rail system.

Mr Johnson interjected.

Mr SPEAKER: The member for Gregory? Order? The House will come to order. The member for Gregory? I would have thought after the Courier-Mail article this morning I would not have had to call order.

MINISTERIAL STATEMENT

State Education 2010

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Education) (9.54 a.m.), by leave: It is an honour to address the House on Wear Wool Day. My father, who at one stage of his career was a western shearer, would have been very proud of the prominence that the Queensland Parliament is giving to this great Australian industry.

I draw the attention of the House to the 2010 education strategy and I draw the attention of members to the progress being made with Queensland State Education 2010. As members may be aware, this is the first time that the purpose and future of education has been so thoroughly canvassed in Queensland.

In the past few weeks, officers from my department have undertaken consultations with principals, teachers, students, parents and members of the community. More than 60 schools have been visited and meetings have been held with parents and school-based staff in each of the 36 districts in the State. Overall, more than 600 meetings have been held. All participants have been asked questions fundamental to the future of education in this State. I am pleased to say that many members of this House have responded to my invitation to be part of the consultations.

There has generally been a positive reaction to the discussion paper and to the issues raised. The department advises me that a number of key themes have emerged during these discussions. These include: the deep commitment of teachers to the welfare of children and to ensuring their full development as participants in society; concern that State Education is recognised for the valuable contribution it makes to the future of individuals and for its underpinning of a fair, just and democratic society; and the need for the system to be more flexible in responding to

the diverse needs of different communities in Queensland—from Bamaga to Brisbane.

The project team is now waiting for submissions from Government departments, employers, community groups and teachers. These are all due to reach Education Queensland by 25 June. The department will then look to publish a report on the consultations, preliminary to commencing the development of a strategy in July. I am confident that the process will provide positive directions for State education that reflect the wishes and aspirations of parents, teachers and students.

MINISTERIAL STATEMENT

Underpayment of Aboriginal and Torres Strait Islander Employees

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading) (9.56 a.m.), by leave: Last week Cabinet made a decision which will go some way to redressing past injustice and smoothing the path to reconciliation in Queensland. Cabinet agreed that the Department of Aboriginal and Torres Strait Islander Policy and Development will work with the Foundation for Aboriginal and Islander Research Action, known as FAIRA, on a process that will see compensation paid to former State Government employees who were unlawfully underpaid.

The Cabinet decision owns up to the past by acknowledging that thousands of Aboriginal and Torres Strait Islander people formerly employed by the Queensland Government were paid less than the award wage, simply because of their race. It will deliver justice to the workers whom the National Party Government of the day continued to underpay after 31 October 1975, in full knowledge that the Commonwealth Race Discrimination Act made this action unlawful. It will also be fair to the taxpayers of today, who had a bill for compensation foisted upon them by an administration that deliberately and discriminately flouted the law.

There has been some alarmist, irresponsible talk in the past week, suggesting that Cabinet has flung open some imaginary floodgates which held back a tide of compensation claims. The truth is that the Government has taken a practical, rational approach to an issue which the previous Government spent hundreds of thousands of taxpayers' dollars seeking to deny.

The way was shown by the Human Rights and Equal Opportunity Commission in 1996 when it found that a group of Palm Islanders were unlawfully discriminated against and should each receive \$7,000. That sum was compensation for racial discrimination, not an attempt to deliver the precise back-pay owing to individual claimants.

Since the initial six Palm Islanders were grudgingly paid by the previous Government in 1997 I have delivered cheques to 14 others, and another 380 claims have been lodged with the Human Rights and Equal Opportunity Commission. It was clear that these marked the beginning of a concerted campaign for wage justice and that any attempt by the Government to contest these claims would do little more than enrich the legal profession.

I stress here that the process of compensation to be established by the Government and FAIRA will cover only people who were underpaid by the Queensland Government between 31 October 1975 and 29 October 1986. The latter date marked the completion of the transfer of most of the work force to Aboriginal and Torres Strait Islander community councils. It will apply only to people alive on 31 May 1999, not the families of people deceased before that date. People who are eligible for the payment and who choose to take it will forgo their right to seek redress through the courts.

I stress that this compensation has nothing to do with the Welfare Fund and none of the payments will come out of the fund. Even so, the department and FAIRA calculate that some 3,500 people will be eligible. It is worth recalling that not all reserves were administered by the Government.

Officers from the department and representatives of FAIRA are working closely to establish an administrative process to identify eligible recipients. They will produce an application form and begin a community education process, which will include visits to communities. Because of the large number of people involved and the remoteness of many of these communities, we expect the process will take two years to complete.

In closing, I thank the Aboriginal and Torres Strait Islander workers for their patience towards their former employer. They were the people who made the reserves tick, yet they were treated as somehow less worthy than non-indigenous people in similar roles. Some of them have waited more than 20 years for wage justice, displaying a depth of tolerance from which we could all learn.

MINISTERIAL STATEMENT

Rural Water Use Initiative

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (10 a.m.), by leave: The mark of a good Government is its sense of vision for the future—to be able to understand the big picture. One of the Beattie Government's main priorities is a prosperous future for all Queenslanders and their children, the growth of our industries and job opportunities in both our cities and our regional centres. An initiative of the Beattie Government which contributes to these aims is the rural water use efficiency initiative, which I announced in Rockhampton last Sunday.

This initiative has been welcomed by Queensland's rural industries. The Government will spend \$41m in a true partnership with rural industry over the next four years. We will be working with producers to improve the way in which irrigation water is used—accounting for 80% of the State's water use. The major benefits of this initiative are: by 2003, an estimated annual increase in agricultural production of \$280m, equivalent to what would be obtained by supplying an additional 180,000 megalitres of irrigation water; 1,600 new jobs for regional Queensland; improved farm profitability and viability of Queensland's rural industries; and reduced run-off of pesticides and nutrients into rivers and streams.

The rural sector uses 80% to 85% of the State's water, and any long-term efficiencies can have considerable benefits for rural communities. This initiative has four major programs based on sugarcane, cotton and grain, dairy and pasture and the major horticultural crops. In the first program, our focus is to improve irrigation water management on farms through adoption or extension programs. In line with our partnership approach, this program will be managed by rural industry organisations. By July 2000, in conjunction with rural industry, we will develop strategies to reduce water losses from storages on farms. These strategies will include revised guidelines for the design, construction, operation and maintenance of farm water storages. We will be encouraging farmers to build these storages to their economically optimum height. There will also be a financial incentive program to assist farmers to achieve best practice in irrigation water management. These will be developed in conjunction with rural industry by July 2000. Finally, cost-effective ways of reducing water losses from water storages and distribution

systems, as well as those systems provided by irrigation water providers, such as the Department of Natural Resources, will be examined.

Rural industry has recognised the vision shown by the Beattie Government in introducing this scheme. In media statements, Cotton Australia said it would bring valuable gains to rural communities and the environment. Their deputy chairman, Charlie Wilson, described the consultation between Government and industry as the best for a decade. The Queensland dairy industry commended the Government's foresight and commitment to partnership with industry. Queensland's fruit and vegetable growers said that the initiative was an excellent example of how industry and Government could work together to provide significant economic and environmental benefits for growers and regional and State economies. Canegrowers chairman, Harry Bonanno, said the sugar industry, which is the largest user of irrigation water in Queensland, welcomed the move. He said the widespread adoption of best practice water use methods throughout the canegrowing industry would contribute greatly to improved productivity, sustainability and international competitiveness.

This initiative is important for Queensland's future. Not only does it look at conserving one of our most precious resources, it provides opportunities for farmers to improve their profitability by producing more with each megalitre of water. It opens the way to increase agricultural production by \$280m a year, and it provides opportunities to create jobs for another 1,600 Queenslanders, especially in rural and regional areas. This is the type of visionary initiative that the Beattie Government is introducing for rural and regional Queensland. And in partnership with our rural industries, we will continue to take on challenges in resource management—challenges which the previous Borbidge Government found too hard.

MINISTERIAL STATEMENT

Wear Wool Week; Wear Wool Wednesday

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries) (10.05 a.m.), by leave: This week is Wear Wool Week and today is Wear Wool Wednesday. It commemorates the arrival of the first merino sheep to Australia 202 years ago and, importantly, it also raises the profile of Australian wool and the importance of the wool industry to Queensland. It is an employer of 9,000 people in this State.

I have written to all honourable members in this House asking them to wear wool today to help celebrate Wear Wool Wednesday, and I thank all honourable members for their support. Courtesy of the Wear Wool Week organisers, I am pleased to offer every member a wool tuft to wear as part of the celebrations. Mr Speaker, I would like to acknowledge your support for the wool industry. I note that woollen parliamentary ties are available at the Parliament House gift shop. I notice, Mr Speaker, that today you are not only wearing a wool suit but also one of the ties from the Parliament House gift shop. So if I can beg your indulgence, I congratulate you on that.

The State Government's support for the wool industry is reflected in its support for the Wear Wool Week promotions across the State. For too long, the wool industry has been hurting. The wool industry has had to contend with a devastating drought for most of this decade. It has faced intense competition in the marketplace from rival fibres, and it continues to endure depressed wool prices. Mr Speaker, I need not remind you that the Queensland wool industry has faced dark days before. The great crisis of more than a century ago left many legacies for this country. I refer particularly to Waltzing Matilda, the United Graziers Association and, of course, that great political party, the Australian Labor Party.

Mr Schwarten: Not to mention the Australian Workers Union.

Mr PALASZCZUK: And not to mention the Australian Workers Union.

The State Government and industry are working to alleviate the impacts of this prolonged depression with emphasis on sustainable production and on lowering costs. Also, we have seen greater product innovation which has ensured that the wool industry broke new ground and stimulated consumer demand. For instance, few people would know that the Australian cricket team, which I believe—and I will stick my neck out—will win the World Cup, is wearing the new sports wool.

Mr Gibbs: There is wool in the State of Origin jerseys tonight.

Mr PALASZCZUK: Wool in the State of Origin jerseys—of course.

Another innovation I will turn to briefly is the 100% woollen underwear called "wundies"—the brainchild of a Queensland woolgrower and designer, Kerrie Richards.

Government members interjected.

Mr PALASZCZUK: The last time I gave prominence to this product there was such a

run on the product that Kerry Richards informed me that she sold out in both her Toowoomba store and the Brisbane store two days after I publicised the fact that woolly "wundies" are the best thing close to your body.

Mr Schwarten: I think you should model them. Table the undies.

Mr PALASZCZUK: I will not respond to such taunts at all this morning in the House.

Our generation was brought up wearing wool, but that is no longer the case. Many young Australians are not as familiar with wool, and the natural attributes of wool are often taken for granted. Sadly, research shows that Australian shorn wool production has fallen from 1,031 kilotonnes in 1989-90 to 650 kilotonnes last financial year.

Mr Veivers: What's the micron size of these things?

Mr PALASZCZUK: It is a telling statistic when you take into account that for every dollar earned by the wool industry, 90c flows on to production in other industries and an additional 36c of household income in Queensland. For every additional million dollars earned by the wool industry, 30 additional jobs are created. It is for all these reasons and many more that Wear Wool Week and Wear Wool Wednesday are so critical.

And in response to the honourable member for Southport's interjection about the microns in this tuft of wool—I have spoken to the honourable member for Gregory who is well known throughout Queensland and this Parliament for his sartorial elegance, and he informs me that the micron value of these tufts of wool is 21 microns.

MINISTERIAL STATEMENT

Emergency Services Advisory Council

Hon. M. ROSE (Currumbin—ALP)
(Minister for Emergency Services) (10.10 a.m.),
by leave: Cabinet recently approved the composition of the Emergency Services Advisory Council—the community-based body which will advise me on emergency service delivery. ESAC will be headed by former South Coast Regional Health Authority chair Eda Beck. The 14-person council also includes ambulance, fire, surf lifesaving, volunteer marine rescue, State Emergency Service, local government, indigenous and community representatives.

I am delighted with the composition and balance of the council and the fact that it will

be headed by Ms Beck, who has a wealth of experience in health care delivery. It is highly representative of the community and council members have complementary expertise and experience and, most importantly, a common trait of being ready to play a role in improving the delivery of emergency services to Queenslanders.

Ms Beck currently is a lecturer at the School of Health Science at Griffith University. She has worked at senior levels in the health systems of Victoria and the Northern Territory before moving to Queensland. She is a Fellow of the Institute of Management and the Australian Psychological Society and immediate past president of the Australian Institute of Management, Gold Coast Division. She holds a Master of Administration, Diploma of Criminology and a Bachelor of Arts.

Aboriginal Coordinating Council chair Wayne Connelly, Livingstone Shire Mayor Barbara Wildin, Emergency Services Director-General Michael Kinnane, United Firefighters Union vice-president Mark Gribble, Deputy Local Controller of the Redcliffe SES, Sandra Elliott, Sunshine Coast structural engineer and surf lifesaver Teresa Grant, former member of the QAS board Lisette Brake, Auxiliary Firefighters Association representative Allan Faulks, Volunteer Marine Rescue Association secretary-manager Harry Hubner, Rural Fires Council nominee Lynette Munt, Rural Fire Brigades Association vice-president Betty Wait, Noosa Shire councillor Linley Midgley and ambulance officer Adele Major complete the council.

The council's role will be primarily to provide advice to me on the extent to which the delivery of fire, ambulance and other disaster management and emergency services meets community needs. It will provide a dynamic forum for discussion of issues affecting the emergency services and help build even more productive partnerships between the emergency services and local communities. Members will also seek solutions to service delivery problems in communities across the State.

Another role will be to encourage and support the development of effective community safety and awareness programs. ESAC will act as a consumer feedback forum, allowing greater community input into the delivery of emergency services. The council will meet three to four times a year and will cost an estimated \$50,000 a year to run—compared with around \$350,000 per annum for the QAS and QFRA boards it replaces.

NOTICE OF MOTION

Burnett Water Storage

Mr SLACK (Burnett—NPA) (10.13 a.m.): I give notice that I will move—

"That this Parliament reaffirms the Premier's public commitment to constructing a major water storage on the Burnett River within five years from the June 1998 state election."

PRIVATE MEMBERS' STATEMENTS

Naming of Paedophiles

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (10.13 a.m.): It is with much regret that I must inform the House of the Beattie Government's failure—and more particularly the failure of the Attorney-General—to uphold the laws of this State in relation to repeat child sex offenders until the Government is forced to act as a result of Opposition or community outrage.

I note from a report in this morning's Courier-Mail that a convicted child sex offender, who allegedly failed to comply with a court order to inform police of his address after being released from Lotus Glen in March, was not charged until yesterday. It is also now apparent that the Attorney-General sat on his hands until Monday before deciding to provide written authorisation to proceed with a prosecution against the offender.

I think it is vital for this House to note that the Attorney-General took no action on this issue—no action whatsoever—until I sent a letter to him last Friday, 4 June, demanding to know what action he had taken in relation to this offender. I also sent a copy of that letter to the Premier on Friday. I table the letter.

It is quite clear that the Attorney-General did not take any action until Monday. In other words, he did not take any action until the Opposition demanded to know what he had done. He had obviously done nothing and was forced into action only once the Opposition had raised the issue last Friday. Such incompetent mishandling by the Attorney-General of the law, which he is responsible for upholding, is appalling. His constant attempts to put political agendas before justice have undermined the independence of the position of Attorney-General.

Yesterday, we heard the Attorney-General and the Minister for Police trying to claim that there are deficiencies in the current reporting mechanisms under the law for repeat child sex offenders. The only deficiency is their own mishandling of the law. As always, the

Attorney-General must again be forced into action by the Opposition.

Traffic Problem, Cairns

Ms BOYLE (Cairns—ALP) (10.15 a.m.): It may come as a surprise to members of this House to learn that we have a serious traffic problem in the southern suburbs of Cairns. These suburbs are in the State seat of Mulgrave. Workers, and people who bring children into Cairns in the mornings, are confronted by a major problem which has come about through the rapid development of the southern parts of the city. These are tremendous suburbs which are now the homes of, particularly, young families.

However we may look at that problem, we must understand that members of the Federal Government are turning their heads and should be ashamed of the situation. The Federal seat of Leichhardt, held by Mr Entsch, covers the two State electorates involved. Despite strong and repeated representations by the State Minister for Transport, Steve Bredhauer, the best the Federal Government has been able to come up with—in Mr Entsch's second term—is a promise of funding in two years' time. In the meantime, the traffic jams are serious and represent an intrusion. This is neglect of an important area. This neglect should be recognised, particularly on a day when the member for Leichhardt is in the national press over his private business interests. It is a pity that the best he can do in his second term is get us funds which will be forthcoming in two years.

I share the concerns of the State Minister for Transport, the member for Mulgrave and the frustrated thousands of people who have to put up with this injustice every morning on their way to Cairns.

Honourable members interjected.

Mr SPEAKER: Order!

Ms BOYLE: I ask the member for Leichhardt to take proper action and represent the people of Mulgrave and Cairns who are in his electorate.

Honourable members interjected.

Mr SPEAKER: Order! When honourable members are making their two-minute statements they are entitled to be heard. We do not need the cross conversation from either side of the Chamber. It is a courtesy to honourable members to allow their speeches to be heard.

Magnificat Meal Movement

Mr QUINN (Merrimac—LP) (Deputy Leader of the Liberal Party) (10.18 a.m.): I refer this House to growing concerns about the appropriateness of allowing the Magnificat Meal Movement to teach religious instructions in our schools. Let me make it clear that I am not in a position to judge whether this movement is a bona fide religious organisation or otherwise; nor, I suspect, is the Minister. That is the issue. The Minister has a duty of care to have this situation thoroughly investigated to ensure that children's interests are protected.

The coalition is not alone in this view. Local parents are concerned, the local priest is concerned, the local bishop is concerned, former members of the movement are concerned and so are various others. The Minister should be concerned as well, but apparently he is not. What harm could it do to conduct a proper investigation of the concerns raised by the Helidon and Flagstone Creek communities? If the movement was found to be a bona fide religious organisation, beneficial to students, that would be the end of the matter. On the other hand, if there is a problem and existing legislation does not cover the situation, it is up to the Minister to fix it.

No law is immutable. We refine laws every day in this House as circumstances require. Contrary to what the Minister claims, this is not about conducting an inquisition; it is about commonsense and taking responsibility. The Minister has a legal and moral duty of care to the children in our schools and it is about time that he started to exercise it.

Chapel of the Good Shepherd

Mr BRISKEY (Cleveland—ALP) (10.19 a.m.): At 2 p.m. last Saturday afternoon I attended the dedication of a new chapel in my electorate, the Chapel of the Good Shepherd. This of itself is an important event. However, what made this chapel dedication even more important was the fact that it is part of the new Redland Hospital.

On 18 February, the new \$47m hospital was officially opened by the Deputy Premier, Jim Elder, and the Minister for Health, Wendy Edmond. A chapel was constructed as an integral part of the hospital development. The opening prayer at the dedication was delivered by the Catholic Archbishop of Brisbane, the Most Reverend John Bathersby and Reverend David Pitman, Moderator of the Uniting Church, Queensland Synod, gave a blessing for the new chapel. This blessing was followed

by a reading from Isaiah by Reverend Greg Peckman of the Cleveland Baptist Church. The Most Reverend Peter Hollingworth, Anglican Archbishop of Brisbane, followed with a reading from the gospel and a sermon. The building, altar and communion vessels and linen were then blessed by Archbishop Bathersby, Moderator Pitman and Archbishop Hollingworth.

The chapel was constructed as an integral part of the hospital development because the Bayside District Health Service acknowledges that spirituality plays an important part in the healing process and there are times in everybody's life when prayer, being alone with one's thoughts, meditating or reflecting on a sad or a happy incident in a quiet place is important. The Chapel of the Good Shepherd is an important part of the Redland Hospital, but it is also a part of the wider Redland community. The dedication on Saturday was attended by most of the local clergy and many community representatives.

The altar was originally donated to the Maleny Catholic Church in loving memory of Olive Mary Williams and was presented to the chapel by her children, Paul and Susan, her mother, Catherine Rees, and her brothers, Garry, Lance and Noel. The credence table comes from Our Lady Star of the Sea Catholic Church in Cleveland. The altar linen was donated by Father Brown, the parish priest from Our Lady Star of the Sea and Moreton Bay Nursing Care Unit residents and the altar candlesticks were donated by St Paul's Anglican Church in Cleveland.

I congratulate Noreen Owens, the senior chaplain, and Kate Saunders, the chaplain, and all staff of the Redland Hospital. The dedication of the chapel was an occasion that will long be remembered in the Redlands.

Burnett Water Storage

Mr SLACK (Burnett—NPA) (10.21 a.m.): This Premier and his team of spin doctors have tried very hard to convince this Parliament and any member of the media willing to listen what an honourable, nice guy he is. But is he? In my books, a nice guy keeps his word and an honourable nice guy certainly would not stand in front of a gathering of regional voters and media and make a cynical promise that his Government had no intention of keeping.

It is now 12 months since the then Opposition Leader, Peter Beattie, stood in the marginal electorate of Bundaberg and promised to build the long-awaited major dam

on the lower Burnett within five years, matching the coalition's pledge. It took only a few months for political amnesia to set in. First, the Minister for Natural Resources ducked and weaved questions, and then he admitted that another dam on the Burnett is only one of many options under investigation. Last week, Mr Welford dropped the bombshell that it could take another two years before the dam site was even chosen. That comes on top of 18 months of studies and a preliminary impact assessment undertaken already when the coalition was in power.

If this Government thinks that it takes three years to decide on the location of a dam, which they have promised, how long will it take them to conduct a full and comprehensive IAS and then to actually build the dam? It is quite obvious to the people of the electorate that Mr Beattie's Government never had any intention of keeping his promise.

The cavalier treatment of this priority one dam project also sends shock waves along the line to the many other vital water projects scheduled in Queensland. This Labor Government intends to kowtow to the environmental extremists while the water supply and employment situation in regional Queensland, and in the Burnett region in particular, is dire. During the normal to low rainfall periods, there is a very real threat of salt water intrusion into Bundaberg's town water supplies and that existing industries and agricultural output will be cut back.

The five-year time frame pledged by both the Borbidge and Beattie Governments and supported by independent research is both feasible and achievable.

Time expired.

Family Friendly Workplaces

Ms STRUTHERS (Archerfield—ALP) (10.23 a.m.): There has been a lot of talk about the need for our workplaces and social institutions to be more family friendly. However, not much is changing to get a better balance between work and family. In fact, there is growing economic pressure on families to earn dual incomes.

Last week, the National Centre for Social and Economic Modelling made the disturbing prediction that the single-income family could be wiped off the map within 15 years. Many families in my area, particularly in suburbs such as Calamvale, Forest Lake and Algester, are dual income families. For some, this is a choice; for others, they say that there is no choice but for both partners to work long

hours. There is plenty of evidence to show that social problems, such as family breakdown, poor health and substance abuse, thrive in environments where there is all work and no play—where there is little time for family members to spend quality time with each other.

I am pleased that Minister Paul Braddy has been having a good look at family friendly strategies relating to working hours, pay equity and parental and carer's leave. I would like to see us step this up a gear to develop a comprehensive Government strategy to better balance work and family needs. Given the late nights that we are having this week, I am sure that members would agree that a good place for us to start is to set an example by making the Parliament a much more family friendly work environment.

Environmental Protection Agency

Hon. V. P. LESTER (Keppel—NPA) (10.25 a.m.): I am calling upon Minister Welford to explain, apologise and say sorry for the despicable action of officers from his department's Environmental Protection Agency, who descended upon a tourist bus with 20 elderly people on board at Black Mountain near Cooktown. The guide was led away to the ranger's vehicle for intensive questioning about the need for a permit. The guide had to walk away from the questioning to assist elderly people who were left in the hot sun and were starting to panic.

Attempts were made the next day to question the guide and he refused, pending the presence of a solicitor. Then came a letter about fees: \$200 initial fees and \$160 per annum. Now it has been revealed that the parking area where the questioning took place was indeed a road and camping reserve under the trusteeship of the Cook Shire. No permit was required.

I call upon the Minister to apologise and say sorry. So far, the Minister has not done so. It is not a thing to smile about. For goodness' sake, one of those people could have died. What sort of image is the Minister trying to create? Is he going to let his officers become a bunch of environmental thugs? Frankly, the Minister should be ashamed of himself. I suggest to the Minister that he get some compassion into his being.

Head Lice

Ms NELSON-CARR (Mundingburra—ALP) (10.26 a.m.): Some months ago I told this

House of an insidious plague that was sweeping through our regions. It was the plague that continues to reach epidemic proportions and affects all primary school children. Of course, I refer to head lice.

In attempting to eradicate this unacceptable blight on our schools and families, traditionally we have been met with all the reasons why nothing can be done: health problems from treatment, cost, abrogation of parental responsibility and so on. The fact that head lice infestation has long been recognised as a health issue in schools with enormous community costs both emotionally and economically means that it is time that we as a Government did something positive towards prevention. It is time that we had the commitment and desire to respond in a supportive way.

My electorate comprises a number of large primary schools. I have regular meetings with staff and P & Cs in discussing ways in which we can be proactive in overcoming this huge and ugly problem. I believe that the schools in my electorate have led the way in taking a stand to address the problem. I have been part of the process and am very familiar with all of the issues. I am proud to be part of a growing team of parents and teachers who are determined to overcome the head lice problem.

The research carried out by Associate Professor Rick Speare of the JCU is not only critical in studying the efficacy of head lice treatments but also his commitment to assisting schools in their campaign has put Townsville well and truly on the map in tackling this serious social problem. The parents and teachers in Townsville of whom I speak have gone past the emotive phase where stigma and marginalisation have their roots. They have taken up the gauntlet in a professional and organised manner, meeting with me on a regular basis and urging the Education and Health Departments to pursue avenues of eradication in a cohesive and committed manner.

This Government is an inclusive Government where the processes in decision making include the general population. We have enormous success in community forums and public opinion is highly regarded. I urge all of us as community leaders to take seriously this public health and education issue and find ways to eradicate the problem as soon as possible. A day of action must be on the agenda.

Combined Churches Kosovo Appeal

Mrs SHELDON (Caloundra—LP)
(10.28 a.m. I know that we are all deeply concerned about the plight of the Kosovo refugees, particularly as it relates to defenceless children. In view of the fact that it would appear that the State of Queensland would not have to face the expense of housing refugees, which I know we were prepared to do, I ask the Premier if he will commit the State to contribute on a dollar-for-dollar basis the same amount as that raised by the Combined Churches Kosovo Appeal of the Sunshine Coast, which has so far raised in excess of \$30,000. So far, churches have given generous donations.

Such a contribution on compassionate grounds would encourage even more to be given by the local community. The moneys are being channelled through AusAID to registered aid organisation, International Needs, which has guaranteed that 95c in every dollar will reach those in need. I ask the Premier to contribute.

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

QUESTIONS WITHOUT NOTICE

TAB Privatisation

Mr BORBIDGE (10.30 a.m.): I ask the Premier: why has he appointed ABN AMRO to advise him on the privatisation of the TAB, pre-empting the decision of his own State conference?

Mr BEATTIE: After 12 months the Leader of the Opposition would understand that there is a key difference between my administration and his. We are a professional organisation. This Government does things properly. We do not run a cowboy outfit that makes decisions on the run. I am told that a number of the Cabinet meetings of the members opposite ran into difficulties because they could not even get submissions. We do not have that trouble. Every day we have a solid working Cabinet, as members saw yesterday with the number of Bills that we introduced. They all went through Cabinet on Monday.

I know that the Leader of the Opposition has difficulty understanding all of this, but in terms of the TAB, we have set out a very careful strategy that will provide people in the racing industry with a future.

Opposition members interjected.

Mr BEATTIE: I am happy to wait as members opposite display their usual discourtesy in an attempt to disrupt

Parliament. Let the record show it. It is their question time and I am happy to try to answer the question. However, if they want to attempt to disrupt the Parliament, let the record show it.

The bottom line is simply this: we are handling the TAB issue in the way that it should be handled. This is about job security and protecting jobs. I am quite happy to stand here and say, yes, we have made appropriate appointments and we will continue to do so. We have embarked on a course whereby this matter will go to the ALP conference on Saturday. In November I indicated that at the conference held in Maryborough. I am happy to share a little secret with the Leader of the Opposition, because I know that I can trust him on this matter. This is one of the occasions when I can trust him.

Mr Borbidge: It is just between the two of us.

Mr BEATTIE: It is just between the two of us. I will be moving the motion. I thought that I would share that with the Leader of the Opposition. The motion will be seconded by the Honourable Minister for Tourism, Sport and Racing. On Saturday other key speakers will be the Deputy Premier and, of course, the Treasurer. I know that the Leader of the Opposition does not have such a line-up on his side, but with a line-up like that and the substantive argument, I am confident that the commonsense of the conference will prevail.

Mr Hegarty: How are your modesty lessons progressing?

Mr BEATTIE: Another rude member who wants to interject. It is the member for Redlands on this occasion. Let the record show that the member wants to disrupt Parliament.

This is about jobs and the future of an industry. This Government wants the TAB in this State to be competitive with those of New South Wales and Victoria. I for one am not prepared to stand by and see Melbourne offering prize money in the \$40,000s, Sydney offering prize money in the high \$30,000s and the Queensland racing industry offering prize money in the \$20,000s. We will give the Queensland TAB a future.

TAB Privatisation

Mr BORBIDGE: I refer the Premier to opposition to the privatisation of the TAB by his Minister for Transport, and I ask: will the Premier demand that the principle of Cabinet solidarity be extended to faction leaders on the floor of the ALP conference or will he follow Mr

Ludwig's lead and allow a conscience vote on this issue?

Mr BEATTIE: The bottom line is that, as I was saying before, my Government, the Cabinet and the caucus are united on this issue, and we are united because this is good for Queensland. We are going to give the Queensland TAB the capacity to compete with New South Wales and Victoria and, given the long-term opportunities in the great racing industry in this State, the TAB will have an opportunity to become the leader in the Australian betting industry.

The bottom line is this: the Government does not share in the profits of the TAB. In fact, those profits go back to the racing industry as part of prize money. This is about the issue of a betting licence. I am not prepared to put one cent of taxpayers' money that should be going into schools, hospitals, police, and law and order into a betting institution. The private sector has indicated a willingness to do that and, under those circumstances, let it be given the opportunity to do so.

Let there be no doubt in anybody's mind that I will be arguing for this matter because I believe in it. I will be arguing for this matter because it is good for Queensland. I will be arguing for this matter because I want Queensland to lead this nation in every industry possible, and that includes the TAB and betting. Racing is the fourth biggest industry in this State. It is a great industry. It involves many people who have put a lifetime of passion into what they believe is an industry of the future. A lot of people derive their income from the industry. It will have the most viable future if it is taken down the road of privatisation. I am not a privatiser, but I believe that it is in the public interest to follow this course. I will be arguing for it at the conference and I will not move away from that responsibility.

While I have been sharing secrets, I am happy to share another secret with the Leader of the Opposition. See how warm and cuddly we are, Rob? We are really nice people. In the end, even the Leader of the Opposition will get to like us. The motion that I will be moving and that the Honourable Minister will be seconding states—

"... the Queensland Labor Government will restructure the ownership of the TABQ in order to protect and create jobs in the racing industry.

Conference acknowledges that left in its current form, the TABQ return to the racing industry would reduce by as much

as 20% because of its inability to compete with NSW and VIC TABs, translating into the loss of approximately 5,000 jobs.

Conference accepts that this is not a situation which can be tolerated by a Labor Government committed to job security and job creation as its top priority.

Conference calls on the State Labor Government to do all that it can responsibly do to protect the jobs of the 6,000 directly employed racing industry workers and the 17,000 other workers whose jobs are dependent on a strong and viable industry and to ensure that the industry has the opportunity to prosper and grow."

I stand by what I believe in.

Unemployment

Mr SULLIVAN: I refer the Premier to the criticism from the Opposition that the Premier's target of reducing unemployment to 5% within five years of forming Government is not achievable and should be abandoned. I ask the Premier to tell the House whether he has felt it necessary to change his target in any way?

Mr BEATTIE: I am delighted to say that my Government has a direction, it has a vision and it has a future. I was pleased to see in the Courier-Mail this morning an article headed, "Jobless rate tipped at 5pc as economy booms", which acknowledges the forecasts of Access Economics. Access Economics is a recognised economic forecaster, much quoted as a reliable source by the current Leader of the Opposition when he was Premier. He used to trumpet in here and elsewhere the findings of Access Economics. I have to tell him that I totally agree with his judgment on Access Economics, because Access Economics has looked at the various forecasts and it says that the 5% target is achievable.

Dr Watson: The Government that you like to knock—they're delivering.

Mr BEATTIE: Here we go: negative whingeing in an attempt to disrupt the parliamentary process again. The honourable member will learn manners one day. One of the things in that article that I thought sums up the difference between my Government—

Mr Borbidge interjected.

Mr BEATTIE: Here we go: the Leader of the Opposition is attempting to disrupt Parliament again. He is at it again.

Mr Borbidge interjected.

Mr BEATTIE: Here we go: the Leader of the Opposition is disrupting Parliament again. He is still at it and he will keep at it, but it is their question time.

One of the great things about this article is the cartoon, which sums up the differences between my Government and that of the Leader of the Opposition. In it I say, "See? A five per cent jobs target is actually achievable!" What does the Leader of the Opposition say? He says, "Yeah? And so is no target." That sums up the Opposition. They have no target for Queenslanders, they have no vision and they have no direction. The only thing going on over there is a leadership challenge, but they cannot work out who wants to be the leader. Like most Queenslanders, we do not particularly care who will be the Leader of the Opposition. We care about Queenslanders and jobs.

The vision that we set back at the end of 1997 when we were in Opposition was part of our vision for the future—to give Government drive. That is why we have what? The lowest level of unemployment in almost 10 years! It has dropped 1.1% since we have been in office. What did the last Budget of the Leader of the Opposition predict? Unemployment was going to go up! We have created 39,900 jobs and we will keep Queensland going in this positive direction.

TAB Privatisation

Mr HEALY: I ask the Premier: given his responses to earlier questions on TAB privatisation, in the interests of the racing industry and jobs will he overrule any vote against the privatisation of the TAB at Labor's State conference this weekend—yes or no?

Mr BEATTIE: For the first time in the past 12 months that members opposite have been in Opposition I see some hope for them. To where are members opposite looking for inspiration? To a Labor Party conference! There is hope yet. Hope springs eternal.

I say to the Opposition: stay tuned, because the debate at the Labor Party conference will be a sensible and constructive one. People in our party are entitled to have a different point of view. I am not someone who jumps down someone's throat because they disagree with me. I will put my point of view and argue my case, but people in our party are allowed to have a different point of view. I respect that, because that is one of the strengths of our democracy and the Labor Party. I have no difficulty with that.

However, let me be equally clear: the sale of the TAB is in the interests of this State. The sale of the TAB will secure jobs and retain important State Government funds in schools, hospitals, police and job creation schemes. Importantly, that is why on Saturday I will be arguing forcefully for the sale of the TAB. That is behind this strategy. As I said, I also want to see a competitive TAB.

Bearing in mind that I believe the education of the Leader of the Opposition and the Opposition spokesman, the honourable member for Toowoomba North, should continue, I invite them to attend the Labor Party conference on Saturday. They will be treated with the same courtesy and respect that would be accorded any other human being. I urge them to attend, because I believe that education is a lifetime experience. It is absolutely essential.

Mr Borbidge interjected.

Mr BEATTIE: Here he goes. He cannot contain himself for two seconds. He has no discipline. When is something going to be done about the Leader of the Opposition?

As I said, education is a lifetime experience. It is important that we give honourable members opposite the opportunity to better themselves. The invitation is there. The Leader of the Opposition has never been invited to a Labor Party conference in the past. Because we are such a warm, fuzzy and cuddly Government, we would love him to be with us.

State of Origin

Mr PURCELL: I draw the attention of the Premier to a very serious matter. Tonight the Queensland State of Origin team will compete about 1,000 kilometres away from home in the face of thousands of New South Wales supporters. I ask: has the Premier been able to provide any support for the team?

Mr BEATTIE: I share the concern of the member for Bulimba that the State of Origin team has to go into hostile territory. Not only am I wearing a wool suit today; I am also wearing my State of Origin tie in solidarity with our team that will be doing battle tonight.

On Sunday, being Queensland Day, I went to Lang Park—Suncorp Stadium—and presented to Kevie Walters a Queensland flag. I did that because he will have it in the dressing room tonight to help inspire the team to overcome the odds in Sydney. I am delighted that he will be taking that flag. On Sunday, after we have won the State of Origin series, I have invited Kevie Walters to be on

the Sydney Harbour Bridge with me, when we will raise the biggest flag that has ever been seen in Sydney. As I have said publicly, we have seamstresses working on it now. The flag will be huge; it will be able to be seen from Auckland in New Zealand!

This morning I took part in a number of Sydney radio programs. I told one mob called Wendy, Peter and Paul, who were supporting the Blues, "We'll have to change your name to Peter, Paul and Mary and you'll have to sing one of their songs when you lose this battle." They are so Blue-eyed down there they cannot even recognise a good team when they see one.

It seems that my good mate Bob Carr has left the country because he is terrified of the result tonight. He had some disparaging things to say about our last State of Origin win. He was a bit half-smart about Queensland being perfect one day—honourable members know the theme. Let me say this: Queensland—perfect one day, humble winners the next. We will win tonight, Bob. There is a great slogan that goes something like this—honourable members may have heard it: Queenslander, Queenslander, Queenslander. I have three things to say to Bob: Queenslander, Queenslander, Queenslander. I will see him on the Sydney Harbour Bridge.

TAB Privatisation

Dr WATSON: I remind the Treasurer of his often announced charter of social and fiscal responsibility, and I ask: given that he was relying on the money from the sale of the TAB to help fund his election promises, will he confirm that Treasury is right now looking at ways to cut Government programs in expectation that the TAB sale will be blocked at his conference? Which programs are up for the chop?

Mr HAMILL: I am delighted that the Leader of the Liberal Party has chosen today of all days to ask me a question for a change. I assure the Leader of the Liberal Party that the sale of the TAB was not and has not been factored into the Budget nor the Forward Estimates.

Mr Elder interjected.

Mr HAMILL: That is right. That is quite distinct from the Budget proposed by the coalition when it was last in office. However, it is also worth saying that, when the conference endorses the Government's view that the TAB should be privatised in the interests of Queensland's racing industry, any capital which is obtained by the Government will be

used to obtain new capital assets for the people of Queensland. Unlike the coalition, we have a policy which states quite clearly that, if capital assets are to be disposed of, or—I will put it in terms that honourable members opposite might understand—if you are going to sell the family silver, use the proceeds to buy new silver for the family. Maybe in this case we might just go for gold and obtain new and better assets for the people of Queensland. That is in contrast to the former coalition Government, which we might recall obtained some \$850m out of the power industry in Queensland and used about half of it to prop up the recurrent budget. That takes the cake in terms of fiscal irresponsibility, because there cannot be anything more irresponsible than a Government that takes capital assets and turns them into recurrent expenditure. That is the difference between the likes of the Leader of the Liberal Party and this Government.

Dr WATSON: I rise to a point of order. The Treasurer is deliberately misleading the House. The coalition's Budget showed quite clearly that all that money was to go into a special infrastructure development fund.

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

Jobs

Mr MICKEL: I ask the Deputy Premier and Minister for State Development and Trade: can he outline any Government initiatives to retain jobs in Queensland that are under threat?

Mr ELDER: While we in this Government have focused heavily on creating jobs, one of the briefs of my department is to save jobs that are under threat. Honourable members would be aware that the Austral plant at Geebung was closed last year, throwing a lot of experienced workers out of a job. I know that the member for Nudgee, Mr Roberts, was aware of it at the time. He spoke to me about looking at alternatives. He was right, of course. We needed to look at alternatives. Instead of accepting the situation, we tried to save that enterprise and save those jobs.

I am therefore delighted to inform the House that last week the New Zealand based group Mills-Tui declared its commitment to open its first Australian specialty vehicle manufacturing plant in Brisbane. The attraction of Mills-Tui, which is a supplier of specialised vehicles, including fire appliances and airport rescue fire-fighting vehicles, is important, and important for a number of reasons. Firstly,

Mills-Tui is to use the Brisbane plant at Brendale to further push its expansion in the Australian market, particularly in the south-western Pacific market. The decision to locate in Queensland was deemed a better option than doubling its New Zealand operations.

What it will mean, though, is 70 workers employed in the new operation at Brendale—a number of whom had lost their jobs with the financial collapse of the Austral group. We offered a support package in relation to Mills-Tui. The major reason it chose Queensland was our low levels of State taxes, our highly skilled work force, our low business cost environment and our world-class infrastructure. Further, Queensland offered Mills-Tui a greater opportunity to pursue opportunities not only in the fire-fighting area, but also in the mining industry.

My Cabinet colleague the Minister for Emergency Services, Merri Rose, told me that Mills-Tui's decision will enable the Queensland Fire and Rescue Authority to resume its replacement program. In fact, as I understand it, the Minister's department has placed a \$1.5m order with Mills-Tui for some 14 vehicles. That will be of significant assistance. These vehicles are expected to be built in the next year. I expect that on completion of that order future orders will follow.

What is clear, though, is this: when companies get into trouble and jobs are at risk, we do not just sit back and accept the situation. Our role is to intervene. I said we would intervene in the market where we needed to intervene in the market, not only in driving the jobs agenda and attracting jobs and growing jobs in this State but also in saving jobs in this State.

Mr Borbidge interjected.

Mr ELDER: The fact that I heard an interjection from the Leader of the Opposition again just shows that he has no interest in jobs in Queensland and no interest in saving jobs in Queensland. In relation to this Government, I have to say that it is quite the contrary. That is not the case with this Government; we will continue to intervene where necessary.

Motor Vehicle Registration Fees

Mr JOHNSON: I ask the Minister for Transport and Main Roads: will he confirm that he has advised Queensland Transport not to issue motor vehicle registration notices for July until he announces revised registration charges? Does this mean that vehicle registration charges are to be increased, contrary to promises given prior to the last

election, including the promises given in writing to the member for Nicklin? Is it correct that renewal notices for July are already three weeks overdue, thereby reducing the notice that taxpayers usually get by more than half, thus causing financial hardship to those who can least afford it?

Mr BREDHAUER: The short answer to the question is: no. The commitment that we gave to the member for Nicklin and others was that we would not increase fees or charges by more than the CPI. As the Minister for Transport, I can assure the former Minister for Transport—who I would have thought would have known these things—that fees and charges which are administered by my department are increased annually in accordance with the CPI, except on rare occasions, such as when it is in proximity to a State election and his lot are on the Treasury benches. Instead of putting up the fees and charges as they should have, the members opposite deferred it past 1 July because the former Minister for Transport did not have the courage. He was rolled by the member for Caloundra, who was the Treasurer under his Government.

Mr JOHNSON: I rise to a point of order. We inherited that increase in compulsory third-party insurance when we came to Government, and the Minister knows it.

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

Mr BREDHAUER: It is an interesting point, because I would have thought that the former Minister for Transport and Main Roads would have known that he was not the Minister responsible for third-party insurance. In fact, his former—

Mr JOHNSON: I rise to a point of order. The Minister knows full well that it is a part of the registration dues, and the Treasurer knows that as a former Transport Minister.

Mr SPEAKER: Order! This is not a debate. There is no point of order.

Mr BREDHAUER: It is well known in this place that the former Treasurer, the member for Caloundra, and the former Transport Minister, the member for Gregory, were like Tweedledee and Tweedledum in the coalition Cabinet.

Mr Hamill: Which one was "dum"?

Mr BREDHAUER: I will leave it to honourable members to make up their own minds on that, but we know that they went hand in hand through all of those issues, such as the Pacific Motorway rescope and the

\$120m. We know that they went hand in hand.

Mr BORBIDGE: I rise to a point of order. The question related to why the registration fees are three weeks late and what increases are going to hit motorists. That was the question.

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

Mr BREDHAUER: Members opposite get to ask the questions; I get to give the answers. We know that they went hand in hand over the Sunshine Motorway and the decision by the former Treasurer and member for Caloundra to abolish the tolls on the Sunshine Motorway. But I would have thought that the member for Gregory would know that he was not the Minister responsible for third-party insurance.

As usually happens, there is an annual increase in the fees and charges administered by my department in accordance with the CPI, and that is a matter which is being considered by Executive Council.

QCCI Survey

Mrs ATTWOOD: I draw the attention of the Treasurer to a recently published survey of members of the QCCI as to their employment intentions, and I ask: what are the indications for continued jobs growth in Queensland?

Mr HAMILL: I can see where the Opposition obtains its inspiration in its endeavours day by day to try to talk down Queensland's economic performance. I heard with great interest commentary from the QCCI in the context of the soon to be debated industrial relations legislation. The QCCI did a bit of a survey. It was a very wide-ranging survey—an extensive sample! I think it involved 400 businesses, in fact, across the length and breadth of Queensland. A spokesperson from the QCCI went out and said that 37% of businesses might or could shed jobs because of the IR legislation.

It is interesting to have a look at the survey itself, because it actually shows that almost 60% of businesses in this very selective survey that was conducted seem to think that the IR legislation would have no impact upon them whatsoever. So we have an example here of focusing in on a minority who believe that there might be an impact. What was most interesting in the survey—and this is the part which ought to have been given extensive coverage, but was not highlighted—was the fact that those same employers, the magic 400—

Mr BEANLAND: I rise to a point of order. This is a Bill before the Parliament.

Mr SPEAKER: Order! The Treasurer has not mentioned the Bill. There is no point of order.

Mr HAMILL: I know that the Opposition's discredited former Attorney-General would not want to hear the results of the QCCI survey, but I am going to inform the rest of the House, who may well be interested.

The survey sample indicated that there was a widespread expectation that employment in Queensland would, in fact, increase. In fact, the expectation was for a 2.7% increase in employment this year. This is the same group that has been highlighted as being so negative. In fact, there was a general expectation of employment further increasing. What is very exciting is that the expectation was across-the-board—in full-time jobs, in part-time jobs and in casual employment. I say that this is very encouraging because it comes on top of the fact that, over the past 10 months, almost 40,000 additional jobs have been generated in Queensland. Of those 40,000 additional jobs, 85% have actually been full-time jobs. That is very encouraging indeed. The QCCI survey, or at least the part that we did not hear about, further reinforces our view that this Government is on track. We are on track in terms of job creation; we are on track in terms of reducing unemployment.

Mr GRICE: Mr Speaker, I rise to a point of order. I draw the attention of the House to the presence in the gallery of students from St Mary's of Warwick.

Mr SPEAKER: Order! That is hardly a point of order.

Winter Whiting Bycatch

Mr COOPER: I refer the Minister for Primary Industries to his introduction of Fisheries Amendment Regulation (No. 3) which, among other things, legitimises the taking of bycatch such as winter whiting by prawn and scallop trawlers. Given the concerns of recreational fishermen that this may diminish winter whiting stocks and given that this regulation has now been implemented, will the Minister, on the introduction of the trawl management plan later this year, commit to the introduction of a total allowable catch and all other necessary measures to ensure the sustainability of winter whiting stocks?

Mr PALASZCZUK: My understanding is that this regulation is subject to disallowance, which was moved by the One Nation party yesterday, and I do not know whether I can

comment on that. However, I can comment on the east coast trawl management plan. For the information of the honourable member and other honourable members in this House who have expressed some concern in relation to the regulation, the QFMA at present is having a good look at the draft east coast trawl management plan with the idea of trying to overcome some of the issues that have been raised by recreational fishers throughout Queensland.

Where Else But Queensland Advertising Campaign

Ms BOYLE: Can the Minister for Tourism, Sport and Racing inform the House whether Queensland's new Where Else but Queensland domestic advertising campaign has proved successful in attracting more interstate tourists to the Sunshine State?

Mr GIBBS: I thank the honourable member for the question. It is certainly exciting news for the people of Queensland that, since we launched the advertisements in Sydney and Melbourne in February this year, Sunlover Holidays, which is Tourism Queensland's wholesale division, has reported that the Where Else but Queensland campaign has dramatically lifted sales for Queensland holidays in the traditionally slow period of April. The report shows that sales for the month of April have increased by more than \$1m this year as compared with last year—an increase of almost 11%. For the financial year to date, Sunlover Holiday sales are 8% above budget. The Where Else but Queensland campaign has played a significant role in this achievement.

The campaign has proved to be so successful that we are in fact about to extend it to other southern States. For the first time the advertisement will now also be screened in Canberra, Adelaide and Tasmania to coincide with the upcoming school holidays and the onset of winter. The campaign will also be splashed over a Melbourne City supertram to remind Jeff Kennett and Victorians where they should be spending winter this year. It will also feature on billboards in strategic high impact sites in Sydney and Melbourne—catching traffic between the Sydney Harbour Bridge and the city and between the airport and the city. It would be wonderful to see those billboards there at the same time the Queensland flag flies on top of the Sydney Harbour Bridge.

The news gets even better. In a significant coup for Queensland, the ad will be screened in all Melbourne, Sydney and Brisbane cinemas showing the Star Wars

movie, which is already expected to break box office records. When I received the exciting news that the ad would be shown with the new Star Wars movie, I could not help but make a comparison. As I looked over at the Opposition I understood that it was no coincidence that the new movie is called the Phantom Menace. How very appropriate! I could see the Leader of the Opposition in the role of the villain in that movie, Darth Maul. But in this case it would be Darth Can't Maul, of course. I saw the Premier in the role of the hero, Obi-Wan Kenobi—still able to slay the phantom menace and the evil Leader of the Opposition. The one thing those on the other side of the House still have not caught on to is simply this: the force is with us.

Mr N. Lawson; Ms T. Jackson

Mr DAVIDSON: I refer the Minister for Fair Trading to the politically motivated vendetta being waged against senior public servants, namely Mr Neil Lawson and Ms Tracey Jackson, who dared to question the payment of the Kelly claim—a vendetta which has seen Mr Lawson removed from the position of Commissioner of Fair Trading and now the demise of Ms Jackson as the head of the investigation division—and I ask: given that all these public servants dared to do was to stand between the Minister, her Labor mate and a pot of gold and they are now paying the price for such action, who is next on the Minister's hit list?

Ms SPENCE: I am very happy to answer the question with regard to Mr Lawson, the Commissioner of Fair Trading, as has already been raised in the media. I inform the House that the Commissioner of Fair Trading, Mr Lawson, is now undertaking a 12-month project on consumer fraud as a part of the Government's task force on crime prevention. In the meantime, his position is being temporarily filled by the Deputy Commissioner of Consumer Affairs, Ms Ulla Zeller. This is an important project, as the Government's task force on crime prevention is a very important project and part of this Government's determination to ensure that agencies work closely together to address the complex dimensions of crime. Any suggestion by the Opposition that Mr Lawson's decision was politically motivated is wrong.

Mr DAVIDSON: Mr Speaker, I rise to a point of order. I also asked the Minister about Tracey Jackson.

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

Ms SPENCE: I have two minutes left and I am still dealing with Mr Lawson. I will get to Ms Jackson if I have time. I am happy to table for the benefit of the House the memorandum Mr Lawson sent around the department on his departure day, which clearly signals that his decision to be seconded to the Premier's Department was on his own initiative. The project was undertaken because he has been interested in the area of consumer fraud for some time. He has just been to the United States for a conference on this issue. It is a subject which the Queensland Government has failed to address in the past and which needs to be addressed. It is part of our commitment to crime prevention. So any suggestion that this move is politically motivated is absolutely false.

I understand that Ms Tracey Jackson, who is the head of the investigation department of the Office of Fair Trading, has taken some long service leave for a few months. That is certainly leave to which she is entitled.

Public Housing

Mr ROBERTS: My question is directed to the Minister for Public Works and Housing. I refer to recent statements by the Liberal Opposition Leader in the Brisbane City Council denigrating public housing tenants, and I ask: is the Minister aware of such statements that appear to reflect the State Liberal Leader's description of public housing as ghettos? Is there any validity to such claims?

Mr SCHWARTEN: I thank the honourable member for the question and put on record my appreciation for his continued support for public housing in his electorate. Yes, I am aware of the comments that were made by the Liberal leader in the Brisbane City Council, describing public housing as ghettos and indicating that it is the policy of Labor to ghetto-ise public housing tenants. Of course, that is also completely in line with statements made by the Liberal Leader in this House some time ago, which are referred to in this publication I have in my hand.

I believe it is now time for the Liberal Party to place on record just what its policy is in regard to public housing. Since I have been Minister I have been able to get rid of the "star of David" of the previous Minister in regard to a number of issues, such as the \$149,000 cap that he placed on the purchase of land and the reference system which forced public housing tenants to go cap in hand, reference under arm, to public housing offices, whether they could get references or not. I have also

got rid of the zonal system, which forced people to move away from their loved ones, their support services and so on. Basically, we have got rid of the last plank of Liberal Party philosophy when it comes to public housing.

What we have not got rid of—it is impossible to get rid of it; I have no doubt about that—is the look-down-your-nose snobbery I referred to last time I answered a question on this subject and the assumptions made by the Liberals. I am pleased to see now that the National Party endorses the Liberal philosophy in that regard as well.

The fact is that there are no assumptions that this side of politics makes about people who cannot afford their own homes, except that they are entitled to a standard of living that is equal to that of the rest of the community. Just a fortnight ago, I was joined by the member for South Brisbane at Woolloongabba in her electorate, where we opened a 40-unit accommodation complex that stares straight down on private enterprise beside it. I know which one I would rather live in.

It is refreshing that members on this side of the House welcome public housing in their electorates and that they want to be a part of providing accommodation that is affordable and decent and in every way befitting the standard of the community, and then some. The reality is that the \$130m that was given to Costello out of public housing—

Time expired.

Sheep Industry

Dr PRENZLER: On this Wear Wool Wednesday, in salute of a great Australian industry, I address my question to the Premier regarding the Australian sheep industry. After watching the rape and pillage of Australian industries and Australian jobs under the guise of international and economic rationalism, we now see the American Government threatening a massive trade barrier against Australian lamb. Can the Premier advise the House if this action was foreshadowed during his recent jaunt to America and, if so, what steps he took to avoid this savage assault on yet another Australian industry? Also, can he advise what action he will be taking to stiffen the resolve of the Federal Government to honour its moral obligation to protect Australian industries and jobs, jobs, jobs?

Mr BEATTIE: I want to make it absolutely clear that this Government is very supportive of the wool industry. I think members have seen a clear indication of that today. We will be

pursuing with the Commonwealth Government—which I think from time to time gets isolated in the chills of Canberra—the need to take a more aggressive and supportive role towards Australia's primary industries. I believe—and I know that my Ministers share this view—that sections of the bush have been ignored for too long by the Federal Government, and it is about time that it realised that country Queensland and country Australia have, in fact, provided the spirit of who we are as Australians.

I was talking a little earlier about Waltzing Matilda. If members think about the great things that have made this country—they have been the songs, the ballads and the Australian character from the last century that have been brought through to this century. Some of the major social crises and wars have helped shape that. For example—and there will be some disagreement about these things—the 1891 shearers strike was a key point of forging our character, regardless of which side people took. Then came Gallipoli.

Mr Borbidge: Did you have any discussions with the USDA when you were in the States?

Mr BEATTIE: The Leader of the Opposition has no manners at all. I have never heard such a rude person.

Mr Borbidge interjected.

Mr SPEAKER: Order! The Leader of the Opposition will cease interjecting.

Mr BEATTIE: I cannot believe that the Leader of the Opposition would seek to undermine an answer about the bush. That says it all. Part of the difficulty is—

Mr BORBIDGE: I rise to a point of order. I find those remarks offensive. I merely asked the Premier whether he had any discussions on this issue during his recent trip to America.

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

Mr BEATTIE: I am endeavouring to give a detailed answer, and all we get consistently every morning in this place is a rudeness from the Leader of the Opposition that has been unparalleled in this Parliament. Part of the difficulty, frankly, is that the National Party in this State and in this country has forgotten where the bush is. If the Leader of the Opposition actually got off the Gold Coast he would know that a lot of people in the bush are hurting. At least the member for Lockyer has the decency to ask a question about primary industries. The Leader of the Opposition has never asked me one question about primary industries in the time that he has been Leader

of the Opposition. The fact of the matter is that at least this member has the courage to argue for the bush. He gets 10 out of 10. The bottom line is this—

Mr Borbidge interjected.

Mr SPEAKER: Order! The Leader of the Opposition will cease interjecting.

Mr BEATTIE: I will pursue the Commonwealth Government at every opportunity for a better go not only for the bush but for this industry. In terms of primary industries—when we were in the United States, I took a number of opportunities to pursue issues. For example, members would have heard the announcement in relation to ConAgra, what we have been doing in relation to the beef industry, the upgrading of Dinmore and what has happened in Townsville.

Mr SPEAKER: Order! The Premier's time has expired.

Mr BEATTIE: That is a shame. If the Leader of the Opposition had not been rude, I would have answered the rest of the question.

Queensland Day; Queenslander of the Year; Young Queenslander of the Year

Mrs LAVARCH: I refer the Premier to the week of celebrations surrounding Queensland Day on 6 June and the competition to find the Queenslander of the Year and the Young Queenslander of the Year. Many members may be unaware of the backgrounds of this year's winners, and I ask the Premier if he will inform the House of their remarkable contribution to society.

Mr BEATTIE: Queensland Day this year had a record number of activities. A large number of people turned up for the Picnic in the Park on Sunday. There were a number of other activities throughout the week which helped celebrate this great day. Queensland was 140 years young—or old—on Sunday.

I am happy to talk about the Queenslander of the Year and the Young Queenslander of the Year. Margot Appleyard is the 1999 Queenslander of the Year. She is an outstanding Queenslander and an inspiration to all of us who believe in the value of community. For the past 35 years, she has worked in a paid and voluntary capacity in community development and welfare in her local Camp Hill area and the wider community. Ms Appleyard has worked tirelessly for the elderly, families, women, children and youth. In particular, she has been devoted to those with learning and behavioural difficulties, intellectual and physical disabilities, the long-term

unemployed, the homeless and those caught in the justice system. Her constant efforts to improve the lot of the less fortunate in our society are to be applauded. She is currently involved in community consultation processes, like the Government's Breaking the Unemployment Cycle regional community conference series and the community services youth suicide prevention, crime prevention and child protection reform strategies. Without the selfless devotion of an army of unsung heroes just like Ms Appleyard, no Government would be able to look after its needy citizens. We rely on their goodwill, their expertise and their devotion to the less fortunate. My Government recognises the extent of their efforts.

Last Saturday, I also had the pleasure of announcing that Petros Khaledirad is the 1999 Young Queenslander of the Year. This Rockhampton teenager is just 17, but he has already built a successful business in the information technology industry—Ultimate InfoTech Services. Petros, who came to Australia from Iran at a young age, began building his business as a high school student with contracts from high-profile clients like UNISYS, the Department of Transport and Main Roads and Capricorn Electricity. This is a lad after my own heart. He recognises, as my Government does, that the future is in new generation industries, and he, like us, is going for it. I congratulate both Margot Appleyard and Petros Khaledirad on their awards. Petros was, as I understand it, a graduate of the Rockhampton High School.

Mr Schwarten: As indeed am I.

Mr BEATTIE: They got better as time went on. One of the things I was impressed with was that he took the opportunity to hand out his card to everyone who met him. He had that entrepreneurial spirit—a spirit, I have to say, from which the Leader of the Opposition and his friends on that side of the House could learn a lot.

Compensation for Underpaid Women

Mrs SHELDON: I ask the Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading: will she guarantee that every woman underpaid since 1975 while in the employ of any Government department, statutory authority or institution or any other Government-funded organisation or organisation for which it had responsibility will be compensated for wages lost?

Ms SPENCE: I think this question is offensive to Aboriginal and Torres Strait

Islander people who have been fighting for a long time for wage justice that they duly deserved.

Mr Johnson interjected.

Mr Cooper interjected.

Mr SPEAKER: Order! The member for Gregory and the member for Crows Nest!

Ms SPENCE: It has been proven in the courts that on the basis of race the Queensland Government failed to pay people for 12 years.

Mrs SHELDON: I rise to a point of order. I find that inference offensive and insulting. A lot of these women would be Aboriginal and Torres Strait Islander women.

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

Mrs SHELDON: I ask that the comment be withdrawn. I did in no way differentiate between women of whatever race.

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

Ms SPENCE: I cannot understand what the honourable member finds offensive, because I have not as yet differentiated between women in my statement. The way that members of the Opposition continually interject after asking Ministers questions in this Chamber is very annoying.

Mrs SHELDON: I rise to a point of order. I ask for the comment to be withdrawn. I found it offensive and objectionable.

Mr SPEAKER: Order! Whatever the comment was, will the Minister just withdraw it?

Ms SPENCE: I am happy to withdraw whatever the comment was that the member found offensive.

Mr Mackenroth: The one you didn't say.

Ms SPENCE: Yes, the one I did not say. I think what the Opposition, through the member for Caloundra, is trying to do in asking this question this morning is basically to trivialise and set people against the Cabinet decision—

Mrs SHELDON: I rise to a point of order. I find that offensive and I ask that it be withdrawn. In no way am I trying to trivialise the position of women in this State—women who have been underpaid since 1975. I would not think the Minister would, either.

Ms SPENCE: I find these interjections ridiculous and I find them offensive.

Mrs SHELDON: I rise to a point of order. I did ask for that comment to be withdrawn. I again ask for it to be withdrawn.

Mr SPEAKER: Order! Resume your seat. The member has asked for the comment to be withdrawn.

Ms SPENCE: I am happy to withdraw any comment in my answer that the member for Caloundra finds offensive. I believe that what the Opposition is attempting to do in this question is trivialise the very important decision that Cabinet made last week in relation to 3,500 Aboriginal and Torres Strait Islander people who were underpaid wages on the basis of race. Cabinet decided to pay these people their correct wages for 12 years. I can understand the sensitivity of those opposite because it was their Government that knowingly underpaid wages to these people for 12 years. The coalition received advice to that effect on numerous occasions but continued to—

Mrs SHELDON: I rise to a point of order. The relevance of this answer to the question is—

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

Mrs SHELDON: Yes, there is. The question I asked was about all women, which would include Aboriginal and Torres Strait Islander women.

Mr SPEAKER: Order! The member for Caloundra!

Bundaberg Hospital Outpatients Department

Mrs NITA CUNNINGHAM: I ask the Minister for Health: is she aware of the confusing and misleading statements being made regarding the closure of the Bundaberg Hospital outpatients department and could she please clarify this issue for the people of Bundaberg?

Mrs EDMOND: Firstly, Mr Speaker, may I draw the attention of the House to the presence in the gallery of representatives of the Bulimba State School and welcome them to this Parliament?

Honourable members: Hear, hear!

Mrs EDMOND: I am aware of what has been a deliberate misinformation campaign by the member for Burnett which has been continued today in the Bundaberg media. For the benefit of the House and in the interests of getting a few facts into this debate, I will briefly outline the recent history of the private doctor—I stress private—general practice clinic at the Bundaberg Hospital.

In the early 1990s the clinic was open for 24 hours per week—not per day as some would have suggested, but per week. It had

reduced to 15 hours per week by 1997 when the previous Minister slashed it to nine hours a week as part of the phasing out process. Where were the wails and howls from the part-time member for Burnett at that time?

The decision to complete this phasing out was made in October 1998 by the local health executive in conjunction and agreement with the district health council, the members of which were all appointed by the previous Minister. That was done in the knowledge that a private doctor clinic that bulk bills low income families has now opened across the road.

GP services are the province of the Commonwealth Government. They are paid for by Medicare and the Division of GPs is funded by the Commonwealth Government. Queensland Health provides GP services in remote areas where there is no other access to medical services. For that, we miss out on substantial funding from the Commonwealth.

Once and for all, I want to make it clear that what is being phased out is not, as suggested and paraded by members opposite, the outpatients facility as people know it. It is simply a part-time, private doctor general practice clinic situated at the outpatients department.

The petition that was tabled today by the member for Burnett is deliberately misleading and talks about the closure of the outpatients facility. Let me read from the petition. It reads—

"... draws to the attention of the House the proposed closure of the outpatients facility currently operating at the Bundaberg Base Hospital, Bourbong Street, Bundaberg."

It does not mention the private practice clinic, which is the only thing that is being phased out. It is totally and deliberately misleading. It is part of a campaign by the part-time member for Burnett to mislead the older, vulnerable people in Bundaberg. If the member visited Bundaberg occasionally he might see the expansion of health services that this Government has put in there. Health care is available, and continues to be available, 24 hours a day, seven days a week.

Ms J. Payne

Mr SPRINGBORG: My question is directed to the Honourable the Attorney-General and Minister for Arts. I refer to the ongoing controversy surrounding the transfer of magistrate Jacki Payne, and I ask: will the Attorney-General confirm reports that he told

Ms Payne to take the oath and be sworn in and then fight the transfer?

Mr FOLEY: The honourable gentleman refers to a matter that is the subject of an affidavit before the Supreme Court of Queensland which is being heard by the Chief Justice. The matter is sub judice. The honourable shadow Attorney-General does no credit to this Chamber or, indeed, to the dignity of his office as shadow Attorney-General by seeking to agitate in this place a matter which is currently the subject of proceedings before the court.

Mr SPRINGBORG: I rise to a point of order. The issue is not one of sub judice; it is a matter of judicial review. My question to the Attorney-General is simply this: will he confirm or deny those reports?

Mr FOLEY: The honourable gentleman speaks out of an abundance of ignorance. He says that it is not a matter before the court; it is a matter of judicial review. With great respect, judicial review is a review by a judge. That is why it is called "judicial review". It is a matter brought under the Judicial Review Act before the Supreme Court of Queensland. This is typical of the constant attempts by the shadow Attorney-General to politicise the administration of justice in this State with respect to individual cases. He should be ashamed of himself.

Emergency Assistance Telephone Number

Mr MUSGROVE: I ask the Minister for Emergency Services: would she inform the House of the research which reveals that one in 10 Queenslanders and one in four elderly Queenslanders do not know what number they should phone to seek emergency assistance? What action is being taken to rectify the problem?

Mrs ROSE: Recently, I was very concerned when I read the results of a survey which was conducted by the Queensland Ambulance Service in conjunction with Queensland Health. The survey was conducted as part of base line research prior to fully implementing the CPR 2000 program across Queensland.

The survey revealed that one in 10 Queenslanders did not know the number to call in an emergency. Even more disturbing was the fact that one in four Queenslanders over the age of 70—the group most likely to access ambulance emergency treatment—did not know that they must call the triple 0 number in the event of an emergency. The survey covered almost 5,000 adults over the

age of 18 years from private households in both rural and urban areas of the State.

Although 91.9% of people said that they knew what the emergency number was, when they were asked to state it only 88% could correctly state that it was 000. The QAS regularly conducts 000 awareness campaigns, but we obviously need to work a lot harder to get the message across. We will be particularly targeting the older age groups. Seconds can mean the difference between life and death in the event of cardiac arrest or other emergencies. It is vital that every single Queensland—~~young,~~ adult and senior—knows that 000 is the only number to call in the event of emergency. They must also know that the number must be called quickly.

Some people have been calling an ambulance station, a fire station or a health clinic rather than 000. That can lead to delays, particularly if the ambulance crew or the fire crew are out responding to other jobs or if the health clinic is closed. If a person is in difficulty and cannot speak, the call to the 000 number can be traced to ensure that an emergency vehicle responds. In any emergency—

Time expired.

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

STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION AMENDMENT BILL

Resumed from 8 June (see p. 2265).

Committee

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) in charge of the Bill.

Clauses 1 to 6, as read, agreed to.

Clause 7—

Mr ELDER (11.30 a.m.): I move the following amendment—

"At page 16, line 3, 'section'—

omit, insert—

'division'."

Mr ELDER: This amendment is purely a technical amendment. It just corrects a drafting error.

Mr SLACK: I would like to make some comments, because this clause refers to the Integrated Planning Act 1997. Last night, the Minister made some comment about how this legislation mirrored the Integrated Planning Act 1997. I have sought some advice on this

matter, and I would like to read to the Parliament the advice that I have received. The Minister claimed that local authorities had almost identical powers of exploration under the Integrated Planning Act as those proposed to be given to the Coordinator-General under this Bill. Even if that were correct—and it is not—I would have thought that the old saying that two wrongs do not make a right might have crossed the Minister's mind.

However, the Minister gilded the lily with his reliance upon the Integrated Planning Act. It is correct that, under section 551, at any time after a decision notice has been given for a development application and a local authority is satisfied with certain matters, an acquisition power is triggered. The matters that the local authority have to be satisfied of include whether the development would create a need to construct infrastructure on the land or carry drainage over the land. There must first have been an attempt to obtain the agreement of the landowner and the council must be satisfied that action is necessary to allow the development to proceed. However, that is as far as the analogy goes. Subsection 2 of that section then goes on to provide that the local authority does not have the power to take the land but instead it must approach and obtain the approval of the Governor in Council.

There are two fundamental differences between that provision and those contained in this Bill. First, the body that proposes the taking of private land for private third party interest is not a public servant making a decision behind closed doors but a duly and democratically elected local authority. The people who have to answer for that determination are local councillors who come up for election every three years. They are people who are close to the issues and who are fully accountable. People adversely affected by such a decision can argue their case to the council and the council can overturn or modify the initial decision. It is not a decision made by a non-accountable public servant behind closed doors who is not answerable directly to the community and subject to expropriation. That is the first difference.

The second difference is just as compelling. There is an irony here. Under section 551, the Governor in Council has to approve the council's decision. In terms of a State Government's actions, that would be the equivalent of the decision of the Coordinator-General or a decision of the Governor in Council being subjected to this Chamber. The very principle that we have argued for, namely that a superior body which is not controlled by

the person or body making the initial expropriation decision and which has no interest in it should be put in place to review the decision and accept or reject it.

I am not suggesting that section 551 does not have its problems or drawbacks. It was an issue of importance to 132 democratically elected local governments, and they are another level of government. We did ensure that they had to seek the approval of the Governor in Council and we did not give them the unilateral right to take people's property for a third-party interest. As I said, the Minister's argument that this Bill simply reflects what is already the case in the Integrated Planning Act is not correct.

Mr ELDER: It is quite to the contrary. The principles are the same. There is the Bill; the member should read it. The IPA was the Opposition's legislation. The principle that applies in this Bill is exactly the same principle that applied in the IPA. In fact, the Coordinator-General is responsible: he is responsible to this Chamber, he is responsible to the Parliament and there is a responsible process in place. The situation is no different from that which exists with councils and it is no different from the process that the Opposition laid down in the integrated planning legislation when it was in Government. That is why from day one the Opposition has been hypocritical in its dealings with this piece of legislation. The Opposition's hypocrisy is just overwhelming. In terms of the principle, the provisions contained in the IPA are no different from the provisions that are contained in this Bill.

The problem for the member opposite is that last night he was caught out. He did not realise what the Opposition had done with the integrated planning legislation when it was in Government. The members of this Chamber supported that legislation without amendment, without knowing what was entailed when it was passed. The member says that two wrongs do not make a right. In the case of the IPA, the Opposition knew exactly what it was doing. Labor accepted it on the basis that councils need the flexibility, as does the State Government. The member's hypocrisy is blinding.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clauses 8 to 11, as read, agreed to.

Clause 12—

Mr ELDER (11.35 a.m.): I move the following amendments—

"At page 25, lines 17 to 27—

omit, insert—

' (1A) In considering whether the infrastructure facility mentioned in subsection (1)(f) would be of economic or social significance, the potential for the facility to contribute to community wellbeing and economic growth or employment levels must be taken into account.

'(1AA) In assessing the potential mentioned in subsection (1A), the contribution the infrastructure facility makes to agricultural, industrial, resource or technological development in Australia, Queensland or the region is a relevant consideration.'

At page 26, lines 1 to 8—

omit, insert—

' (1C) If the proposed taking of land by the coordinator-general is for conferring rights or interests in the land to be taken on a person other than the State—

- (a) the coordinator-general must—
 - (i) prepare a statement giving reasons why the infrastructure facility was approved under subsection (1)(f); and
 - (ii) publish a copy of the statement in the gazette; and
- (b) the Minister must table the statement in the Legislative Assembly within 3 sitting days after the gazette notice approving the infrastructure facility is published.

'(1D) If the taking of land by the coordinator-general is for conferring rights or interests in the land taken on a person other than the State—

- (a) the coordinator-general must prepare a statement giving details of the negotiations by the person with the owners of the land to acquire the land by agreement; and
- (b) the Minister must table the statement in the Legislative Assembly within 3 sitting days after the taking of the land.'

At page 26, after line 12—

insert—

' (1F) The power to take land under this section for a purpose (the "primary purpose") includes power to take at any time land either for the primary purpose or for any purpose incidental to the carrying out of the primary purpose.'

At page 27, lines 23 and 24—

omit, insert—

'(i) infrastructure for health or educational services.'

The amendments that I have moved deal with the concerns that have been raised by many stakeholders and by members of this Chamber. The original Bill provided that, in determining that an infrastructure facility would be of economic or social significance, the potential for the facility to stimulate any one or more of the following must be taken into account. In the original Bill, we listed agricultural development, community wellbeing, economic growth, employment levels, industrial development, resource development and technological development.

In responding to the concern that has been raised—that the Bill was drafted too widely—the amendments propose to reinforce the principle that the approved infrastructure facility provides benefit widely across the community and not just for the infrastructure developer. There is now an emphasis on the positive benefits that arise from the infrastructure provision and the way in which these benefits arise through the stimulation of economic development. Members can see that, in the two amendments that I have moved in that regard, not only would the potential for the facility to contribute to community wellbeing and economic growth or employment levels be of economic or social significance but also it would make a contribution towards agricultural and industrial resources and technological development in Australia, in Queensland and in the region. In other words, the concerns that have been raised have been addressed in these particular amendments.

Mrs LIZ CUNNINGHAM: I move the following amendments—

"At page 25, lines 9 to 14—

omit, insert—

'(f) for the provision of an infrastructure facility approved under a regulation.'

At page 25, lines 17 to 27—

omit, insert—

' (1A) A regulation mentioned in subsection (1)(f) may be made only if the Legislative Assembly has passed a resolution requesting the Governor in Council to approve the provision of the infrastructure facility.

'(1AA) During the debate on the resolution, the Minister must table a statement giving—

- (a) reasons for the need to take the land; and
- (b) details of any negotiations by the person with the owners of the land to acquire the land by agreement.'

At page 26, lines 1 to 8—

omit, insert—

' (1C) The Statutory Instruments Act 1992, sections 49 and 50 do not apply to a regulation made under subsection (1)(f).

'(1D) Subsection (1C) has effect despite the Statutory Instruments Act 1992, section 52.''

1 Statutory Instruments Act 1992, sections 49 (Subordinate legislation must be tabled) and 50 (Disallowance)

2 Statutory Instruments Act 1992, section 52 (Other notification, gazettal, tabling or disallowance provisions of no effect)"

Yesterday evening, I listened to the response of the Minister concerning my amendments that have been circulated. I circulated them out of concern that, although the significant power that is to be given to the Coordinator-General, the process that the Coordinator-General would undertake and then the approval of the Governor in Council, is an apparently transparent process, it is not. In this instance, the old saying that everybody reads the Government Gazette in the pubs in my electorate bears repeating. The proposal is to be printed in the Gazette. However, very few people read the Gazette and very few people get it. Landowners who may be in an at-risk area—and how can that be defined, because development can occur across the State, as it should—are going to have to somehow monitor what is in the Gazette. That is not a transparent process. Theoretically, it may be but the practicality is that it is not transparent.

The concern that was expressed in my electorate was that there should be ample opportunity for public comment on the proposal and that there should be an overt transparency in the way in which the matter is dealt with. The best way for that transparency to be achieved, given the process that has been set down as the template for this legislation, is to require that the proposal come back to this Parliament for public debate where it is under the scrutiny of the media and it is

under the scrutiny of the community through its 89 representatives.

Mr Lucas: That's not what you supported under the Integrated Planning Act, is it?

Mrs LIZ CUNNINGHAM: The argument about the IPA may be a valid one. I am not saying whether it is valid or invalid. We are dealing with the issue that the State Government is going to compulsorily acquire land from private people. The way in which local government acts compared to the way in which the State Government acts is quite different. Local government is very close to the people. Very few local councils are going to unilaterally take land unless they know that there is significant support for that within the community. There is a closeness between the community and the council. As each sphere of Government increases in size, so does its removal from the community. Local government is very close and responsive to the community, the State Government is one step away and the Federal Government, as we know, often does not even know where the community lives.

One of the comments that the Minister made last night reinforces the need for this matter to come back to this Parliament in the format that I propose in my amendment. He said that another reason why he did not support my amendments was that they departed from the model of Government that says that Governments are elected to govern and are not expected to seek parliamentary approval for every operational decision that they make. However, this is not an operational decision. These are significant developments. These proposals will affect landowners' freehold title rights. They will affect their free and relaxed enjoyment of their property. They will affect their quality of life because they may remove them from their land. To say that this Bill provides for action of last resort and then say that one of the concerns is that it will place the Government of the day under the requirement or the impost to bring the issue back to the Parliament for debate on an operational decision flies in the face of the types of decisions that the Bill gives examples of if the legislation is enacted.

My proposal is in line with section 26 of the Forestry Act. It is not onerous. A motion is put before the House for a regulation to be made. It can be debated. The decision is made. My third amendment removes the right for disallowance, which gives certainty as far as financial backers are concerned. The amendments ensure transparency. They ensure that the community gets an opportunity

to examine the proposals, how often the power is to be used and what type of projects the power is to be exercised for. The amendments give local representatives the opportunity to have input into the proposals and the debate on the floor of this Chamber. I do not believe that passing these amendments will add any extra workload, any extra layers of red tape or anything else to the process. The amendments state that this is a significant power and that the people of the State deserve to have the exercise of that power debated openly and freely. I commend the amendment to the Committee.

The CHAIRMAN: I propose to deal with the three amendments moved by the member for Gladstone first.

Mr SLACK: The Opposition supports the amendment proposed by the member for Gladstone. While we acknowledge that it does not go far enough to alleviate our fundamental difference with the legislation before the Chamber and does not represent fully our policy or our position on the issue, it is infinitely better than what the Government is proposing.

In his summing-up last night, the Minister referred to the coalition having discussed this legislation in its Cabinet meetings and its party room. He said that he did not know why the legislation did not proceed to the Parliament, because naturally if a Minister proposes legislation, he believes that the legislation should be passed by the Parliament. We rejected it and—

Mr Elder interjected.

Mr SLACK: We rejected legislation that proposed similar changes to this legislation. Last night and in the previous sitting week in this place, many members explained the very reasons why we rejected that legislation. The final and real reason—and this is the fundamental difference between the Government's approach and ours—was that we believed that this type of legislation should come before the Parliament for the Parliament to have the opportunity to discuss it as project specific legislation. That was our position in the party room.

The Minister raised the issues of SUDAW, the Surat/Dawson development and other developmental issues that are relevant to what this Bill would cover. For the information of the Committee, I point out that the coalition Government piloted the expressions of interest process for the development of the Surat/Dawson area. If my memory is correct, there were 21 responses from local, Queensland, Australian and international companies to that call for expressions of

interest. At that time those companies knew what the rules were. They knew that the project could be achieved under the present legislation or, as I had indicated to them, that we could introduce project specific legislation. They were prepared to come forward and put their names in the assessment process and spend their money under that criteria, having had legal experts look at the current legislation and at what we proposed. That was project specific legislation. That legislation did not take certainty away from the project any more than would the legislation that the Minister has placed before the Parliament.

The Minister would appreciate that the reality of politics is that once the Government gives an undertaking to introduce legislation into the House, it has the numbers to provide certainty. Now that this legislation has come into this place, irrespective of how much we talk about it today, the Minister knows full well that the Government has the numbers to pass the Bill. There is certainty once the Government gives a commitment to introduce legislation that is provided for by bringing the matter before the Parliament. We believe that the fundamental right to protect the rights of private land-holders deserves the Parliament's scrutiny, which is what our proposed project specific legislation will achieve.

Last night the Minister talked about this being action of last resort. He said that most development applications would be determined between the land-holder and the proponent, and that is right. There is no doubt about that, and I would hope and expect that that would be the case. That means that if the guidelines are strictly adhered to as the Minister says they would be, only a few extreme cases would come under the category where the Government had to intervene to acquire the land under this Act. In those circumstances, it would not be an imposition to bring a matter before the Parliament. It is fine to say that it can be tabled in the Gazette or in the Parliament, but that happens after the event. The reality is that that does not give the protection of scrutiny that would overcome the fundamental feeling that land-holders have that their rights are being eroded under this Bill.

Last night the Minister talked about the Aldoga legislation that we introduced into the Parliament when the Minister was Opposition spokesman. That legislation involved the acquisition, on behalf of the QCL, of land between Aldoga and Gladstone to facilitate the development of a rail line. The legislation that the Minister has introduced to the Parliament would not cover that situation. The

Aldoga legislation was directly aimed at negating the provisions of judicial review. It was not aimed at enabling the acquisition of the land. We could acquire the land under the Acts that existed at the time. The problem was that there was a time frame involved, which came into operation under the Goss administration when QCL made the decision to exit Moreton and relocate its full operation in Gladstone. An agreement was reached that a rail line would be provided by a certain date. That date looked to be in jeopardy, because one land-holder in particular was promising to take the issue to judicial review, which meant that there would have been a possible six to 12 month time lapse before we could achieve the resumption in order to meet the commitments that we had been given by the Labor Government. We had to introduce legislation to protect the State from the \$4m per month or per week—I forget which—penalty clause that existed in that case. Our legal advice was that the people involved would not win their judicial review, but the fact was that we had to bring legislation before the House. That was not this type of legislation. The Minister has sought advice, and I am pleased that he has done so. I remember the case vividly. As he said correctly—

Mr Elder: You're wrong. I have just sought advice. You're wrong.

Mr SLACK: I am not. I went out to the place we are talking about.

Mr Elder: The cape—I remember it.

Mr SLACK: Yes, it was on television. The member for Gladstone was there also. In those circumstances we took viewing that land seriously. The last thing I wanted to do was bring that legislation into the Parliament. I took every avenue that I could to avoid bringing it into the Parliament. The Minister's party supported it, as did I. At the end of the day, in that situation we had to do that. This legislation would not cover access to judicial review. The Minister is saying that this legislation protects judicial review and protects the rights of land-holders to go to court. However, there is no blueprint legislation that will cover all situations. That is why these matters should come back to the Parliament.

In relation to Surat/Dawson, the guidelines were there, but at the end of the day there was no certainty under any of these methods. There will be no more certainty under this legislation than there would be if matters were brought into the Parliament. The development that has taken place in this State has been achieved without this type of

legislation, which involves a public servant and not the Parliament making the decision.

Mr Elder: Maybe you're not a private sector developer.

Mr SLACK: I cannot understand why the Minister will not bring it into the Parliament. He said himself that that is the last resort. That is the fundamental difference between us and why we are supporting the member for Gladstone. We are not against any private development, provided that it meets certain criteria and is in the public interest. Those should be the criteria for all resumptions. Those are the criteria for Government resumptions for Government purposes. It must be in the public interest.

At the end of the day, we are opposing this Bill because of that fundamental difference. That is the reason we are supporting the member for Gladstone, whose points are very valid. Land-holders feel threatened. They have expressed their objections to me over past weeks. They perceive a lack of certainty and protection for what they have always considered to be fundamental rights. This is all about proposals to transfer land from one private entity to another private entity to make a profit. No private entity will endeavour to obtain land unless it is going to make a profit. That is something that the Minister, as a business person, would admit. That is where we are coming from. That is the fundamental difference. That is why we are opposing this Bill. That is it in a nutshell.

Mr ELDER: A number of points were raised. I will endeavour to deal with as many as I can remember. The important point in relation to this is that project specific legislation, which was the type introduced by the former Government, denies the right of judicial review to people. This legislation achieves exactly the same aim as the Opposition's project specific legislation, but it does not deny people judicial review. Judicial review is about the decision that is taken. The project continues. It is about the decision. If there are flaws in the decision, they will be dealt with in an appropriate manner. It does not stop the project, it merely gives people a right in terms of the process. Project specific legislation of the type that the Opposition introduced for East End did not do that. I understand the reasons why that was the case. That was a piece of infrastructure that was to benefit a third party. The problems that the Opposition encountered in that instance are exactly the same problems that need to be dealt with now, but in a more accountable way.

The way to deal with it is through this piece of legislation. Far more accountability is built into this legislation than could ever be built into project specific legislation. Project specific legislation does not deal with the uncertainties for landowners and developers—those behind the project. That is because it takes a significant length of time to work through those processes. Even in the end that does not guarantee an outcome. It is that certainty that the developers and land-holders are looking for. As I said last night, they do not want an axe hanging over their head, they want to know what will occur in terms of their land.

This is not anything new. In its provision of public infrastructure, the Government does this on a daily basis. What we have to accommodate is the private sector providing the public infrastructure facilities outlined in this Bill. This is more transparent. Developers will not just roll in and take the land. Landowners know the process full well. There are public notifications, EISs, investigations and negotiations, and commercial agreements are put in place long before the right of compulsory acquisition is taken up. There is a vast process to go through before compulsory acquisitions can take place. That is the last resort. However, there has to be a mechanism for that. I do not accept project specific legislation, because of the uncertainty and the problems that I have seen with it elsewhere in other States and, for example, in relation to the East End corridor acquisition. What I do accept is laying out an accountable and transparent process.

The Opposition keeps saying that the Coordinator-General is a public servant who will just take people's land. As a statutory officer, he has accountabilities. Those responsibilities inevitably end in this House. The argument about brown paper bags was an appalling argument to raise in relation to this Bill. The Coordinator-General in this State is subject to more accountabilities than I care to mention in relation to this process. I brought in this piece of legislation to endeavour to get the private sector involved in public infrastructure provision—something which the Infrastructure Association of Queensland, the AIG and the QCCI—all of them—support. They see that it is transparent.

Mr Slack: That is misleading.

Mr ELDER: No, it is not. I have spoken to all of those organisations in relation to this Bill and in detail.

Mr Slack: Did you say "Agforce"?

Mr ELDER: Agforce supports the particular provision that I mentioned last night.

My DG and others have spoken to Noel Kennedy. He supports the Bill in principle. I attended a luncheon at which that issue was raised. My comments last night were about the particular provision we had in place. They support that provision. Beyond that, what I have done is bring in a Bill that will facilitate that.

The IPA legislation that the former Government brought in and which all members supported is not in principle any different from this. If anyone is going to build a McDonald's, a golf course or a Hungry Jack's, it will be local government; it is not included in this Bill. This Bill addresses projects of regional, State and Australian significance. The infrastructure list does not—and this is why I have tightened up the infrastructure provisions—outline those types of projects. For the reasons I have outlined, I do not accept the amendments from the member for Gladstone. I have stated my principles in relation to them.

Mr SLACK: In relation to the Transport (Gladstone East End to Harbour Corridor) Act 1996, the Minister is misrepresenting what I explained to the Parliament. Hopefully, that was a one-off situation in this State. I hope that we do not see that repeated. Having said that, it is not the Opposition blueprint for project specific legislation, for instance, to remove access to judicial review in respect of people who own land that may be resumed. That is a complete misrepresentation of what that Bill brought before the Parliament in 1996 was all about.

The Minister can outline the guidelines and the checks and balances that he has developed. These amendments were brought in at the 11th hour. We would have copped howls of protest from the member if we had brought in five pages of amendments at 11 o'clock at night just prior to going into the Committee stage on such an important Bill in respect of which just about every member on this side spoke. However, the Minister brought in those amendments. Admittedly, upon reviewing the amendments, it appears that most of them provide for a slightly better situation in relation to what should be the guidelines for an application that comes before the Parliament. That is where the fundamental difference is and that is why we are supporting the amendments of the member for Gladstone.

I have spoken to the people in the organisations that the Minister referred to, particularly the Agforce people. I have spoken to the UGA and the Graingrowers. They indicated to me that they felt the best way to

go was to adopt project specific legislation. But they accepted that the Government, having the numbers, was going to do what it was going to do. Therefore, they adopted a position of trying to get the best guidelines and the best protection that they could under the Act because the Government's position was going to come into effect. That is the reality of it. The Minister claimed last night in his reply to the points that were raised by the Opposition—

"Agforce has written to the Premier indicating that access provisions in this Bill"—

and I was going to talk about this later, but I do it now because the Minister raised it—

"are a model of enlightenment and urging the adoption of those provisions in other legislation."

I would like to see that letter to the Premier tabled if the Minister is going to support that position he took.

Mr Elder: I will talk to the Premier about it.

Mr SLACK: Thanks.

Mr Elder: The fact of the matter is if we had this legislation, it wouldn't have been needed. That is a fact.

Mr SLACK: No, the fact is not that. The fact is that this legislation does not waiver judicial review. I just cannot understand. I thought the Minister was an intelligent business person and understood the legislation when we brought it into the House at that particular time. The whole objective was to facilitate speedy access. That was the issue—the speedy provision of that access for QCL to overcome the problem where there was a time frame that removed the provisions of judicial review.

Mr Elder: I remind you of your speech.

Mr SLACK: The Minister has my speech.

Mr Elder: You said it was a good example of the type of legislation that you would bring in in relation to projects.

Mr SLACK: That could be right in respect of if there was a project that was held up in that type of situation. The Minister selectively quotes, as he selectively quoted the Opposition last night. He said—

"Selective quotation is a favoured technique of those members opposite."

I would like to see the Minister table that letter to the Premier. I can only reiterate that the Minister is misrepresenting what that Aldoga legislation was all about—judicial review. I know; I went up and talked to the people. I talked to my officers. As I said, we tried every

way we could to avoid that. My advice was that the existing legislation basically enabled us to acquire the land, but it could not run the gauntlet of judicial review without the Government incurring penalties.

Question—That Mrs Liz Cunningham's amendments be agreed to—put; and the Committee divided—

AYES, 42—Beanland, Black, Borbidge, Connor, Cooper, E. A. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

NOES, 42—Attwood, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells. Tellers: Sullivan, Purcell

Pairs: Wilson, Pratt; Barton, Goss

The numbers being equal, the Chairman cast his vote with the Noes.

Resolved in the **negative**.

Mr BEANLAND: In relation to amendments 2 to 5, I do have one question for the Deputy Premier at the outset. Listening to this debate, I think there seems to be concern—and it needs to be clarified—about the issue of judicial review. My understanding is that this legislation is subject to judicial review. That is, that projects that fall under the ambit of this legislation will be subject to judicial review. I do ask the Deputy Premier if he could simply clarify that to indicate whether that is the case. That is my understanding. That will clear one matter up considerably.

Mr ELDER: Judicial review applies.

Mr SLACK: Mr Chairman, you have treated the amendments put forward by the Deputy Premier as a block?

The CHAIRMAN: He moved them in block.

Mr SLACK: My advice in relation to amendment No. 2 is that this amendment slightly improves what would otherwise have been a meaningless list of matters that supposedly determined whether a proposed infrastructure facility would be of economic or social significance. A consideration of whether such a facility may have stimulated one or more of a list of matters and a provision that specifically requires that consideration must be given to whether the facility will contribute to community wellbeing, economic growth and

employment levels ensure a little more probity in the process. I reiterate that, in the context of facilities that may only have reasonable significance, requiring that these three matters must be taken into account really does not deal with the substance of our concerns. The Minister would appreciate that each of these three mandatory considerations are general and hard to quantify, particularly the concept of community wellbeing. So this amendment tightens the provisions of the Bill slightly, but will not have any appreciable effect on concerns we have raised. That is amendment No. 2.

Mrs LIZ CUNNINGHAM: I just wanted to clarify the fourth amendment moved by the Minister. I reiterate that my concern about this Bill is not a concern that is against development or against private development of infrastructure, which is where a lot of infrastructure development is occurring—joint ventures between State and private enterprise, etc. I do have concerns, though, with the process to ensure that people feel that they have been fairly dealt with and fairly compensated.

The Minister's fourth amendment deals with the power to take land under this section for a primary purpose. Using the example of a dam, that would be the area for the dam wall and the inundation. However, the amendment inserts the words "includes power to take at any time land either for the primary purpose or for any purpose incidental to the carrying out of the primary purpose". Will the purposes that are the reason for the incidental acquisition associated with the development also have the same tests applied to them by the Coordinator-General?

Mr SLACK: Amendment No. 3 is just a little bit of window-dressing. It does not deal with the fundamental issue. As I read it, there will now be a requirement that, when an infrastructure facility is approved by the Governor in Council, the Coordinator-General places a statement in the Gazette explaining why such a decision has been made. Once again, this statement will have no legal effect. It cannot be questioned or challenged. It is a notice to the world that a decision has been taken, no doubt giving some fairly cursory reasons why the Governor in Council made the decision. It is interesting, too, that it is the Coordinator-General explaining why the Governor in Council made the decision. I would have thought that the Minister responsible for the legislation would be the appropriate broadcasting agency.

The other part of the amendment simply reiterates what is already in the Bill. Again and again the Opposition has said that, in the absence of any merits-based review of a decision of the Coordinator-General to expropriate private property, there at least needs to be some form of parliamentary scrutiny. The Minister announced last night that Governments are elected to govern and are not expected to seek parliamentary approval for every operational decision that they make. While that is true as a general principle, I would have thought that this Government would be a little more sensitive to the issues surrounding the compulsory acquisition of private property, especially when such acquisitions are not for the people of Queensland but for private developers. If the Minister thinks Parliament should not be consulted, then he needs to reconcile his rather absolute point of view with the Forestry Act, which has been mentioned by the member for Gladstone. That Act requires each excision of State forest to be subject to parliamentary approval.

The Opposition is disappointed with this amendment. It leads nowhere. It is simply another procedural step and one that gives no rights to citizens. In effect, it simply requires notification to the community that a decision has been made. It is a notification of a fait accompli, not notification that people can object to, debate or challenge the decision. This is a minimalist amendment without any substance.

Mr BEANLAND: I thank the Minister for his answer to the question I raised about judicial review. I have heard a great deal of this debate over the last day and a half and from that it appeared to me that these matters certainly were subject to judicial review. That means that fast-tracking processes such as this will not occur. I have heard the word "fast-tracked" used as giving certainty. Certainty will not exist in these matters where they are subject to judicial review, because matters can take many months to be considered by judicial review. That is the issue that was raised by the member for Burnett a little earlier.

Mr Elder: Parallel processes.

Mr BEANLAND: The Minister can have parallel processes or whatever, but the point is that judicial review is still required. Judicial review will still hold up projects. They are the facts of life, whether we like it or not. The member for Burnett was confronted with that in relation to a matter outside of Gladstone when he was a Minister in the previous Government. That is why that Government moved to bring in

specific legislation for that project. It was not to speed up the project; it was to overcome the problem of judicial review, which was going to delay the matter.

There will still be substantial delays as a result of judicial review. There is no way around the issue while the Minister allows judicial review. From listening to the contributions of those on the other side of the Chamber, one would have expected that this legislation was designed to overcome that, but it is certainly not.

Again, I thank the Minister for his answer. Because of his answer I emphasise again that delays will certainly occur. There certainly is no certainty. There cannot be certainty where there is judicial review and there cannot be a fast-tracking process because of that. The Minister can put in place whatever he likes—parallel processes and so on—but at the end of the day that process will take time and obviously development projects will be slowed down because that process has to occur before the next stage can take place. I thank the Minister for clarifying that particular issue.

Mr SLACK: In relation to clause 5, the Opposition recognises that the Minister has tightened the provisions slightly by the removal of the social infrastructure implications that we raised. What does the Minister classify as a circumstance where a hospital or a school would be in a position where land would be resumed from a private person when other land may be available in the area? How is it identified that this must be removed for a hospital or a school?

Mrs LIZ CUNNINGHAM: I have asked a question relating to amendment No. 4. The second-reading speech referred to people being advised of this proposal through a State paper. It is not a requirement in the Bill that notification be made through the circulation of a paper. It is in the Bill that notification be made through the Gazette. Is the Minister confident in his own mind that people in an area will have adequate notification about the process starting and in adequate time?

Mr ELDER: I will deal first with the concerns of the member for Gladstone. Yes, I am confident there will be adequate notification. We are not talking about a vast number of projects. There are a finite number of projects. The processes in place will in my view give everyone adequate time in relation to the concerns they may have within a given community.

In relation to clause 4, the purposes for which the Coordinator-General may take land

are provided in proposed section 78 of the Act. In addition to this new power, it includes the normal range of powers available to the constructing authority. The amendment, though, puts beyond doubt that these powers extend to purposes incidental to the primary purpose. Examples of that are drainage structures associated with roadworks or structures of similar type around the dam. It mirrors the incidental powers that are within the Acquisition of Land Act. So there is no argument about that; it is here within my piece of legislation.

For the benefit of the member for Indooroopilly, I point out that judicial review will not delay those projects. There can be a parallel process. To those who have concerns in relation to public infrastructure provided by a private developer, I say that we have given the ability to continue a process. A whole raft of processes is in place. If they want to go through the judicial review process they may, but it will not hold up projects of this size, which are significant projects. The problem in the case of QCL is that it was not necessarily defined as a public benefit. That is a different test. Principally, that is the difference. The decision in the case of Gladstone could have been potentially an invalid decision because of the grounds of JR, because it was not for a public purpose. I will let the member come back to that. He can deal with that in a minute.

As to the statement of reasons in the third amendment to clause 12 about which the Opposition has concerns—principally that statement goes further than has been the case in relation to the public taking of land. We take land now. The provisions in the legislation are far more onerous in relation to the private provider than what is required of the State now. That is the fact. Anyone who reads my Bill and the Acquisition of Land Act and anyone who is aware of the procedure involved in the taking of land for dams, roads or railways will understand that this Bill contains far more accountable measures. One may not accept the process by which I am doing it; but the legislation provides far more accountability. This amendment again tightens accountability by the statement of reasons being prepared, firstly, when the decision is being taken and, if there has not been a negotiated process and if the land is taken, again after the process.

As to the Opposition's concerns in relation to my second amendment, the tightening up of what I considered were the particular reasons and whether that is just one or a number of reasons—I think I have dealt with that in an earlier explanation.

Mr SLACK: The Minister mentioned the Gladstone legislation. That was raised in relation to whether the current Acts could be challenged under the public benefit test. On advice, we made the decision that, had it not been for the judicial review, we would not have proceeded with the legislation.

Amendments (Mr Elder) agreed to.

Question—That clause 12, as amended, stand part of the Bill—put; and the Committee divided—

AYES, 42—Attwood, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells. Tellers: Sullivan, Purcell

NOES, 42—Beanland, Black, Borbidge, Connor, Cooper, E. A. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pairs: Barton, Goss; Wilson, Pratt

The numbers being equal, the Chairman cast his vote with the Ayes.

Resolved in the **affirmative**.

Clause 13—

Mr ELDER (12.30 p.m.): I move the following amendments—

"At page 28, line 1, 'otherwise acquire land'—

omit, insert—

'acquire land by agreement'.

At page 28, lines 5 to 7—

omit, insert—

'(2) The coordinator-general must not take the land unless the coordinator-general is satisfied—

- (a) reasonable steps have been taken to take the land by agreement; and
- (b) the guidelines made for section 121A have been followed; and
- (c) if the land being taken contains native title—reasonable steps have been taken to enter into an indigenous land use agreement that provides for the non-extinguishment principle to apply to the taking of the land.

'(3) In this section—

"indigenous land use agreement" means an indigenous land use agreement under the Native Title Act 1993 (Cwlth), section 24BA, 24CA or 24DA.

"non-extinguishment principle" has the same meaning as in the Native Title Act 1993 (Cwlth), section 238.'

In relation to the first amendment, the original heading for the proposed new section 78A(1) used the words "Ensuring reasonable steps are taken to otherwise acquire land". To make it abundantly clear that the acquisition was through non-compulsory means, the phrase "otherwise acquire land" has been replaced with the words "acquire land by agreement", so it is patently understood that we acquire land by agreement.

The other amendment provides additional explanations of how the Coordinator-General will determine that every effort has been made to acquire land by non-compulsory means. That is achieved by again replacing the words "otherwise acquire the land" with the words "to take the land by agreement". The Coordinator-General must be satisfied that the statutory guidelines promulgated pursuant to the proposed new section 121A have been followed, and that, where native title exists, the negotiation process that was followed sought to enter into an indigenous land use agreement. Although native title land cannot be purchased in the sense that freehold land can, the indigenous land use agreement can determine the conditions under which native title parties are prepared to deal with the State for that title. Use of the industrial land use agreement also leaves open the possibility that native title does not have to be extinguished—in other words, the non-extinguishment principle—and can revive once the infrastructure facility is no longer needed. The amendment calls up the definitions of an "industrial land use agreement" and the "non-extinguishment principle" from the Native Title Act. I have dealt with a range of issues that were raised by the Opposition in terms of native title.

Mr SLACK: I wish to make some comments, particularly in relation to amendment No. 7. After the terrible attack the Minister and his department received from the Queensland Indigenous Working Group, I am not surprised that the Minister is moving an amendment to tighten up the native title impacts of this Bill. It should be noted that the main effect of this amendment is to put some moral persuasion on developers to enter into indigenous land agreements. The Minister

knows full well that entering into one of these agreements is complicated and takes a very long time. The Minister knows that full faith negotiation on native title issues is never easy and requires the involvement of many parties and the expenditure of large sums of money.

I ask the Minister: is the State Government going to assist the indigenous parties with their costs in negotiating these agreements if they involve infrastructure facilities? Where is he proposing to go on this matter? The Minister has to move an amendment to calm the QIWG and pretend that extinguishment is not his first option. However, he knows full well that private developers who want to build the infrastructure facilities will rarely be able to wait around, in terms of time and money, to successfully negotiate an indigenous land use agreement. These developers will come to the Minister and put their case, and an extinguishment option will quickly follow.

This amendment is just a smokescreen. Unless the State Government picks up the costs and moves in to proactively and strategically kick-start and successfully conclude such agreements, and unless there is the level of support, this is another amendment that goes nowhere but attempts to give a veneer of respectability to the eventual extinguishment decision. Finally, and with respect to native title, I ask the Minister whether the QIWG was consulted before this Bill was introduced into the Parliament, as I was very concerned by the QIWG's suggestion that the Explanatory Notes were misleading under the consultation heading. I ask the Minister to address the issue of the accuracy of the Explanatory Notes he circulated.

Mrs LIZ CUNNINGHAM: I want to express some concern and some of the realities about amendment No. 6—"acquire land by agreement". That statement is an improvement on "otherwise acquire land". However, what appears adequate and appropriate in this Chamber is often markedly different in the real world. An incident occurred recently outside this legislation whereby a landowner, who already has two corridors across their property, was approached by an investigator for a company for a third corridor. The person was justifiably irritated and frustrated by the request to go onto their property to have a look at the terrain and refused entry. The investigator shrugged his shoulders and said, "That's okay. We'll get the Government to do it." They were not relying on this Bill. It was a different project.

Mr Elder: But this Bill actually deals with that in a far more comprehensive way.

Mrs LIZ CUNNINGHAM: It has some obligations on people. But what I am wanting to highlight is that often the theory is not replicated in reality. People are intimidated by those sorts of statements. People who have owned land for a short term or a long term—but often long term—in rural areas are intimidated by a person from a conglomerate—a large company. Whether their statements are appropriate or inappropriate, legal or illegal, they have to know that there are now proposed to be statutory obligations on the process of visiting the land, access rights, etc. The landowner has to be aware of what those rights are. And historically, people do not know the detail, and they can often be intimidated.

The experience in my electorate is that companies often send out their representatives when they know the spouse is absent, particularly the male. They will come when the wife is at home on her own. They have come when it is the evening meal time or during daylight hours when the farmers are out doing their farm work. And unless people are well informed about the process that is being proposed here, they will be intimidated by company representatives who will be well informed, who will be well equipped and who may be quite pushy in their manner. As I said, the wording that the Minister is proposing is a step ahead. I just want to put on the record the reality of the vulnerability of landowners in this whole process.

Mr ELDER: In relation to a number of issues, particularly costs—State Governments facilitate a raft of discussions, as we facilitate now in terms of projects that are significant. We have been facilitating for some time. In terms of any costs—costs will be developer costs. This is private sector provision of public infrastructure. We will have a specific role, and that will be to facilitate these projects and bring these projects through, but developer costs will be involved.

Mr Slack interjected.

Mr ELDER: It is in their interests to get an outcome—whether it is with a native title holder or another owner. It will be in the developer's interests and it will be developer costs.

In relation to what we have said in terms of consultation—the point we made to all stakeholders was that we would consult with them quite extensively in the development of the guidelines, because it is the guidelines which are the statutory instruments that the Coordinator-General must follow and which are

important in terms of how this is delivered. That deals with the raft of concerns the member for Gladstone raised in terms of how property owners are dealt with. We said that we would consult with all stakeholders in detail. In the interim, we pulled up the provisions as we saw them through the Native Title Act—both our own Act and the Commonwealth Native Title Act. We did have discussions with the QIWG to make sure that there was no misinterpretation of the meaning. That is why the amendments were put through.

Mr SLACK: One of the things that really concerns me in relation to development issues around the State now in infrastructure provision is the implication of native title issues. I am running across it more and more every day; where it was considered that there were not native title implications, that is proving to be not the case and that there are native title implications. There would be many projects that involve native title implications.

Obviously, if the Minister is going to talk about costs, has he developed a formula in relation to the costs in respect of that aspect of it? Is there a budget? What sort of money is he going to provide for the native title negotiations? When I was the relevant Minister, and when the Tenneco pipeline was being developed, the native title implications cost Tenneco a lot of money in providing that pipeline to satisfy the native title requirements. Is there a formula? Is there a budget for it? It does raise a serious issue, because there are more of these issues coming to the fore all the time.

Mr ELDER: The reality of life is that this is about the private sector providing this public infrastructure. The projects that the member outlines are ones where we have provided a range of public infrastructure. We carry those costs. We go through that native title regime. We are, in fact, having discussions now with the Commonwealth about the whole issue of compensation. That has been ongoing. We are not dealing with the broader issues of compensation. The costs involved here will be developer costs. The role of the Government will be facilitative. We facilitate it through the provision of this legislation. The other issues will be dealt with in the fullness of time. The compensation issues and the discussions we have had with the Commonwealth will be dealt with in the fullness of time. This is putting out a process by which the private sector can be involved in the provision and have a process through indigenous land use agreements to push it.

Amendments agreed to.

Clause 13, as amended, agreed to.

Clause 14, as read, agreed to.

Clause 15—

Mr SLACK (12.40 p.m.): This is the other area, apart from clause 12, which has caused some concern to the Opposition. There are other aspects of the legislation that cause the Opposition concern, but this is one matter which needs to be resolved. I would have expected that the Minister would have brought the guidelines into the Parliament. The Minister is asking us to vote on guidelines that have not yet been determined.

I know the Minister is going to come back to me and say that he has been speaking to all the interested groups and that all those groups have indicated their support for these guidelines. However, there is no surety that the negotiations are going to give them what they seek in relation to the guidelines. These people have expressed to me their support for what the Minister has developed so far in relation to possible guidelines, but they are somewhat nervous that it has not been put before the Parliament.

The member for Gladstone raised some issues in respect of the implications that can result from not having guidelines that adequately protect land-holders. I will not refer to farmers in particular. Any reference to farmers may give the Minister a false impression in relation to this legislation. The legislation applies to all landowners across the State of Queensland. The farming fraternity has special concerns that the metropolitan fraternity may not have.

Farmers are especially concerned with vehicles bringing in weeds, as the Minister mentioned in his reply. One of the weeds that we talked about was parthenium weed. What redress do land-holders have if people leave gates open? I realise that the formula for the guidelines has to be worked out, but what protection do land-holders have when the formula is developed? Another problem involves machinery digging holes on properties.

A lot of this comes back to the good faith and the honesty of the person coming in to do the exploration work. It does not matter what sort of guidelines we have; if the people are not reputable and do not do the right thing, we have all sorts of problems. Before I came to the Parliament I was involved with looking at problems that land-holders were experiencing with mining exploration companies. Some of those companies were abusing what was accepted as good practice. Unfortunately, the

guidelines had been worked out, and, when the land-holders complained, they were told that these people had to do this, that and the other thing. The reality was that these things were not being done. This problem was universal.

I tended to find that if a major company was involved, the company was quite genuine and wanted to see the guidelines adhered to. Quite often, the problem was that subsidiaries or contractors who had financial commitments were not so respectful of land-holders' rights and left gates down, made dust or dug holes and did not refill them.

It was easy to say that land-holders had recourse to the law and that they could force the mining exploration company to come back and fill the hole. In many cases, because of the lack of financial viability of the contractor, that work was not done. Unless one talked to the land-holder, one did not understand that that was happening because the company would say that it was doing all things necessary.

I notice that the Minister refers to the guidelines as statutory instruments under the Statutory Instruments Act 1992. I understand that that means that they come in as a regulation and can be disallowed by this Parliament. I ask the Minister to confirm whether that is the case, because apparently there is some apprehension amongst the groups that he talked to—specifically Agforce—as to whether that will apply. The groups are very supportive and they want a situation where the guidelines, when developed, can come in as a regulation and be disallowed. That gives people an opportunity to have a check in the system. I ask the Minister why he will not do that in order to protect his own integrity. These people are suspicious. The guidelines are not in the Parliament at this point in time. What check will the land-holders, the Opposition and other interested parties have?

Mr ELDER: The honourable member talked about not acting in good faith. The reality of life is that the provisions in this Bill are far more onerous because the Coordinator-General can hold bonds in relation to these matters. We have put in far more onerous provisions on the private sector. Then, to be quite blunt, we put further onerous provisions on ourselves. With the bonds that the Coordinator-General can hold, and with the security deposits, we have made sure that a whole process is in place in which there is contact and negotiation in relation to the use of the land. The investigators themselves have

a whole raft of guidelines with which they have to comply. The Government could hold bonds and securities and defaulters would forfeit those. That is not the case at the moment.

We are working through the guidelines in consultation. We have clearly articulated in the new section, which I am shortly going to move, what these guidelines encompass in terms of the requirements that have to be met. They will be a statutory instrument and they will have the force of regulation, but they will not be disallowable.

Mr Slack: What does the force of the regulation mean, then? They are statutory but they are not disallowable? In other words, they are not open to challenge?

Mr ELDER: A statutory instrument can encompass a whole range of things—a regulation, an order in council, a rule, a statute, a proclamation, a notification of public notice, a standard of public notice or a guidance. They will have the force of law but they will not be disallowable in the Parliament.

Mr SLACK: The meaning of the words "the guidelines are statutory instruments under the Statutory Instruments Act 1992" has not been sufficiently clarified to the organisations with whom the Minister has spoken. Because the guidelines have not yet been accepted, the organisations affected are not able to challenge the guidelines in this Parliament if, in some way or other, the Minister does not deliver in good faith. There is no check and balance there. The Minister simply says, "Take my word. Trust me."

Mr Elder: That's right, trust me.

Mr SLACK: I heard Paul Keating say that on the air about native title implications for pastoral holdings. He said there was no way that the legislation did not protect pastoral holdings, etc. Some people argued about that and were told that they were scaremongering and were raising irrelevant questions. We found out later that what Paul Keating said was not the case. We need checks and balances to ensure that people's rights are set in concrete. The ultimate setting in concrete is a referral to this Parliament.

Mr ELDER: We are going around in circles. The fact of the matter is that, in relation to when the Government acts, it is not a provision now. Through these guidelines, we are putting onerous conditions on any of these people who are going to get involved in developing public infrastructure. If the statutory instruments are not obeyed, then the court will direct them to be obeyed. The point is that there are more guidelines being put into this

legislation in relation to this matter than there are that apply to the Government now.

The member is going around in tortuous circles. I could name a whole raft of projects that have been provided by the Government where these conditions do not apply. The fact of the matter is that, in the discussions that I have had with the industry groups, I have found that they are well aware of the guidelines and how they will be drafted so that we can meet all of their needs. Once the guidelines are set down as statutory instruments, if there is any disobedience the courts will apply them. In terms of an investigation into the use of land, there are a raft of requirements that investors have to meet that local government does not meet now under the IPA. The member's argument just amazes me.

Mr BEANLAND: I have listened to the Minister's comments in relation to this matter. I have seen the Goss Labor Government go down this track with another issue. On that issue, the public were conned totally by the Goss Labor Government. I have listened intently and with great interest to what the Minister is doing, and it is very significant. Anyone reading this Bill would believe that these guidelines would be disallowable by this Parliament. The bottom line is that they are not—n-o-t—and that is the crux of the matter.

It is all very well for the Minister to get excited and passionate about this issue and say that this Bill contains more requirements than are contained in other legislation. The point is that these guidelines are not disallowable by this Parliament. Although it might be nice for people to go to court on this issue and the law might be on those people's side, the point is that these guidelines are not disallowable by the Parliament. Therefore, the Minister is saying that, largely, these guidelines are not worth the paper that they are written on.

The Minister can require the Coordinator-General to produce a set of guidelines that are acceptable to the public at large. The people involved in the projects might be able to abide by those guidelines. However, there will be no community input into them, because they will not be disallowable by this Parliament. At this moment, the Minister is getting away with skilfully undertaking a means of denying the democratic processes of the Chamber. Every time we see a statutory instrument, we believe that it is disallowable by this Parliament. However, these guidelines are going to be contained in a statutory instrument that is not disallowable by the Parliament. As I say, that is the bottom line.

I have seen a previous Labor Government con the public in such a way. In that instance, one would have expected that those provisions would have been disallowable by the Parliament. However, upon reading the document, it turned out that that was not the case. Therefore, I appreciate the concern of the member for Burnett and the concerns of the groups who have contacted him in relation to this matter. I am sure that all of those interest groups believed that any decision would have to come back to the Parliament and the Parliament would have had the final say on it. The Parliament will not have a say on this matter whatsoever. That is the reason why the Opposition is so opposed to it.

Question—That clause 15, as read, stand part of the Bill—put; and the Committee divided—

AYES, 42—Attwood, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells. Tellers: Sullivan, Purcell

NOES, 42—Beanland, Black, Borbidge, Connor, Cooper, E. A. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pairs: Wilson, Pratt; Barton, Goss

The numbers being equal, the Chairman cast his vote with the Ayes.

Resolved in the **affirmative**.

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

Insertion of new clause—

Mr ELDER (2.30 p.m.): I move the following amendment—

"At page 37, after line 21—

insert—

'Insertion of new s 121A

15A. After section 121—

insert—

'Coordinator-general must make guidelines

'121A.(1) The coordinator-general must make guidelines for the processes to be followed by proponents and the coordinator-general for—

(a) taking land under section 78 for infrastructure facilities; and

- (b) dealing in the way mentioned in section 79A with the land taken; and
- (c) investigating, under part 6, division 6, the potential of land for infrastructure facilities.

'(2) The guidelines are statutory instruments under the Statutory Instruments Act 1992.

'(3) A guideline made under subsection (1)(a) must provide for the following—

- (a) the giving of notice, including public notice, about the proposed acquisition of the land;
- (b) that the notice must state that it is intended to reach agreement through consultation and negotiation to acquire the land, but that if agreement can not be reached, the land may be compulsorily taken;
- (c) notification of the day for starting consultation and negotiation for the proposed taking of the land, which must be at least 1 month after the notice is given;
- (d) a consultation and negotiation period of at least 4 months;
- (e) that the notice must state the day the consultation and negotiation period ends;
- (f) that there must be at least 2 months of consultation and negotiation after the statement has been published in the gazette under section 78(1C)(a)(ii);
- (g) that a notice of intention to resume the land by compulsory acquisition must not be given until 2 months after the consultation and negotiation period starts;
- (h) that the holder of an interest in the land proposed to be acquired may lodge an objection against the acquisition at any time after 2 months after the consultation and negotiation period starts and before the consultation and negotiation period ends.

'(4) Subject to subsection (3), a guideline made under subsection (1)(a) must be formulated having regard to the procedures and underlying principles of the Mineral Resources Act 1989, part 17 and in particular, the obligation for consultation and negotiation.'."

This amendment provides for the insertion of new section 121A. In one sense, I do not need to speak to the amendment because essentially we have dealt with this under the debate on clause 15. Just as an aside, I think that the Opposition divided on the wrong clause. Had I actually called for a division on my side of the Chamber on clause 15, it would have been negated, which would have meant that we would not have had to worry about introducing guidelines because that provision would have been overridden by the vote in the Parliament. I assume that the Opposition will divide on this amendment.

Mr SLACK: I take the Minister's point and I think that he could be right. I will not say that he is right in case I give the wrong information to the Parliament. Obviously the clauses are interrelated. The arguments that I used in relation to clause 15 apply to clause 15A, only more so because of the nomination of the guidelines of statutory instruments under the Statutory Instruments Act 1992.

I am quite serious that this is not a stunt by the Opposition to question this particular clause in the expectation that it should be subject to disallowance in the Parliament. The guidelines have not yet been finalised and they do not form part of the Bill and are not subject to the scrutiny of the Parliament. Therefore, the Minister is expecting us to give assent to something that he has not produced. I take it in good faith when it is said that the guidelines are acceptable to the organisations and they have indicated that. However, as I said earlier, the final draft has not come before the Parliament and the Opposition will be opposing the amendment.

Mr ELDER: New section 121A states that the Coordinator-General must make guidelines for the processes to be followed by proponents and the Coordinator-General for taking land; for making agreements with the proponent for the use and operation of the infrastructure facility on the land taken; and investigating the potential of land for infrastructure facilities. The new section also states that the guidelines are statutory instruments under the Statutory Instruments Act 1992. That Act provides that such guidelines have the same effect as the regulation.

The amendment also provides that such guidelines must provide for the giving of public notice about the taking of the land, when that notice has to be given, and the periods to be allowed for notice, consultation and negotiation. Those provisions apply to both native title and to non-native title. The guideline formulated is to have regard to the

procedures and principles of the Mineral Resources Act 1989, Part 17.

Question—That the Deputy Premier's amendment No. 8 be agreed to—put; and the Committee divided—

AYES, 42—Attwood, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 40—Beanland, Black, Borbidge, Connor, Cooper, E. A. Cunningham, Dalglish, Davidson, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pairs: Beattie, Pratt; Barton, Goss

Resolved in the **affirmative**.

Clause 16—

Mr ELDER (2.40 p.m.): I move the following amendments—

"At page 38, line 7—

omit, insert—

'project; and

(c) the coordinator-general, under section 29B, declares the project to be a significant project.

'(1A) The proponent may complete the study as if the State Development and Public Works Organisation Amendment Act 1999 had not commenced.'

At page 38, lines 10 to 19—

omit, insert—

'(3) Any written submission made about the study is taken to be a properly made submission for an application for the project if the application—

(a) is for a development approval requiring impact assessment under the Integrated Planning Act 1997; or

(b) is for an approval under an Act other than the Integrated Planning Act 1997 and the application requires public notification.'

Amendment No. 9 provides for the Coordinator-General to determine which of the projects currently undergoing impact assessments are to be significant projects as defined in the new Bill, so that it can be clear that the standards required for significant projects have been followed, particularly in

relation to the adequacy of public notice to ensure that objection and appeal rights under the Integrated Planning Act and the Mineral Resources Act are preserved.

Amendment No. 10 relates essentially to transitional arrangements. The transitional provisions contained in new section 123 provide for the Coordinator-General to declare a project to be a significant project where an EIS is being prepared at the time of the commencement of this section. A declaration by the Coordinator-General is required, particularly if the project involves mining, to notify the Minister administering the Mineral Resources Act that the project is a significant project. This will enable the proponent to use the provisions in new sections 29R and 29S.

New section 123(1)(a) will enable the proponent of an EIS already being prepared at the commencement of this section to complete the EIS as though the new section 29 provisions had commenced. It will enable the completed EIS to be treated as an EIS prepared under the new section without the duplication of any of the requirements of the new section such as the preparation of reference and public review of the EIS.

New section 123(3) ensures that where there are rights of public review associated with the application for a project under the Integrated Planning Act, the Mineral Resources Act or any other Act, any submission made in response to an EIS prepared under the transitional provisions is to be taken as a properly made submission for the project. The provision ensures that any public notification rights associated with an application are retained only to the extent that they have the opportunities to exist. In other words, we had to move transitional arrangements so that they were covered in this legislation.

Amendments agreed to.

Clause 16, as amended, agreed to.

Schedule—

Mr ELDER (2.42 p.m.): This Bill now gives us a mechanism by which we can move ahead in terms of the private sector providing public infrastructure. I was surprised by some of the tenor of the debate, in particular by the crocodile tears in relation to native title and also by the concerns that supposedly had been raised by the private sector. Two press releases, one from the Australian Industry Group and the other from the Infrastructure Association of Queensland, applaud this Bill as smoothing the way for the private sector to

provide public infrastructure. I seek leave to have them incorporated in Hansard.

Leave granted.

State Development Act—Essential for Investment

The Australian Industry Group is concerned about the alarmist nature of debate associated with the State Development and Public Works Organisation Amendment Act.

It is evident that once again political point scoring in Parliament is a priority over sound economic policy.

Australian Industry Group State Director, Paul Fennelly said, "that the legislation is an essential plank in ensuring that Queensland is viewed by investors as a positive location in which to invest."

"It is essential that the community appreciates that the State is competing with the world in the attraction of foreign investment. We must adopt an aggressive 'can do' approach to this issue. It is essential that we provide an environment which can deliver both certainty and quick results to investors. The State Development Act is a major step in positioning Queensland as a world competitive location", Fennelly said.

The Australian Industry Group believes that the legislation is equitable and that there are a considerable number of steps which must be followed before the land acquisition powers of the Co-ordinator-General can be activated.

"In our consultations with the Government they were at pains to ensure that individual rights and reasonable steps to protect such rights were a feature of the legislation."

The Australian Industry Group calls on the Parliament to focus on the economic benefits to the State as a result of this legislation.

Infrastructure Smoothing Applauded

"The Infrastructure Association of Queensland applauds the efforts of the Beattie government to smooth the mechanism by which 'significant projects' of public infrastructure are brought to fruition" Alan Davie the Chairman of the Association said today. "The proposed legislation to amend the State Development and Public Works Organisation Act is indeed timely and needed" he said.

He said that he hoped that the Bill would achieve by-partisan support as it would enable the private sector to become vigorously involved in the process of the public infrastructure development, knowing that it had a fall back position if a stalemate occurred in its normal process of land acquisition.

"The link between infrastructure and economic growth has been clearly shown," he said, "and whatever we can do to ensure that major projects proceed smoothly, will assist our economy".

"The new legislation will in no way remove the obligation of the private sector to enter into binding offers and contracts with land holders, but it will give confidence to the proponent that if all else fails, there is a process in place to smooth the way" said Mr Davie. "It will reduce the delays and frustrations that significant project proponents face in bringing them to fruition".

The new amendments will help infrastructure delivery by reducing the timeframe for their completion, providing certainty to land access and tenure and ensuring that environmental studies can be progressed efficiently.

"I hope that the Parliament will quickly enact this worthwhile and sensible legislation" said Alan Davie. "It's the sort of efficiencies and securities all our members have been seeking for some time" he said.

The Infrastructure Association of Queensland is an organisation of nearly 100 member firms all involved in some way in the development, design, construction, financing, owning and management of major public infrastructure. Its principal role is to provide a voice for the private sector through positive interaction with Government and to be a forum for the dissemination of ideas and projects relating to infrastructure amongst members, government and the community.

Schedule, as read, agreed to.

Bill reported, with amendments.

Third Reading

Hon. J. P. ELDER (Capalaba—ALP)
(Deputy Premier and Minister for State Development and Minister for Trade) (2.45 p.m.), by leave: I move—

"That the Bill be now read a third time."

Question—That the Bill be now read a third time—put; and the House divided—

AYES, 42—Attwood, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McGrady, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 41—Beanland, Black, Borbidge, Connor, Cooper, E. A. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Prenzler, Quinn, Rowell, Santoro, Seeney, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Pairs: Beattie, Pratt; Barton, Goss

Resolved in the **affirmative**.

REVOCATION OF STATE FOREST AREAS

Hon. R. J. WELFORD (Everton—ALP)
(Minister for Environment and Heritage and
Minister for Natural Resources) (2.52 p.m.): I
move—

- "(1) That this House agrees that the Proposal by the Governor in Council to revoke the setting apart and declaration as State forest under the Forestry Act 1959 of all those parts of State forest 154 described as Lot 1 on plan SP110633 and Lot 3 on plan SP115376 and containing in total an area of 27.9182 hectares;
be carried out; and
- (2) That Mr Speaker convey a copy of this Resolution to the Minister for submission to His Excellency the Governor in Council."

This proposal makes provision for the revocation of approximately 27 hectares from State Forest 154, which is located about 40 kilometres west of Millmerran. As members would be aware, Queensland is to be connected to the national electricity grid through construction of an interconnector which extends north and east from the border near Texas to connect the existing Queensland grid at Tarong. The interconnector route traverses part of State Forest 154 in the parish of Bulli.

Powerlink, as the constructing authority, has sought about 27 hectares of the State forest to allow for the construction and access of a substation, which is an essential component of the project. As part of the process to identify the preferred site for the substation, Powerlink has undertaken environmental, economic and social impact assessments and cultural heritage studies, and has developed environmental work plans covering erosion, flora, fauna, habitat and weed control. Investigations by my Department of Natural Resources and DPI Forestry have determined that the site has limited forest values.

I do not support the revocation of land from the forest estate for alternative uses unless it can be clearly demonstrated that there is no alternative site available for the purpose and that the proposed usage is in the broader public interest. In relation to this proposal, I am satisfied, firstly, that the proposed substation is an essential component of the interconnector project; secondly, that investigations have determined this particular site to be technically superior for the purpose and, therefore, the Powerlink

preferred site; thirdly, that the proposed use is in the broader public interest; and, fourthly, that Powerlink has carried out environmental, economic, social and cultural heritage assessments of the site and developed management plans for the project to address any adverse effects.

Powerlink has also acquired all pre-existing rights and interests over the land, including native title rights and interests. I therefore support the proposed revocation action and commend the proposal to the House for approval.

Hon. T. McGRADY (Mount Isa—ALP)
(Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (2.55 p.m.): It is my pleasure and joy to second the motion.

Hon. V. P. LESTER (Keppel—NPA)
(2.56 p.m.): The Opposition supports this motion. The reason is that we have carried out a very detailed assessment of the pros and cons of it. It is very, very clear that the proposal for the use is in the broader public interest and that Powerlink has carried out environmental, economic, social and cultural heritage assessments of the site and has developed management plans for the project to address any adverse effect. There really is not any point in saying a great deal more in the interests of time and in the interests of the issue. It is clear cut. Because of that, we support the revocation.

Motion agreed to.

INDUSTRIAL RELATIONS BILL

Second Reading

Resumed from 25 May (see p. 1838).

Mr SANTORO (Clayfield—LP) (2.57 p.m.):
The Opposition will be opposing the Beattie Labor Government's Industrial Relations Bill 1999. The Opposition will be opposing this Bill for many varied reasons which are all good. Those reasons include—

the Bill before us is bad legislation which replaces perfectly good and effectively working legislation;

it is a Bill which will inexorably undermine the job creation potential of Queensland business;

it will do so because it is anti-business legislation and, in particular, anti-small business legislation;

it is a Bill which unashamedly favours the union movement of this State above and beyond small business;

it is a Bill which seeks to change the balance of power in favour of one union at the expense of another;

the union which this Bill seeks to favour is an extreme, Left Wing, anti-business and often law-breaking union;

the Bill represents a tool which is being used to settle union scores;

it is a Bill which will precipitate industrial warfare between monolithic and bitter union rivals, warfare which will demolish business investment confidence and drive offshore and interstate major job creation projects and investment; and

it is a Bill that pitches Government Ministers against the Premier and vice versa and will undermine the political stability of this State.

Mr Schwarten: The world will come to an end!

Mr SANTORO: Clearly the world will not come to an end. However, it clearly will be a world that will be much less attractive, particularly for small businesspeople and their employees, to live in.

The Bill clearly changes the industrial laws as they currently stand in this State from being fair and balanced for all the parties in the industrial relations system to clearly favouring the unions of employees' interests over the interests of the job creating small business community.

The unreasonable favour being extended to the unions takes on many insidious forms, including providing for: the abolition of the coalition's unfair dismissal laws; almost unlimited rights for unions to enter into the premises of businesses when they like and for whatever reason they choose; the automatic right of unions to intervene at every stage of an agreement making process within Queensland workplaces without warning, let alone prior arrangement; the reintroduction, almost by stealth, of union preference in Queensland workplaces; and, I believe, the commencement of the death of freedom of association, which employees have enjoyed within this State since the coalition's Workplace Relations Act was introduced. The Bill before us includes the abolition of many of the democratic and accountability mechanisms which currently govern the operation of industrial organisations, and in particular unions. These provisions and many others undermine local and international business confidence in the Queensland economy and they send a very bad signal to would-be local and international investors.

In addition to these so-called reforms, the Beattie/Braddy Industrial Relations Bill is introducing to the IR system of this State a pervasive layer of lawyer involvement and lawyer-friendly mechanisms which will make the State system more expensive, more bureaucratic and, therefore, less attractive for small business to participate in. That particular change being introduced into Queensland has the support of absolutely none of the major players, including some of the union people who are sitting in the gallery and who I know argued incessantly with the Minister. But because it is payback time to the lawyers, this particular provision will go through. The Opposition will talk more about that later on.

These are only a few of the reasons why the Opposition will be opposing this absolutely dreadful piece of legislation. As members on this side of the House rise to participate in the debate—

Mr Reynolds: Where are all your supporters?

Mr Nuttall: They are behind you.

Mr SANTORO: I assure honourable members opposite that they will all be in here in due course. I can assure them that they will be making contributions, one by one, over quite a number of days. Undoubtedly they will add to the very potent reasons I have already stated for opposing this Bill. Of course, there are many other reasons which will be covered by the speakers from this side of the House. Clearly, what I have already outlined is sufficient to convince anyone with any sense of decency to oppose this Bill in the most strenuous way possible.

The coalition is proud to boast that one of its greatest achievements in Government was the introduction of the legislation which gave Queensland an industrial relations system that was fair and visionary. The industrial relations system which the coalition Government put in place and which is still in place today, but not for much longer, has served Queensland well and should be allowed to serve Queensland well.

Government members interjected.

Mr DEPUTY SPEAKER (Mr Reeves): Order!

Mr SANTORO: It is a system which encourages more harmonious relations between employers and employees by stressing cooperation and common goals rather than conflict. It enables people to work more productively while enjoying greater job satisfaction and higher standards of living.

For those honourable members who were too preoccupied with interjecting to hear what I have been saying, I am actually talking about the coalition's industrial relations legislation. It provides the flexibility that business requires to be efficient and innovative in order to effectively respond to changing customer demands and increased competition. It ensures that genuine safety net protections and the notion of a fair go all round underpins moves to greater flexibility. It promotes sustainable economic growth, job and training opportunities and national and international competitiveness. This last feature of the coalition's IR system is one which has continued to deliver in the key area of jobs and it has enabled the Beattie Labor Government to boast of continuing jobs growth in this State.

Ours is an IR system which respects the basic God-given rights of all the people within the system and denies special interest groups, be it business or unions, any special legislative favour. It is an IR system which seeks to advance the interests of all in the system, not just the interests of mates and the friends of the Government of the day, irrespective of which Government it may be.

The coalition's legislation is fair and balanced. At the outset of the debate it is worth while outlining its basic provisions, many of which this Government is about to abolish. The coalition's legislation provides for: a choice of awards or agreements, with awards acting as safety nets; the availability of voluntary agreements to all enterprises, regardless of size; the right of employees to negotiate enterprise agreements using union representatives, private advisers or employee committees; collective agreements to have the concurrence of a majority of employees; agreements to be subject to minimum standards through a no disadvantage test; enterprise agreements to override awards and continue until replaced or terminated; agreements to be varied only on the request of all parties; agreements to apply only to parties and non-binding consenting parties; agreements not to influence awards; mechanisms to resolve disputes during agreements; wages to apply to awards, with provision for the Queensland Industrial Relations Commission to set minimum wages in award-free areas; emphasis on conciliation and capacity for parties to use private mediation as an alternative to the Queensland Industrial Relations Commission; the option of consent arbitration; provisions to protect the community from industrial action involving essential services; awards to contain dispute

resolution mechanisms for cooperative and complementary arrangements with the Federal system; the Queensland Industrial Relations Commission to establish minimum conditions to conciliate and arbitrate disputes and to consider unjust dismissals; the Queensland Industrial Relations Commission to have regard to the state of the economy, efficiency and productivity of industry; employer and employee associations to have rights of representation, with individuals to have certain rights of access to the Queensland Industrial Relations Commission; an Employment Advocate—at least, it was there until it was abolished through a previous amendment to the Workplace Relations Act—to provide advice on agreements and to support the recovery of entitlements; the Employment Advocate to be integrated with the industrial inspectorate, therefore increasing the efficiency of departmental processes; deregistration as an option for serious unlawful or irresponsible activity by industrial organisations; greater emphasis on grievance procedures; access to compensation for third parties who suffer loss from union action.

The coalition's industrial relations system and the legislation which is sought to be repealed also provides for speedy enforcement provisions to deal with the failure by parties to obey orders of the Queensland Industrial Relations Commission. We will come back to that later in the debate as we talk about this Government's attitude to that particular provision during the CFMEU incidents at Gordonstone and Sun Metals. The House can see that the coalition's industrial relations system and legislation are very fair. They do not favour one side or another in the system and they contain many provisions which demonstrably have underpinned the workability of the legislation that we are discussing.

There are many aspects of the legislation that I could be touching upon in this contribution. Unfortunately, because I have only one hour available to me, at least during this part of the debate, I have chosen to focus on three or four of the major provisions which are being tampered with by the Bill before us today. I will talk later about some of the reasons for the introduction of this legislation.

Mr Musgrove: I will move that your whole speech be incorporated in Hansard.

Mr SANTORO: Actually, I would not mind. I could just about accept that recommendation that the speech be incorporated in Hansard. Then I could continue to talk anyway. We are talking about major legislation and I am quite

happy to oblige honourable members if they really want to try me on.

What I wish to emphasise at this point is that the coalition's legislation provides choice for the parties within Queensland workplaces—the most essential parties being employers and employees. The provision of choice is particularly important in the vital area of agreement making. Within the coalition's Workplace Relations Act, the agreement-making options are varied and fair. There is provision for the making of collective agreements in the form of certified agreements directly between employers and unions or directly between employers and employees.

The agreement-making process for certified agreements is underpinned by democratic principles, such as the endorsement of the agreements by the majority of employees. It is underpinned by the availability of choice for the parties to invite union participation. I stress that. The process, however, does not provide for unwarranted, unlimited, undesirable union intervention at every stage of the process, as was the case under the Goss Labor Party legislation and as again will be the case after the Bill before us today is passed by the Parliament. The process provides for protection of employees' rights and conditions through the entrenchment within the legislation of minimum standards and processes, such as the application of the no disadvantage test—the no disadvantage test which is applied by the powerful and independent umpire, the Queensland Industrial Relations Commission, which, in our legislation, maintained all of the powers that were previously enjoyed under the Goss Labor legislation. I again state that the powers are undiminished within the coalition's IR legislation compared to what they were under the Goss Labor Party's legislation, despite scurrilous and intellectually dishonest claims made often by honourable members opposite and others outside this place. Of course, the coalition's legislation allowed for the making—the unfettered making—of Queensland workplace agreements between individual employees and employers. The QWA-making provision aimed to provide Queensland business, particularly small business, with the real opportunity to introduce greater and often essential flexibility into their operations through tailor-made agreements which took into consideration the specific circumstances of the businesses in question.

As for certified and collective agreements, the QWA-making process provided for

significant protection for employees. The bargaining agent for an individual employee, for example, could be a union. And before the Enterprise Commissioner approved a QWA, she had to be satisfied that an employee had genuinely consented to its terms. Provision was also made for a 14-day period when the QWA could be reviewed before it was signed. And of course, the no disadvantage test also had to be applied by the Enterprise Commissioner prior to approving the QWA. I am talking past tense because the QWA provisions within the coalition's IR legislation have already been gutted by an earlier amendment to the Workplace Relations Act 1997.

What the legislation before us today does is to further emasculate the weakened QWA provisions which are retained in the Beattie/Braddy Industrial Relations Bill 1999. The legislation before us places an irresistible emphasis on collective agreement making within Queensland workplaces—with all of the scope for union intervention which it provides at every step of the agreement-making process including, at the approval stage, when it is before the Queensland Industrial Relations Commission. But more will be said about this by other speakers in the debate. Needless to say, all that I can add in terms of the fairness of QWA provisions is that a good number of them were, in fact, rejected by the Enterprise Commissioner when they were placed before her for her approval, and they were rejected because, clearly, they were not up to scratch in terms of what the legislation wanted them to be. As a result of that, they were sent back to the parties for further negotiation, and the previous industrial arrangements applied until that QWA—or any QWA in question and rejected—was reworked.

The Workplace Relations Act 1997 also contains many other provisions which are fair to all parties within Queensland workplaces and which are to be substantially changed or abolished by the Bill before us today. One worth mentioning here at this stage of the debate are the right of entry provisions. The Goss Labor Government legislation allowed union right of entry to any workplace where the work carried out was covered by a registered calling of the union. In other words, a union had a right to enter anywhere it had employees eligible to join that union, regardless of whether it actually had members in the workplace. There was no legislative requirement to provide notice to an employer of the intent to enter. However, there was a requirement to forthwith on entry give notice of the officer's presence to the employer—even

though that last provision, of course, was of no godly use to an employer, particularly a small businessperson who, all of a sudden, had been presented with the presence of an uninvited union official.

This situation was, as I have just indicated, totally unacceptable, and the coalition, when it came to power, made it a priority to fix up this extremely anti-business industrial practice. The coalition's Workplace Relations Act again made reasonable and balanced provision for union entry into Queensland workplaces, including right of entry in workplaces where a union has members—in other words, where it was deemed to be a relevant workplace; the registrar was able to issue a certificate—and still at this stage can issue a certificate—confirming that it is a relevant workplace, if necessary; the certificate must be produced if requested by the employer; at least 48 hours' notice to the employer of intention to enter was also provided for on application by the union; and the registrar may waive the notice period for urgent reasons if the union was able to demonstrate that there were valid reasons. Again, I am talking about the registrar—part of the independent arbiter/umpire of the Industrial Relations Commission.

The legislation that I am talking about also provides right of entry provisions which allow industrial officers to inspect time and wage records of member employees or employees eligible to become members, interview employers about compliance matters and interview employees together or individually during non-working time. An employee can advise their employer not to reveal their time and wages record to a union officer or particular union officer. Again, that is a right that has now been denied. Inspection of time and wages records in relation to a QWA under coalition legislation can only occur with the written permission of the employee. Again, that is a right that has now been denied under this legislation. I am sure, as I have said before, that most reasonable people would agree that these are equitable and fair provisions which, in the main, are being abolished by the Beattie/Braddy Industrial Relations Bill, which we are debating today. And again, business—particularly small business—will be subjected to the harassment that used to be their regular and, in some cases, almost daily experience prior to the introduction of the coalition's Workplace Relations Act 1997.

Another major alteration to the industrial relations laws of this State relates to the unfair

dismissal laws. I wish to briefly outline the unfair dismissal provisions within the coalition's legislation. These provisions give clear recognition that unfair dismissal laws under the Goss Labor Government created a great deal of anxiety, especially in the small-business sector. As a result, a lack of business confidence was created to engage new staff, with the result that unlawful dismissal laws served neither the interests of employees nor employers. I will outline shortly the impact on employment during the Goss Labor Government.

The coalition Government moved, in its legislation, to restore a fair go all round in the area of unlawful dismissals and thereby provided a much wider boost to small business and employment opportunities. The coalition legislation established an unlawful dismissal process which is fair and simple for both employees and employers. By that I mean that it provides a workable process which provides a proper balance between the merits of a case and questions of procedural fairness when considering whether a dismissal is lawful. Also, the coalition's unfair dismissal process encourages the timely conciliation of disputes and discourages the improper use of commission proceedings by expanding the grounds on which costs may be awarded. This discourages claims being drawn out unnecessarily by either party so as to disadvantage the other. So, clearly, the coalition's legislation provides a fair and simple process based on the principle of a fair go all round, a balance between the merits of the case and the questions of procedural fairness and an emphasis on conciliation whereby the commission plays a role.

These unfair dismissal laws have been working very, very well. I will come back to this point later. Not one case of abuse of these unfair dismissal laws has ever been presented in this Parliament, in the media or in any other forum since that legislation has applied. The Minister—who was then the Opposition shadow Minister—never once asked me a question with a view to embarrassing me, as the Minister, about the detrimental effect of the unfair dismissal laws that I have just described. Never once did he ask me a question, and never once did a union bring to the attention of the media or the Industrial Relations Commission a case where it was the coalition's unfair dismissal laws that were not working. Now, I acknowledge that there were unfair dismissal cases brought before the commission. But that is because it does not matter what system we have, there will always be people who will abuse the laws of the day.

But that does not mean that any unfair dismissal cases that were brought before the commission were the result of the coalition's unfair dismissal laws. If that had been the case, I would have had the unions writing to me and the then shadow Minister questioning me in Parliament—which he never did—on this matter. And, to the best of my knowledge, not one case was brought before the Industrial Relations Commission.

What I have outlined to date have been some, but not all, of the major provisions within the coalition's Workplace Relations Act of 1997—most of which are about to be either drastically changed and diminished or totally abolished. Of course, the coalition Government did enact another Act of Parliament called the Industrial Organisations Act of 1997 which deals with the operations of industrial organisations.

This Act, through the provisions of this Bill, is being totally repealed and incorporated in the Beattie/Braddy Industrial Relations Bill 1999. Within the Industrial Organisations Act the coalition introduced provisions to make all industrial organisations—employer and union organisations—more accountable to their members by implementing many of the recommendations of the Cooke inquiry. The provisions which aim to prevent the abuse of moneys and power which the Cooke inquiry revealed—and about which we will talk later on during this debate—provide for the financial accounts of industrial organisations to accord with Australian accounting standards as appropriate; require industrial organisations to include information in statements of income and expenditure for each purpose for which levies or contributions are collected; provide for model rules for the conduct of elections; provide that the rules of an industrial organisation must provide for an annual general meeting where, if the meeting takes the form of a meeting of elected delegates, no more than 30% of the total number are to be full-time officials; provide for the salary and expenses of each elected official to be disclosed in the industrial organisation's financial statements; provide that candidates for elections must disclose details of campaign funds; and provide that the cost to the Electoral Commission of industrial organisation elections is to be paid by the industrial organisation.

I am sure that most reasonable people outside of this place would regard these as reasonable, democratic and accountable provisions and many of them are being either drastically changed or totally abolished by the provisions of the Bill we are debating today.

Obviously, the unions have had their way and have obviously dominated the legislative process when it comes to this part of the Bill. There will be more said about this later on by other people who will be participating in this debate on this side of the House.

The coalition's Industrial Organisations Bill of 1997 also abolished those insidious provisions within the Goss Labor Party industrial relations legislation which prohibited genuine freedom of association. The coalition did support, and still fully supports, freedom of association principles. We on this side of the House believe that employers, employees and independent contractors should not be subjected to discrimination or victimisation because they are or are not members or officers of industrial organisations.

As a result of this commitment to principle within the coalition's Workplace Relations Act and the Industrial Organisations Act, all references to compulsory unionism and union preference clauses were abolished. Parties within the industrial relations system—particularly employees and independent contractors—were given back their God-given right to freedom of association, and the Industrial Organisations Bill provides protection for the rights of employees and others, including independent contractors, to join or not join an industrial organisation, and prohibits actions by both employers and industrial organisations which would amount to victimisation of, or discrimination against, employees on various grounds, including membership or non-membership of an organisation and involvement or non-involvement with an organisation or in industrial action.

The object of these provisions is to ensure that employers, employees and independent contractors may join or not join industrial associations of their choice, and to ensure that they are not discriminated against or victimised because of that choice. The legislation provides for various penalties for breaches. Employers and employees can expect a considerable amount of coercion to be applied to them by the unions and the officials when the provision contained in this Bill becomes law. That provision encourages union membership. If people do not succumb to this pressure, one does not need to be Einstein to figure out the consequences for small business as a result of union intimidation and pressure. So, effectively, union preference clauses are back in and freedom of association is dead. Other speakers will take up this point in the debate.

Effectively, the freedom of information provisions are being abolished. This will now make it legal for employees to be encouraged to join a union. How the word "encouraged" is interpreted is anybody's guess. I am sure the union's interpretation will differ greatly from the interpretation of employers.

I have been basically describing the coalition's industrial relations legislation which has been in place since early 1997. Other speakers in this debate will take up other strands in greater detail. Employers—particularly small businesses—have many concerns about the Bill, and I will just list them for the consideration of the Minister's minders so that they can finetune their notes.

Mr Braddy: What about for posterity?

Mr SANTORO: For the benefit of those who will carefully read this debate and for posterity, this is what small business is concerned about: the definition of an employee; unfair dismissals; union entry; union encouragement clauses and freedom of association; a seven-day period within which the registry must place notice re certified agreements; peace obligations reduced to 21 days from 28 days; the ability to flow certified agreements into awards; the abolition of greenfield site provisions; tenure for the Industrial Relations Commission; a full-time president of the court; legal representation before the commission; and abolition of accountability and democratic principles governing unions. Those are some of the issues that will be covered by other speakers on this side of the House. I suppose I had to be patient and summarise what I believed were the immediate and major concerns of employers—particularly small businesses.

However, the proof of the pudding is in the eating. It is instructional to assess what impact the coalition's industrial relations system has had in areas where key concerns were expressed by the then Opposition—now the Government—when I steered the legislation through the Parliament at the historic sitting in January 1997. The then Opposition expressed much concern about the coalition's legislation which we are effectively repealing today including: abuse of employees, which it would allow; its negative impact on jobs; and increased industrial disputation because of its draconian provisions.

In relation to the first concern that I have mentioned, other speakers during the debate will outline in detail the protections which are available within the coalition's legislation. These protections are comprehensive and

utterly protect the basic rights, conditions and wages of employees. I have already alluded to some of these protections.

However, what I can say here at this stage is this: at no time since the coalition's legislation came into effect in early 1997 has any member of the Opposition—now the Government—brought to my attention, the attention of the Parliament or the media, a case of abuse of workers and/or employees as a result of the coalition's workplace relations or industrial organisation laws. There has not been one single case. If there had been one—whether it related to unfair dismissals or QWAs, for example—we certainly would have heard all about it. There would have been outcry, strikes, speeches in this Parliament, questions to me as the Minister, media references and articles and scandal sheets. But there were none, and there has not been one, because the coalition laws were, and still are, fair laws that advance the interests of workers and protect their existing rights. When it comes to employment creation, the record of the coalition Government—operating under the workplace relations laws that we are debating today—is one of which we can be proud and one from which the current Beattie Labor Government is still reaping the benefits and basking in the reflected glory.

It is instructive to see the record of the coalition in relation to employment creation by the time the Government changed. From the time the coalition came to Government to May 1998, 97,700 new jobs had been created in Queensland with a record number of Queenslanders then in employment. Under the coalition Government, there were more Queenslanders in work than ever before. Total employment jumped to an all-time record level of 1,616,100 in May 1999. That was in stark contrast to Labor's last term in office, when 58,000 Queenslanders—and I stress that figure for members opposite: 58,000 Queenslanders—lost their jobs and unemployment soared by 65% under Labor's industrial relations laws. In July 1992, the Goss Labor Government gave Queensland its highest unemployment rate of 11.1%—the highest since the Great Depression. Compared to that record, in March 1998 the coalition gave Queensland its lowest unemployment rate of 8.3%—the lowest rate since July 1990, more than seven years.

Clearly, the coalition's policies had been responsible for outstanding employment growth and clearly one of those policies was its industrial relations legislation. Looked at from a national perspective, Queensland's employment growth for the year to May 1998,

just before the coalition left office, was 4.3% against the national growth of 2.1%. The State's then projected economic growth for 1998-99 was 3.75%, which was well ahead of the national rate of 3%, and in the 12 months to May 1998 under a coalition Government, 30,200 full-time jobs and 36,000 part-time positions were created. In fact, Queensland's growth in full-time employment accounted for 33.2% of the national figure of 91,100, while new part-time jobs in Queensland represented 41% of the national total of 87,700.

Just before the coalition left Government, there was also good news on the youth unemployment front. In May 1998, 15 to 19 year olds seeking full-time employment fell to 25.3%—the lowest rate since July 1996, a few months after the coalition came to Government. So there was record job creation and record low unemployment rates under a coalition Government operating under the coalition's industrial relations laws. Obviously, those industrial relations laws worked very well for the job creation prospects of the State.

Mr Johnson: And it is still working well.

Mr SANTORO: They are still working well and the Premier still basks in their reflected glory.

When it comes to industrial disputation in relation to the coalition's industrial relations legislation, again the story is very good. While the coalition was in Government, Queensland experienced progressively lower levels of industrial disputation, particularly since the enactment of the Queensland Workplace Relations Act 1997. Queensland went from being the strike capital of Australia under the Goss Labor Government to being the State that recorded the lowest level of industrial disputation in Australia. The Queensland strike rate decreased steadily from 172 in March 1997 when the Queensland Workplace Relations Act 1997 came into effect to 70 in January 1998. That represented a decrease for the 10th consecutive month and the Queensland rate of 70 for January 1998 was lower than the Australian figure, which was 73.

Mr Borbidge: The lowest figures since 1913.

Mr SANTORO: Absolutely, the lowest since 1913. That trend continued through the last few months of the coalition term of Government, a factor even acknowledged by the Government's own report resulting from a review of the industrial relations legislation in Queensland. Page 35 of the report states—

"Overall there is some evidence that mechanisms for consultation with

employees have increased and some of this is associated with bargaining and workplace change;

There are considerable requirements for consultation with employees built into the legislation as it relates to bargaining, although the evidence on enforcement of these is less clear."

Honourable members will notice that I am not quoting selectively from the report; I am giving the good comments and the not so good comments in that biased report produced by a stacked committee. I will talk about that shortly. The report states further—

"Strike action has declined, although this seems to be largely the result of economic and social factors, rather than changes in the system; and

the responsiveness and accessibility of the system is not easily assessed due to the lack of evidence."

Although the report baulks at coming to a conclusion as to why industrial disputation decreased during the coalition's term of Government, let me state the reasons why: because the unions had no moral or publicly sustainable reason to undertake widespread industrial action. Under the coalition Government, there was record job creation and record jobs growth, there was a record level of participation in the work force and, under the coalition's legislation, there were no demonstrated or proved cases of abuse. There was absolutely no reason that could be morally or technically sustained whereby the unions could say to the public that they justified in going on strike.

Why are we changing these laws that gave people jobs and job security and clearly were not being abused by employers, although members opposite often seek to demonise employers? Before coming to some of the points as to why we are debating this legislation today, I will talk briefly about the so-called review of the legislation by the Minister's task force. That task force consisted of an academic as the chair—who also happens to be the wife of the director-general of the Premier's Department—three employer representatives, three union representatives, another academic and two departmental representatives. One would assume that the academics would do what academics always do.

Mr Borbidge: It was pretty broadly representative, wasn't it?

Mr SANTORO: It certainly was. As the Leader of the Opposition suggests, the task

force was not representative at all. It seems to me that the small business interest and the employer interest were overwhelmed by the academics, the departmental representatives and, of course, the union representatives on that committee. Clearly, many of the recommendations within that report are not in any way intellectually or experience-wise sustainable in a small business context.

Of course, departmental consultation was nil. Departmental heads were complaining that the draft legislation was not provided to anybody of any significance within the Government. Two or three reports were floated around the Public Service, but they certainly were not made available to directors-general. As for employer consultation, the draft legislation was shown to employers on the Thursday before it went to Cabinet, on the Thursday before it was introduced in this place. Originally the employers were told that they could not take the draft legislation away for comment. Finally, after they objected, they were allowed to do so. Of course, the Minister was not the most easy person to get in contact with so that the employers could discuss with him their concerns about the legislation. When it comes to union consultation, which I am about to go into in some detail, of course the right unions were consulted, but, as we have heard over the last little while, many of them were not.

Basically, we have a union Bill that is designed to enhance union power and to entrench union power. One needs to look at the reason why this is the case.

Mr Schwarten: Be original.

Mr SANTORO: I will be original. Shortly I am going to start quoting the amounts of donations made to the ALP by the union movement.

Mr Schwarten: It's a surprise that unions give money to the Labor Party.

Mr SANTORO: I went to the Electoral Commission and purchased the returns by the Labor Party to the commission and had a look at what donations from the trade unions go to the Queensland Branch of the Australian Labor Party. I found that in 1994-95 the figure was \$1,019,000; in 1995-96, \$1,074,000; in 1996-97, \$969,000; and in 1997-98, \$1,907,000. In other words, \$2m—up from \$1m in 1994 to \$2m in 1998. When one looks at the unions that are giving money, one can see how the power struggle comes about. I know that other members—

Mr Borbidge: In future the AWU might be giving a bit less.

Mr SANTORO: It is interesting that the Leader of the Opposition makes that point, because I am sure he will appreciate finding out how much the AWU donated in 1994-95—\$218,540; the ALHMWU, \$108,000; the Shop Distributive and Allied Employees Association, \$108,000; the AFMEU/PKIU, \$74,000; and the Queensland Nurses Union, \$47,000. In 1995-96 the AWU donated \$287,000; the CFMEU, \$135,000—they got into the act that year; and the ALHMWU, \$142,000. In 1997-98, the campaign year, the Australian Workers Union donated \$221,000; the CFMEU, \$79,000; the ALHMWU, \$153,000; the SDAEA, \$130,000; and the CEPU, \$68,000.

The honourable member for Rockhampton interjected earlier and asked whether it surprised us that unions give money to the Labor Party. The answer is that it does not because we know that they do. However, unlike any other entity that donates to the non-Labor parties, the unions own the Labor Party and they dictate to the Labor Party what it does in this place.

Clearly the CFMEU is the big winner over the AWU in this legislation, as can be seen, obviously, through the abolition of the greenfield site provisions. When one looks at the power structure involved, the CFMEU is strongly backed by John Thompson, the secretary of the ACTU in Queensland. Both the ACTU under his leadership and the CFMEU are led by strong left-wing unions and union leaders. What sort of people are involved in these unions and union conglomerations? John Thompson is the fellow who, when the good people opposite got into Government, said, "To the victors, the spoils." That was despite the fact that the victors' vote at the election fell by 5%, but they claimed a mandate. I admit that the non-Labor vote was also significantly affected at the election, but there is no way that members opposite should have claimed a mandate based on the election results. However, that is what John Thompson said.

Of course, the CFMEU is made up of law breakers. Members need only witness the assault and the vandalism on Parliament House in Canberra, the racial vilification, the sexual intimidation and the disregard and abuse of Queensland Industrial Relations Commission orders in relation to Sun Metals and the illegal picketing at Gordonstone, which was supported and condoned by members in this place. Members need only consider the Full Court's findings on the CFMEU and the BLF. In relation to the BLF, the court said that it made no real attempt to bring about

compliance with the commission's order in relation to Sun Metals. When it came to the CFMEU and its organiser Michael Ravbar, an industrial officer employed by the union in Brisbane, and particularly the local organiser Frank Young, who had the carriage of the CFMEU's compliance with the order, the court stated—

"Young's activities on the morning of 22 February fell far short of what was required by paragraphs 3 and 5 of the order and Ravbar's instructions to Young did not constitute substantial compliance with those terms."

They broke the commission's orders. What did Bill Ludwig say about the finding of the commission? He stated—

"When the actual hearings were on both in the Commission and in the Court, the government"—

that is, the Beattie-Braddy Labor Government—

"made no submissions, no submissions at all in terms of support for the State Industrial Commission and support for their own laws, so you would have to question ..."

And yet this Bill favours the CFMEU over the AWU. Why is this the case? I will state a few reasons and I will go deeper into them later in the debate.

Obviously, Peter Beattie hates the AWU and Bill Ludwig. They kept him in the cold for so many years that, basically, he is settling the score. Beattie owes the CFMEU and the ACTU for their election support and the constant antagonism of those two industrial organisations to the coalition Government. The AWU was professional enough to work within the laws. It is a pragmatic union, which is one of the reasons that it is favoured by employers in terms of greenfield site arrangements. The AWU cooperated professionally with the coalition Government. I do not mind saying that at the risk of giving Bill Ludwig an even worse reputation than he already has. They cooperated because more than any other Queensland union the AWU understands that the State rides on jobs. When it needs to come to an arrangement and an accommodation, it starts thinking about jobs rather than indulging in ideological recrimination.

Of course, apart from the fact that he owes it debts, Mr Beattie favours the CFMEU because he wishes to undermine his Deputy Premier, Mr Elder. I will not go into a long political discourse on that issue. We will see

that fight develop and it will be displayed for all Queenslanders to see over the next few months.

The Opposition is also looking at an outside influence on this legislation, that is the influence of the director-general of the department. We will eventually have a very close look at how the director-general of the department dealt with the CFMEU when the coalition was in Government and what favours have been returned as a result of those dealings. I will say more about that at a later stage.

This Bill provides a shift in the balance of union power. Normally I do not concern myself with union power or any shifts in the balance in union power. The tragedy for Queensland is that it is a shift of power from a pragmatic union, in so far as a union can be pragmatic in terms of jobs and the greater public good, to a union that is clearly unlawful, that abuses the system and abuses the workers. As a result of the abolition of greenfield agreements, we will see the end of industrial peace and an increase in industrial disputation; the increase of demarcation disputes between unions, particularly the CFMEU, the BLF and the AWU; and open warfare, not only between unions but also between unions and the Government of the State. Basically, that will undermine the image of Queensland as an investment destination. Queensland will not be seen as a State in which overseas and interstate investors can invest with confidence, sure of a stable political and industrial relations environment. The people at Sun Metals have already told the Government that, and the Government knows it. This legislation will place in great jeopardy the existing investment in Sun Metals. It will also place in great jeopardy the expansion of that project.

Mr Borbidge: It will sink Stage 2.

Mr SANTORO: It has the potential to sink Stage 2. The Government has been told that, yet it is still proceeding with this industrial madness in this place. Bill Ludwig will not let the Government forget it. As I said not too long ago in this place, he said—

"In the fullness of time people will come to understand that the ALP was the political wing of the trade union movement.

It's a historical position that I was referring to. As history tells us, the ALP grew out of the industrial disputation during the 1890s shearers dispute.

Others might argue otherwise, but from my union's perspective, we don't want to rewrite history."

Bill Ludwig is very mad at the Government. He has said that the new legislation is not workable. He is reluctant to say that he will be seeking revenge, but it is clear that Beattie has not won a friend in Ludwig. He also said that the AWU would have to "suck it and see" and that greenfield site provisions were bad—bad for investment and bad for jobs. Asked if he could work with unions like the CFMEU, he said that it would be like joining the AFL and the NRL together and inventing a new game like hopscotch.

A week or so later, after he had time to suck it and see, Bill Ludwig spoke with Spencer Jolly about Peter Beattie. Spencer Jolly introduced the interview with the following words: "The Premier is well aware of AWU anger at his industrial relations reforms, however just days out from the State conference Mr Beattie won't budge." The Premier said, "There will be no trade-off, there will be no side deals." I understand that some side deals are being desperately attempted as we speak. We will see how good those side deals are and precisely who benefits from them. Ludwig said, "I don't think there's much fairness in the legislation." The reporter went on to say, "The Premier and the Labor Party soon may not be able to count on the AWU's \$125m contribution to the party's coffers each year." Ludwig said, "It probably has not deteriorated to that point yet." The reporter said, "However, rising discontent in AWU ranks over the Beattie Government's recent decisions could boil over into a call to walk away from affiliating with the party." Ludwig said, "We always have to have their thoughts in mind." Ludwig will not forget this.

This is not just good old union bashing from me; I am talking about the undermining of industrial and political stability in this State. Not only will there be unions against unions, there will be unions against the Government of the day. The message that that sends out to potential investors is bad, bad, bad for jobs, jobs, jobs.

Later on, a member of the Opposition will make a very substantial contribution in relation to the survey which the QCCI conducted and published. But the news in that survey is all bad. This morning I heard the Treasurer attack it viciously. Obviously, he has not read the survey. When it is quoted by other members on this side of the House, he will realise that 37% of all employers who responded to the survey—it is a representative survey, and we will give the details of it—will be laying off people. That is the legacy—the gift—of this legislation to the union movement. That is the real present that the people whom the union

movement purports to represent will get—jobs losses and declining job opportunities.

The next time we hear the union movement bemoaning the lack of job security, we will know that it can thank this Government and its bloody-minded ideological commitment to overturning good legislation for job losses. We have to ask the question: is the union movement legitimately and morally entitled to have so much say? I accept that the Labor Party grew out of the union movement and that there should be an affiliation or a heartfelt connection and perhaps even an intellectual connection. I understand that it provides a lot of intellectual sustenance for the Labor Party. That is understandable, because of their history. However, let us look at whether that can really be justified.

Basically, the union movement has been in decline for many years. The Government's own review shows that even under the coalition's legislation union membership declined. The Government's report identified that, under the coalition's industrial relations laws, there was a decrease in union membership from 395,400—31% of all employees in Queensland—in 1996 to 394,100, or 30.9%, in 1997. That happened under the dreaded, much maligned and, if we listen to members opposite, malignant coalition industrial relations legislation. People were so unconcerned about it that they left the union movement; they just did not join. The official figures for every union in this State, with the possible exception of the State Public Service, where there is still an incredible amount of intimidation to be in a union, show that union membership declined. The Labor Party has no moral basis for its claims. On 3 May 1999 an article headed "Unions struggle for relevance" appeared on page 10 of the Courier-Mail. In that article, Mr John Thompson said of union relevance—

"... for the movement to 'have a voice', unions need to represent at least 40 percent of all workers."

Unions have got only 30% membership now.

Mr Borbidge: And dropping.

Mr SANTORO: And it is dropping. According to the definition of "relevance" given by the ACTU boss in this State, the unions do not have a voice.

Mr Borbidge: Rejected by 70% of workers.

Mr SANTORO: That is right. Under the coalition's industrial relations laws, the unions were not only rejected but also not embraced by the vast majority of the work force. Before I

make the most telling point about the union connection to this Bill, I will make another point. On 29 May 1999 an article appeared on page 12 of the Australian Financial Review headed "Workplace laws erode union power". It went on to describe how the coalition's Federal and State industrial relations laws, because they actually give people a choice as to whether or not they want to associate with a union of employees, resulted in people walking away from unions because we gave them that choice.

Another interesting article in the Australian Financial Review summarises some research into the area, which is very abundant. The article is headed "Service-oriented unions fare better" and states—

"The researchers, Dr Richard Hall and Dr Bill Harley, found that by the mid-1990s just over a quarter of Australian unions had adopted this service-oriented approach, which treats union members as consumers by: Providing non-industrial services ..."

The unions have lost the battle in terms of industrial relevance. These days they need to offer financial advice, training and discounts on goods and services to attract members. They are no longer providing core services—a responsibility with which they were entrusted by their original members and whom they served faithfully until 20 or so years ago, when they started becoming irrelevant because all they were interested in was pursuing ideological agendas. That is why the Courier-Mail, small businesses and all other decent, freedom loving, thinking Queenslanders will hate this Bill.

It does not matter what Government members say in here, because we will go out and say that we will repeal what they are doing in this legislation when we are back in Government. That is what we will say and publish. It does not matter how much Government members try to mock or denigrate us, because they will not be able to come up with an intellectually sustainable argument to justify their laws. Under the coalition's industrial relations laws there was massive employment growth and a massive participation rate. They never once came into this place and questioned the former Government or me, when I was the Minister, about abuses. That is because they were not occurring. The reason this Bill is here is to give unions entrenched legislative monopoly power so that they can become attractive; so that they can have the power to enforce compulsory unionism to boost their membership from 30% back to at

least 40%, which John Thompson identifies as the relevant threshold. We will speak about what the Government is doing and we will know that what we say is already supported by the majority of Queenslanders, particularly the small business sector, which employs the majority of Queenslanders, and we will win the moral and intellectual argument.

A little while ago I was almost thinking about getting out of politics. I will tell honourable members one of the reasons that I decided to stay involved and to hang around for the long term. It was not so that I could get even but to do good things again in this area. It was also because of this Bill, when it was introduced by this Minister. I will hang around. I will give Government members one guarantee: we will fix the industrial relations system of this State again, but next time permanently, when the people give us a chance to fix it.

Mr ROBERTS (Nudgee—ALP) (3.57 p.m.): This Bill restores some fairness and balance back into the industrial relations system, which is in stark contrast to the attack dog and armed security guard approach fostered by the coalition. Who can forget the Rottweilers and the thugs who stood on the wharves at Hamilton, in the electorate of the member for Clayfield, during the Patrick dispute? Who can forget the urgings by the member for Clayfield and the coalition in respect of the work undertaken by Patrick during that dispute? This Bill changes all of that and, as I said, restores some balance and fairness back into the system. It is a positive step towards a fairer and a more transparent industrial relations system.

The Opposition often engages in negative campaigning on unions. The member for Clayfield gave us an example of that. He said that he did not dislike unions. However, the last 20 minutes of his speech was effectively a union-bashing exercise.

Mr SANTORO: I rise to a point of order. I find the comments that the honourable member made in relation to my comments about unions untrue, and I ask him to withdraw them.

Mr DEPUTY SPEAKER (Mr Mickel): Order! The honourable member has asked for a withdrawal.

Mr Schwarten interjected.

Mr ROBERTS: I said that—

Mr DEPUTY SPEAKER: The member has asked for a withdrawal.

Mr Schwarten interjected.

Mr Santoro interjected.

Mr DEPUTY SPEAKER: Order! The Minister will refrain from interjecting, as will the member for Clayfield.

Mr ROBERTS: I withdraw the comment.

The legislative response of the coalition in this place highlights the basic distrust and dislike it has of unions. Some of the examples are clearly highlighted in the Workplace Relations Act. Firstly, it limited the role of the commission in resolving disputes and, consequently, the ability of unions to seek peaceful resolution to disputes. It limited the access of unions to workplaces. It sought to marginalise unions in the agreement making and industrial process generally. In particular, it focused its efforts on concentrating industrial relationships down to a one-on-one employee versus employer arrangement, primarily through the attempt to foster individual contracts.

A recent instance of the rampant anti-unionism in the coalition was demonstrated through the almost hysterical arguments put by many coalition members during the debate on the mining industry health and safety legislation in which there were genuine attempts to directly involve unions in the health and safety processes in the mining industry. Thankfully, this Bill reverses the trend established and entrenched by the coalition. As I have said and as many members on this side will say, it restores some fairness and balance back into the system.

I want to talk about some of the positive aspects of trade unionism. I am proud to declare my long association with the trade union movement. I spent 10 years as an industrial officer for the Electrical Trades Union and the vehicle builders union and also as a health and safety training officer for the ACTU, or what is now known as the Queensland Council of Unions. I am proud of my involvement with the trade union movement and of the achievements of the trade union movement, and I am proud to be part of a Government that is putting some fairness back into the industrial relations system as well as making changes that will benefit workers across this State.

I wanted to highlight just a couple of key features in the Bill during today's debate, in particular the restoration of the awards system. Awards used to be and still remain the benchmark for the wages and conditions of many workers, particularly in the small business sector. I will give just a couple of statistics: over 50% of rural and regional workers are entirely reliant on awards to set their wages and conditions, and only 1.6% of

small businesses are covered by certified agreements. So there is a significant reliance on awards in terms of the establishment of wages and conditions out there in the workplace.

The fact is that the award system has been withering on the vine since the focus has been placed more specifically on enterprise bargaining and individual contracts. That may have suited many employers because many wages and conditions in awards have lagged behind standards that have been set through the collective negotiations. It has led to a growing inequality between organised workplaces and workplaces where collective negotiations were difficult. That has been to the disadvantage of many, many workers.

The issues paper of the task force that the Government set up cites that since 1992 employees covered by enterprise agreements in Queensland have had a wage increase of between 15% and 20% above the award rates of pay. In contrast, employees who have had access only to arbitrated safety net adjustments at the award level have had only a 10% increase in that same period of time. Another interesting factor in the task force report was that most small businesses were generally content with the award system. That is entirely understandable because, provided the wages and conditions are clear and the award provides an allowance for appropriate flexibility, it is probably the most convenient and practical device for small business to set wages and conditions for their employees. It is also the most practical way to provide some protection to employees who are unable or not in a position to bargain effectively with their employer.

In a nutshell, awards are a great equaliser. They provide a fair means of underpinning the employment contract between employers and employees, and this Bill enhances the ability of awards to continue in that important role. Some of the key features in the Bill include a requirement for the commission to review awards every three years. There is a requirement for the commission to ensure that awards provide for relevant and fair wages and conditions in the context of general community standards. It also includes the provision which enables unions to have the capacity to argue that conditions that have been established via certified agreements can be included in awards, provided it is not contrary to the public interest. Those provisions will be extremely important in helping to maintain awards in an up-to-date and relevant fashion. Awards are probably the best means available to look after

the interests of employees, particularly those who are not in a position to bargain as equals with their employers.

A lot of negative comments have been made also about the award system itself. I want to talk a little bit today about the award system as a vehicle for change. There is much said about the efficiencies and work practices that have been derived from enterprise level agreements and individual contracts, and also much has been said about the so-called inflexibility of our award system. It is my view that there is little recognition in industry and in the community generally of the significant role that awards have played in introducing flexibilities into the workplace—

Mr Schwarten: And stability.

Mr ROBERTS:—and stability. I note also in recent days that the Federal Government still has its head in the sand and is in denial mode in relation to the benefits that can be derived from awards, and the same position is being adopted by the State coalition. They are currently running national advertisements with statements reinforcing the notion that awards are inflexible and are not suitable to most businesses. Of course, this is absolute nonsense.

There is a mistaken belief out there being fostered in particular by the coalition that it is only through enterprise agreements and individual contracts that people can get flexibility and deliver benefits to both employers and employees. My experience with the awards system is that it has, in fact, led the way in implementing innovative and flexible work patterns out there in industry. I was directly involved in the restructuring and modernisation of awards during my time as an industrial officer with the Electrical Trades Union, in particular, in the engineering awards. Some of my colleagues in the gallery can pass judgment on how successful we were in the exercise, but I think that there is a general acceptance that the reforms that were put in place in some cases up to 10 years ago were necessary and have, in fact, delivered great benefits both to employees and employers.

I want to just list some of the examples. These are examples which led the way before they became trendy and permanent features in certified agreements and enterprise agreements. In respect of hours of work, well before 10-hour days and 12-hour days or provision to work any five in seven days became the norm in flexibility agreements or enterprise agreements, they were inserted into the State based engineering awards. In addition, they had appropriate safeguards to

take account of the health and safety of the workers who were working those shifts.

Most of the awards in those days had provisions inserted into them which allowed the awards to be varied at a particular enterprise to establish conditions that would suit that enterprise or the circumstances of the workplace. All of the awards were required to have inserted into them flexible, skills based classification structures which delivered enormous flexibility in terms of the range of work that employees could undertake. The interesting part which is not given the recognition that it deserves is that all of these changes took place within the awards system—in fact, in my experience, well before they were heralded as the benefits arising out of certified agreements.

However, there was an inability or, in fact, an unwillingness by many employers and employer associations to recognise this fact and, indeed, an ignorance on the part of some employers that these provisions were available in their awards. The predominant ethos at the time was that the only way to achieve flexibility was to enter into an enterprise agreement or an enterprise award or sign employees on to an individual contract. As I have stated, that is nonsense, and the experience of the awards system shows that. I defend the award system as capable of delivering enormous flexibility in the workplace and at the same time providing a relevant and adequate safeguard to employees. This Bill places awards back where they belong, and that is as a viable and relevant alternative to enterprise agreements and individual contracts.

I want to make just a few comments about the dismissal laws. The member for Clayfield has once again perpetrated the myths and untruths that have been spread throughout Queensland and other States about these laws. What a dishonest debate about dismissal laws this one has been! The coalition has whipped up the hysteria about the so-called problems with our unfair dismissal laws. The facts are that, with respect to the Queensland jurisdiction, the Queensland Industrial Relations Commission has applied the dismissal laws fairly and equitably to both employers and employees for the last decade, and I have been directly involved in many cases under those laws before the Industrial Relations Commission.

Nobody has been able to provide me with the evidence or to convince me that there were major problems with these laws. There are always minor issues that can be addressed but, in terms of fundamental problems, the

laws were working well in Queensland and were being applied fairly by the commission. Everyone can point to a particular case that they may not be happy with——

Mr Santoro: Why don't you go and talk to small business?

Mr ROBERTS: I do talk to small business. I say to people, "Point out to me the actual real problem you have experienced with the unfair dismissal laws." I cannot get people to respond in a way which actually outlines what the problems were.

The facts are that there were a few stupid decisions made in the Federal jurisdiction which have been bandied about this country as a reason for the need to make significant changes to these laws. That culminated in the introduction of what I consider to be a draconian exemption from the protection of these laws, and that applied to employees who just happened to work for an employer who had 15 or fewer employees. What an injustice! Access to justice based on the size of your employer! No matter what an employer did to sack a worker, no matter that it might have been discriminatory or otherwise unlawful, the coalition's law allowed this to happen simply on the basis of the number of employees that person worked with. Thank God we are ditching those unjust coalition laws.

In my view, the introduction of the mandatory three-month probation period is a much fairer and more practical way of addressing the needs of both small and large business and also employees. It is much fairer and more practical than a total exclusion of workers from access to justice simply based on how many employees their employer employs. The additional protection placed within that three-month period is that employees cannot be dismissed for an unlawful reason during that period.

I will comment on one other significant amendment in this Bill, relating to carer's leave. The Bill provides a new right for Queensland workers to use up to five days' sick leave per year to care for immediate family or a household member who is ill. That new entitlement covers all employees, including those not presently covered by awards. It will be especially welcome by parents, who often feel torn between the obligation to work and the needs of their ill child. But this new condition allows them to draw upon their sick leave to be there when their child needs them most. It will also be of great benefit to people caring for elderly parents in their own home,

because they, too, will be able to access their sick leave to provide the care that is needed.

No longer will parents need to feel guilty about taking a sickie to care for their child. This new provision says that if your child is sick and you need to take time off to care for them, then you can do it without guilt. That, in my view, is a reflection of community standards. Parents should be able to care for their sick children without feeling guilty about taking the time off work. The Bill enables employees who have utilised all their available sick leave to take unpaid carer's leave with the agreement of their employer.

The entitlement to carer's leave is part of a package of minimum conditions which provide a basic set of rights to Queensland workers, regardless of their employment situation. They are all about a fair go for Queensland workers. This entire Bill is about delivering fairness to workers and restoring the balance to the industrial relations system. I commend the Bill to the House.

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (4.13 p.m.): This Bill is all about revenge. It is all about getting square. It is all about paying off the Labor Party's union mates. It is about a corruption of the political process. It is about settling scores with the Australian Workers Union. It is not about good industrial relations, as the Minister and his Government colleagues claim; it is about trying to reinvent the past. It is not about good public policy; it is about reinstating union preference and reimposing controls on the free workers who make up the bulk of Queensland's working population. We are standing up for the 70% of Queensland workers who will not have a bar of the trade union movement. This legislation is designed to look after Labor's union mates—another example of Government of the mates, by the mates, for the mates.

This legislation is not about good business. Business has not welcomed this Bill any more than it welcomed the unedifying pursuit of sectional interests that went into making this legislation. To the contrary, business has voted with its confidence index. No-one on the Government benches can afford to discount survey results such as those just released by the Queensland Chamber of Commerce and Industry which show that 37% of all employers could shed staff as a result of the new State industrial laws Labor wants to force onto the Queensland people.

It is interesting that the Premier's representative in north Queensland, his Parliamentary Secretary the member for

Townsville, is supporting legislation in this place that will cost his electorate Stage 2 of Sun Metals and Stage 2 of Korea Zinc. What a betrayal of his electorate! Just as he sought to betray his constituents in relation to Nelly Bay, he is now betraying them in respect of industrial relations.

This legislation is not about jobs, unless it is jobs for the boys and girls of the Labor movement and its sympathisers. It is a job killer of a Bill. In addition to the 37% of firms indicating in the QCCI survey that they would lay off existing staff, fully 67% have indicated that there will be a decrease in new employment opportunities as a result of this Bill if it passes into law. Honourable members say, "They are your mates." They are the people who employ Queensland workers. They are the people whom the Deputy Premier was quoting in this Parliament earlier. They are the people who collectively are the economic engine room of this State and who should be respected by both sides of the House.

Mr Reynolds: Unemployment was going up under your regime.

Mr BORBIDGE: Does the honourable member want to talk about unemployment? We delivered the lowest unemployment in Queensland for close on eight years. Unlike the current Government, the coalition inherited unemployment rates of 11%.

Mr Santoro: 11.2.

Mr BORBIDGE: 11.2%. We delivered the lowest unemployment levels in Queensland in eight years. With 17% of Australia's population, we were generating 40% of Australia's new jobs. My record will stack up against the record of honourable members opposite any time.

Despite the distractions from the current and outgoing member for Townsville, I state in short: this is a bad Bill—a product of the vacant lot that this do-nothing Labor Government uses as its policy base. It tries to reinvent the past, and it cannot do that. It tries to leg-roped the overwhelmingly small business private sector and force it into a big union mould. It cannot do that. It tries to resurrect the union shop, and it cannot do that. Perhaps on that basis it is a success after all. This is a can't do Bill from a can't do Government.

This Bill is a naked attempt by the newly resurgent Left to advantage the CFMEU—the would-be wreckers of Sun Metals and Townsville's future, the union supported by the member for Townsville, the law-breaker picketers of Gordonstone—at the expense of the AWU, the traditional Labor power base in

this State. It is a bid by the member for Kedron, who seems determined to go out with a whimper instead of a bang when his parliamentary world ends, to entrench and shore up the power of the unions. It is about getting square with Bill Ludwig.

Worse than that, this is an ideological Bill. We see that from the florid language used by the Minister for Industrial Relations in his second-reading speech. I remind the member for Kedron and the member who preceded me in this debate that there have been no dogs or balaclavas in Queensland industrial disputes under State jurisdiction. Those opposite talk about the MUA. That situation came about under Federal law—the same Federal law that Bill Ludwig says we will see unions and workers opting into increasingly because of the legislation Labor is introducing here. In fact, disputes have been at historical lows—the lowest under the laws of the coalition since 1913.

The public attention in recent Queensland industrial disputes has centred on the illegal antics of unlawful pickets at Gordonstone which, as I mentioned earlier, occurred under Federal industrial law—the law to which this intemperate Bill now before the House will drive increasing numbers of Queensland workers—and the spectacle of the member for Fitzroy playing Nelson Mandela and Mahatma Gandhi on that picket line.

The public attention has been fixed on the appalling, illegal activities of the CFMEU and the BLF rent-a-pickets at the Sun Metals construction site in Townsville. The public attention has been fixed—transfixed, one could say, since this was the most unedifying spectacle of all—on the craven inability of the Premier and his Minister to act to end that damaging dispute.

The public attention has been focused on the Premier's and the Minister's brazen fiction that the State Industrial Commission had been so gutted by the coalition's legislation that it had insufficient power to put a stop to the distemper in Townsville. The lie was given to that self-serving political line—to that claptrap—by the Industrial Court itself. The lie was given to that disingenuous spin by Bill Ludwig himself, who is evidently better able to understand plain English than the duopoly of lawyers opposite—the Premier and the Industrial Relations Minister—who appear to believe that they are leading a crusade. Well, they have got the numbers wrong again. The first crusade was a moderate success, measured by outcome from the victors' perspective. The Premier and the Minister

seem determined to embark on an approximate re-creation of the fourth crusade, which was an utter disaster.

The proponents of this Bill appear to believe that they are engaged in some holy war. But there is no holy war in industrial relations in Queensland, and the Labor Party knows that. That is why it has had to invent one. The Minister tells us that the Bill spells out his expensive experiment—that it is time to load the Queensland Industrial Relations Commission with judicial status and turn it into a lawyers' picnic.

In his second-reading speech, the member for Kedron, the same member who has been curiously silent—I hope with embarrassment but, I fear, for lack of energy, since he was found to have misinformed himself about the substantial powers of the existing commission—told the House—

"At the centrepiece of these industrial relations reforms is the establishment of a strong and independent umpire—the Queensland Industrial Relations Commission. The appointment, for the first time in 80 years, of a full-time president of the Industrial Relations Commission highlights this Government's commitment to raising the status and standing of the commission within the Queensland community."

He went on—

"The Industrial Relations Bill places increased functions and powers with the commission. These new powers will allow the commission to intervene in disputes which are damaging not only to the Queensland economy but also to those disputes that threaten to harm or disrupt local communities. They will also allow the independent umpire to put a check on violent confrontations and avert continual and costly recourse to the court systems. More conciliation and arbitration, not further emasculation of the independent umpire, is the way to bring real benefits to the Queensland community."

Pure Orwellian newspeak!

The Minister knows very well that the existing legislation provides a strong and independent umpire—the same umpire as the wink-and-a-nod administration opposite encouraged rogue unions to try to ignore in the Sun Metals dispute. The Minister also knows very well that once that dispute threatened to get right out of hand—through his inaction and the Premier's inability to steel himself to go to the commission as he should,

instead preferring to propose a phoenix act by that renowned 11th-hour fixer, Bob Hawke—the resolution was swift and sure, and through the existing commission under the existing laws.

In the matter of lawyers and their appropriate presence in the industrial relations arena, let me quote to the House the words of the member for Kedron on 30 January 1997, when Hansard recorded him in this place—debating the coalition's successful legislation that he now seeks to exterminate—as saying—

"One of the reasons why the industrial relations system in Queensland was more successful and far more cost effective than the equivalent systems in New South Wales and Victoria was that lawyers were kept out of a lot of the areas of the system—areas where they were not needed. Many a lawyer in the southern States has grown fat on becoming a so-called expert in industrial law ... where it was far better to have union advocates and advocates employed by the employer organisations."

The Minister might like to explain to the House why something he held to be a self-evident truth in January 1997 has become in June 1999—a mere matter of 17 months, much less than the lifespan of many other fragile flamboyants—a significant untruth. I do not think he can explain. I would love to hear him try.

The Minister also might explain to the House why he and the Government have sidelined the State's most important employer organisations in their discussions about a radical redirection of industrial law and practice. Is he so convinced that he is right that he can afford to ignore sound advice—advice such as that offered by the QCCI, whose chief executive, Clive Bubb, makes the very reasonable point that, for small business, Labor's changes to the IR landscape could become a nightmare? They have, as Mr Bubb notes, lost their exemption from unfair dismissal claims and could now be faced with legal representation. What would have been one day before the commission with a settlement cost of \$2,000 could now become four days before the commission with a \$20,000 settlement cost. In the past, the commission has not usually exercised its power to award costs. But it is hard to argue with the proposition that once lawyers are able to flourish their briefs in the commission, one of the first questions asked at the conclusion of every case will be the question of costs. And

it will indeed be interesting to see what happens when the commission awards costs against a union or a worker who loses a particular case.

Mr Santoro: The unions hate this, also. The unions hate this provision.

Mr BORBIDGE: That is a valid point from the member for Clayfield. The unions hate this, as well. Mr Bubb, who deserves applause for taking the fight up to the Government on this score, also makes this point—

"If the Government has the best interests of Queensland business at heart, it will not persist with this proposition."

I commend that unchallengeable commonsense to honourable members opposite.

People today demand choice. They want to have power over their own lives. Increasingly, they want to work in environments that do not fit a one-size-fits-all approach to the workplace or anything else. Nothing in the existing legislation—the legislation that this Bill seeks to vandalise—stands in the way of collective bargaining or union membership. Our legislation emphasises cooperation, not confrontation. That it is effective in achieving this aim is clear from the historic lows in disputation to which I referred earlier and the declining level of trade union membership in Queensland under the coalition's industrial relations laws.

We on this side of the House are not stuck in the groove of some ancient class conflict, which in Australia was always a bit of a furphy. That seems to be the fate of Labor. The Bill before the House asserts that the award system is becoming irrelevant and outdated as a consequence of the commission being limited to awarding minimum safety net adjustments targeted at the low paid and suggests that this is unacceptable as a significant proportion of Queensland workers remain solely reliant on the award system to set their wages and conditions. It asserts that the range of collective bargaining arrangements available to employers and employees is inadequate in meeting their specific circumstances and that the process is unnecessarily adversarial, with parties unable to receive assistance from the commission when negotiations break down.

The Minister, in his second-reading speech, claimed that the Workplace Relations Act 1997 had destabilised the industrial relations system by fostering conflict,

contributing to an increase in inequitable wage outcomes and promoting the reduction of workers' rights. Wrong, wrong, wrong! The award system in the private sector—the productive wealth-generating sector of the economy—is neither irrelevant nor outdated as a result of the coalition's legislation or any other factor. It is changing—as everything must change—to adapt to changed circumstances. The range of collective bargaining arrangements available to employers and employees is, in the end analysis, limited only by the limitations the parties to them place on them themselves. Far from being a straitjacket, the coalition's workplace laws free employers and employees to make bargains that best suit themselves.

The commission is the final arbiter under the existing legislation. The Workplace Relations Act 1997—the Queensland legislation which, by deliberate decision of the coalition Government retained important, and I might say vital, historic Queensland elements in workplace regulation—has not fostered disputation. The record speaks for itself. We had the lowest record of disputation since 1913. Only the member for Kedron and the other Horatio Nelsons opposite who insist on putting their telescopes to their blind eyes cannot recognise that fact.

The coalition legislation, which this Government wants to dispose of to curry favour with its union mates—but not with the AWU—maintains awards on a simplified pattern designed to create opportunities for unionists to share in the benefits of today's more flexible workplace. According to the Government, new legislation is needed to take account of both economic and social goals. The Minister claims that his Bill will deliver positive outcomes for all Queensland industry and the economy. I can tell the Minister that not even Bill Ludwig believes him.

We already know what business thinks about this Bill. Business has said what it thinks, loud and clear. It thinks that if this Bill is enacted into law—and whilst I do not need to remind the House of this, I repeat that the coalition will be opposing it lock, stock and barrel—it will cost jobs. It will cost lots of jobs. This will further delay the Premier's promise of a 5% unemployment rate.

We already know what roughly two-thirds of Queensland's private sector workforce thinks about this Bill. They believe it is this Bill that is irrelevant because they choose not to be in a union. We already know what a sizeable segment of the union movement thinks about this Bill. If the member for Brisbane Central

and the member for Kedron cannot remember—or if they choose not to remember, or to repress that memory—they can ask Bill Ludwig. I am sure they will see plenty of him this coming weekend. There are three strikes against this misadventure in manipulation.

If this Government is serious about getting it right, it will think again. If this Government really has a vision for the future of Queensland, it will think again. If this Government has any interest in leading rather than following, and in making decisions rather than just doing what its mates in the CFMEU want, it will think again. This Government has no vision. It cannot raise interest in the broader community. This legislation is bad legislation. It is a reward for the trade union law-breakers, condemned by all responsible Queenslanders except for the Premier and his Minister for Industrial Relations.

It is a get-even proposition with the AWU. The AWU will have to suffer because it has been more responsible in terms of greenfield agreements under the Goss legislation and under the coalition's legislation. This is bad legislation that will cost jobs. I am absolutely amazed to see this act of political corruption which epitomises a pay-off to unions that have broken the law and which is an assault on unions that have obeyed the law. It is an attack on the 70% of the Queensland workforce who do not want to be in unions. It is bad legislation. The Opposition will oppose it clause by clause.

Time expired.

Mr WILSON (Ferry Grove—ALP) (4.34 p.m.): I rise with great delight to speak in support of the Industrial Relations Bill 1999. The introduction of Labor's Industrial Relations Bill is a proud moment in Queensland's history. Equally important is the repeal of the coalition's anti-worker and draconian Workplace Relations Act 1997 and the Industrial Organisations Act 1997.

These two pieces of legislation introduced by the shadow Minister, Mr Santo Santoro, were merely replicas of Peter Reith's Federal workplace relations laws. The coalition's legislation was not only anti-worker, it was anti-Queensland. The Reith/Santoro legislation did nothing to promote jobs. It did nothing to promote equity or fairness for workers or employers in the workplace. Instead, it created disharmony in Queensland workplaces and it reduced workers' rights and promoted an environment where disputes such as the Patrick dispute and the Gordonstone dispute

were allowed to go unchecked with little regard for the Australian community.

The coalition advocated that its legislation was about choice, but the reality is that the coalition's laws were far from a matter of choice for either employers or workers. The coalition's laws imposed its view of the world on all Queensland workplaces regardless of whether they suited or not. The coalition had, and still has, an ideological mindset against the nature of our collective system of industrial relations.

The coalition actively sought to dismantle the award system, to limit the nature of collective bargaining and to reduce the powers of the independent umpire—the Queensland Industrial Relations Commission. We merely have to look at Peter Reith's proposed second wave of changes to see further reductions in awards, reduced rights for unions and workers in collective bargaining and a savage cut in the powers and the role of the Australian Industrial Relations Commission.

Of particular importance is the introduction of so-called voluntary mediation and the limit on the aspects on which the commission can exercise its conciliation and arbitration powers. If there is a dispute between an employer and workers, both parties have to volunteer to participate in mediation and to pay for those services. This notion is not only ridiculous but it is ludicrous. It will do nothing to help the workplace, and it will do nothing to help or protect the Australian community from damaging and protracted disputation. It is just another example of how ideologically driven the Federal coalition has become. The Opposition in Queensland would like to go the same way. These proposed changes will only see more industrial disputation similar to that which we witnessed during the Patrick and Gordonstone disputes.

The coalition has been egging on the dispute at Gordonstone and saying that it is a matter for the employer and the workers to sort out. It has no regard for the interests of the local community. It has no regard for the role of the Government as the protector of the public interest. They egged on Patrick without regard to the Australian community.

The Queensland Government's new laws stand diametrically opposed to the coalition's agenda. Let us not be under any misapprehension. The Government's laws will be fair, equitable and balanced. This legislation will benefit not only employers and workers but also the Queensland community. This is something that the coalition and other critics of the Bill have forgotten in this debate.

Since Federation, the Australian and Queensland industrial relations systems have both facilitated and encouraged collective industrial relations with due regard for the community and promoted a central role for the arbitration commission. The system recognised that there is an imbalance between employers and workers and that this imbalance is best rectified through a collective approach that protects workers from the vagaries of an unregulated market. It has also protected the community through being able to control damaging disputes through the exercise of the conciliation and arbitration powers of the independent umpire—the Industrial Relations Commission. As a result of this collective system, workers in Australia have benefited from relatively high wages and advanced conditions of employment. As a result, employers have benefited from a regulated system where they are not subject to the vagaries of the marketplace or to protracted disputation.

The Australian community has benefited by being protected from damaging industrial disputation and through the adoption of fair standards of employment in workplaces. By and large, this system has removed the dog eat dog mentality that pervades workplaces in other countries. All industrial relations parties have benefited from this collective system of industrial relations which has encouraged participation and consultation. However, over the last decade, there has been a concerted effort to dismantle this collective system. There is no better evidence of that than the introduction of the Reith workplace relations law and Mr Santoro's laws. Mr Santoro's laws are merely a parrot version of the Federal system.

The underlying rhetoric of the Reith/Santoro model was that individualism would be the new way of organising the workplace. However, the real agenda has been to undermine and gradually destroy the collective system of industrial relations and to leave workers subject to the vagaries of common law employment contracts—virtually in no better position than they would have been 100 years ago under the master and servant legislation of that time. Common law contracts are subject to interpretation, enforcements and remedies only through the civil courts, which is a very expensive and lengthy approach to work relationships. The reality would be that only those individuals with enough money to take matters to the courts would ever get there. The vast majority of workers would simply have to cop whatever was dished out to them. When it is considered

in the light of the coalition's broader social agenda, which is the total dismantling of the social safety net system, the economic agenda becomes exposed: to drive down wages to compete in an international marketplace with rock bottom wages.

The important distinction to make when contrasting individual versus collective contracts is that, by acting in a collective manner, to some extent workers can shift the balance of bargaining power to a more moderate position under the influence of a strong Industrial Relations Commission. This is not only relevant to the determination of wages and working conditions of particular workers but also it goes to the opportunity for workers to influence the decisions that are made about them, their working circumstances in the workplace and the opportunity to play a broader, political role in the community. So our system of industrial relations will permit and encourage collective action and organisation in industrial relations. It will cement these opportunities for workers. At a broader level, a commitment to a collective system of labour law is a commitment to an egalitarian society that prides itself on its maturity and ability to encourage participation by workers in decisions made at a workplace level.

At the heart of a collective system of industrial relations is a strong trade union movement. Through membership of a union, a worker gains both bargaining power, the possibility of participation in the industrial relations of a workplace, and the opportunity to participate in a democratic trade union structure that is regulated by law. This Government does not back away from supporting a strong, independent and democratic trade union movement. Our laws recognise the important role that trade unions play in the workplace and in the system of collective industrial relations. We are not ashamed and, in fact, we say proudly that we are happy to stand up and say that it is right for every worker to be able to belong to a trade union free from the fear of being sacked, discriminated against or coerced.

That is the very opposite of what has been occurring in Queensland workplaces since the introduction of the coalition's Workplace Relations Act 1997. Since the introduction of that Act, workers have been subjected to direct and indirect pressure from employers and from the then Government to move away from unions. The underlying message, which both the Federal coalition Government and the previous State coalition Government have been peddling, is that workers no longer have to be in unions. In fact,

they have peddled in a not so subtle way that it probably would not be to a worker's advantage to be in a union. That is a very underhand, not so subtle message to Queensland workers whether or not they are members of unions.

The coalition's way was to attack the very essence of the trade union movement—which has protected and advanced workers' rights and interests—to attack the collective nature of industrial relations. Everything in the coalition's laws was about a prohibition on the rights of unions and unionists in the workplace. Everything in the coalition's laws was designed to place as many barriers as possible in the way of not only unionists but also workers to combined negotiation with the employer. The resultant effect was a reduction in workers' rights, a greater exploitation of workers generally and, in particular, disadvantaged workers.

Trade unions have fulfilled and will continue to fulfil an important role in our society and at work. It is interesting to note the recent research that the Federal Howard Government commissioned through the Labour Ministers Council to ascertain workers' views in the workplace. That report, titled *Employee Attitudes to Workplace Reform*, was undertaken by Australasian Research Strategies Pty Ltd and issued in April 1999. It found the following—

"Security and self-esteem drive favourable attitudes towards unions. For many workers, the role of unions is deemed to be important in enabling workers to make more money than would otherwise be the case and to maintain their families' quality of life, thus bringing them the sense of accomplishment and self-esteem."

We should forget the rhetoric, particularly of the Opposition members, and we should forget the catchy lines; unions are important to enable workers and their families to have a quality of life in our society. This Bill recognises that, and we are proud that it does so. Just as employers have the right to belong to and have access to an employer association—also known as a union—so, too, will workers have the right to belong to and have access in the workplace to their employees' union.

The Industrial Relations Bill 1999 is an unusual piece of legislation in the current Australian industrial relations climate. It was formulated with a consideration of the real needs of all the relevant parties and following extensive consultation with them. It provides for a range of mechanisms to achieve reform

in Queensland workplaces, but importantly it recognises that there is a real need to achieve that in a fair and balanced way to both workers and employers. In that regard, it does what the coalition legislation never did: it restores the balance.

Philosophically, the legislation owes a great deal to a collective model. These collective underpinnings, together with a recognition of what is needed in Queensland workplaces, makes the legislation forward looking. It is legislation that is sufficiently flexible to adapt to meet the challenges of the 21st century. I commend highly this Bill to the House.

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (4.47 p.m.): It is beyond my comprehension that an otherwise intelligent man like Peter Beattie cannot grasp a simple concept, which is that we cannot create jobs unless we first create business confidence. Labor's Industrial Relations Bill 1999 does absolutely nothing to create business confidence in Queensland. In fact, it does the exact opposite: it shatters their confidence. The last thing Queensland needs right now is another blow to business confidence. In recent weeks, two respected surveys should have rung alarm bells for the Beattie Government. However, it is hard for the Government to hear the alarm bells ringing while the CFMEU is in its ear.

The Yellow Pages Small Business Index recorded the biggest downturn in business confidence in three years, with Queensland down to 44%, well below the national average of 55%. Likewise, the Australian Society of Certified Practising Accountants Small Business Survey showed business confidence in Brisbane was the lowest of the business confidence in any mainland capital. In Brisbane, just 18% of small businesses are expecting to employ extra staff before Christmas—the lowest rate of expectation in any State capital in Australia. More to the point, the Yellow Pages survey found that small businesses believe that the Beattie Government's policies are working against them. A net 8% more proprietors believe that the Beattie Government's policies are working against them rather than for them—a 16% drop over the past three months.

Now Labor delivers to them a body blow in the form of this Industrial Relations Bill. It sends a very clear message: Labor is not interested in the big picture, Labor is not interested in governing for all Queenslanders, Labor is interested only in doing what one militant union wants it to do.

In an article in the Courier-Mail on 24 May, Australian Workers Union boss, Bill Ludwig, stated that removing greenfield agreements for construction projects would be bad for investment and bad for jobs in Queensland. In that same article, he stated—

"In the fullness of time people will come to understand that the ALP was the political wing of the trade union movement."

I do not profess to know how the power blocs work within the Labor Party, but I think that it would have been more accurate for Bill Ludwig to have said that right at this very moment the ALP is the political wing of the CFMEU. The grubby fingerprints of the confrontationist, power-obsessed Construction Forestry Mining and Energy Union are all over this IR Bill. All Queenslanders who care about the long-term future of this State should be very concerned about the influence that the CFMEU appears to be having over this Government. Last month in Parliament we saw the CFMEU get their own way totally in the Coal Mining Safety and Health Bill. As prepared under our Government, the draft Bill was a good Bill. Then the CFMEU got hold of it and suddenly Mr McGrady's new Bill called for statutory officials in open-cut coal mines and gave the CFMEU a monopoly on appointing health and safety officers. Despite his repeated bleatings that he is totally committed to achieving a 5% unemployment target, it is clear that the Premier and his Government is only totally committed to one thing: implementing the agenda of a militant union. The coalition will fight this unfair, unwarranted, anti-jobs, anti-business Industrial Relations Bill every step of the way, amendment by amendment.

Today, I intend to look at five aspects of the Bill and briefly outline how each will have a negative impact on the future of the State and the future of all Queenslanders. Those five aspects are: the scrapping of greenfield agreements on construction projects, unfair dismissal provisions, the right of entry to workplaces, the shortened peace obligation period and unfettered legal representation before the Industrial Commission. Greenfield agreements on construction projects have been good for Queensland because they allow an investor to get on with the job by choosing which unions they will deal with on a project. It is called freedom of choice. It is called competition. It is called reality. It is the only way we get best practice.

What do the following 17 big projects have in common: Osborne mine, Cannington

mine, Ernest Henry mine, Gunpowder mine, George Fisher mine, Enterprise mine—all of them, by the way, in the north-west minerals province around Mount Isa—the Kenmare mine at South Blackwater, the Boyne smelter at Gladstone, the Townsville port, Century mine at Lawn Hill, Moranbah North mine, the magnesium pilot plant at Gladstone, Bellara gas field, the Bellera to Mount Isa pipeline, the Mackay sugar terminal, the Western Mining Corporation's Queensland fertiliser project and, of course, Sun Metals at Townsville? The CFMEU could not get a start on any of them. The cold hard truth is that if the CFMEU is given a start, there is no telling when one will finish. Investors have enough risks to contend with on big projects as it is. In this investment climate with billions of dollars at risk, investors simply will not risk projects blowing out and going over time and over budget.

In pure and simple terms, this legislation is totalitarian. It is about forcing investors to deal with organisations that have shown by their past and present actions that they are far more interested in confrontation than construction. The T-shirts worn by CFMEU and BLF picketers at Sun Metals said it all. They said, "We run amok, we don't give a (expletive deleted), because there's not a boss we can't toss!" Those T-shirts were made in China. If this legislation forces investors to deal with the CFMEU and the BLF, or any other union that is out to derail their projects, a lot more things will be made in China. Precious little will be made in Queensland because there will be precious little investment in Queensland.

I am not singling out the CFMEU because I favour the AWU. The coalition is not interested in giving Bill Ludwig's AWU a walk-up start to every big project. We do not care about the Rockhampton line or the 22nd parallel deal that the unions made years ago. Those who are conversant with Queensland Labor history will know that some 40 years ago union bosses drew a line on the map and anything north of Rockhampton was designated as AWU territory. We do not care about the Rockhampton line, but we do care very much about a new line that investors are going to draw on the map. That new line is a big red line right around the perimeter of Queensland. The message of this Bill is: if you're an investor, don't cross that line into Queensland because in Queensland, if you want to build a big project, the union-dominated, union-funded and union-run Government has new legislation that says you have to deal with every union who wants to be involved.

Mr Beattie made the incredibly naive claim that scrapping greenfield agreements will stop disputes such as the Sun Metals strike from happening and will end demarcation disputes. He could not be more wrong. Instead of ending demarcation disputes, this Bill will encourage, foster and breed demarcation disputes. The only saving grace is that employers will choose to register their agreements under the Federal system where, thankfully, greenfield agreements on major construction projects remain in place.

For my last word on this matter for now I draw the House's attention to the written judgment by the Industrial Court over the failure of CFMEU and BLFQ officials to properly inform their members about back to work orders in the Sun Metals dispute. The judgment said that the union organisers' activities, which were purported to be in compliance with the requirements of the Industrial Relations Commission, were in fact, "substantially designed to further the agitation which had led to the order being made in the first place." Investors and their banks simply will not cop organisations whose mission statement could very well be "further the agitation". They will go elsewhere and with them will go jobs.

The second point I want to make about this Bill concerns unfair dismissal. If members speak to any business person—small, medium or large—

Mr Santoro: Which they don't.

Dr WATSON: Indeed, they do not, as the shadow Minister has said—they will say the same thing. They will say that the harder we make it for business to fire, the less likely business is to hire. The quickest way that Queensland will get anywhere near 5% unemployment is if the small businesses that make up the vast majority of the employment in this State have the confidence to hire. How can they have confidence when Mr Braddy takes away the exemption from unfair dismissal laws for employers with 15 or less employees? And what do we get in its place? A three month probationary period.

Mr Lucas interjected.

Madam DEPUTY SPEAKER (Ms Nelson-Carr): Order! The member for Lytton will return to his seat if he is going to interject.

Dr WATSON: If a worker lasts only three months in a job, the boss has to jump through hoops to get rid of them if they are not performing. In three months, many employers will not even have finished showing someone the ropes. In three months, many employees

will not have been properly put to the test. This is hardly an inducement for small business to start hiring again. If Labor is determined to kick small business in the guts by dropping their exemption from unfair dismissal laws, then at the very least the probationary period should be a more realistic six or perhaps even 12 months.

The third major problem that I have with this Bill relates to the right of entry to workplaces. This is yet another example of how Labor has bowed to the unions and completely ignored the recommendation of its own industrial relations task force. Currently, the Workplace Relations Act 1997 requires that 48 hours notice be given by union officials wishing to enter a workplace. The Federal Workplace Relations Act 1996 provides for 24 hours' notice.

Mr Santoro: We did well up here, didn't we?

Dr WATSON: We did very well.

The task force unanimously—that is right; unanimously—recommended that the period of notice to be given by organisations of employees for entry to workplaces should be 24 hours. But what does this Bill state? It states that employers should get zero notice. Unions can show up unannounced anywhere anytime, and they can speak to employees during work time. How are employers supposed to comply with legislation which demands that unions get access to necessary records when no notice is required to be given? Without reasonable notice being given, how are employers on construction projects and mine sites, for example, able to take adequate precautions to ensure the safety of unannounced visitors? The task force unanimously recommended 24 hours. The current legislation is fair at 48 hours, but the unions wanted zero hours so we get zero hours. It leaves Mr Beattie and Mr Braddy with zero credibility.

The fourth part of this Bill that I want to comment on is the peace obligation period. This is yet another example of the unions having the final say on this Bill at the very last minute. It begs the question: why bother to have a task force at all if they are going to let their mates from the militant unions waltz into the Neville Bonner Building, go straight up to the 6th floor and rewrite the legislation at the last minute?

The industrial relations task force agreed unanimously that the peace period should be 28 days, with a maximum of 14 days running during the peace period of the agreement to be renegotiated. This meant that the parties

would have 14 days following the expiry of that agreement to conclude their negotiations without resort to industrial action. But what does this Bill give us? It gives us what the militant unions want—a 21-day peace period whereby 14 of those days can run during the term of an agreement being renegotiated. Big deal!

Industrial action is prohibited during the life of an agreement, anyway, so it really leaves only a seven-day peace period. That means there is little practical difference from the current legislation, because under the current legislation protected industrial action can be taken only following seven days' notice. Mr Braddy claims that the introduction of a 21-day peace period is yet another win for employers. Clearly, the Minister does not understand his own legislation.

The fifth and final point that I want to make about this Bill concerns the provision to allow unfettered legal representation before the Industrial Commission. This provision is different from all of the others because, clearly, the unions did not write this one. In fact, it looks to me very much like Mr Braddy had to prove that the unions were not going to write every last clause of his beloved Bill. He had to have at least one bit of personal input into it. What did he do? He came up with something that nobody wants—nobody except the lawyers, that is. The unions do not want lawyers involved at every step. The employers do not want lawyers involved at every step. The members of the task force, with the exception of its one lawyer member, all voted against having lawyers involved at every step. Just two years ago, Mr Braddy himself was opposed to it. On 30 January 1997, he said in the Parliament—I am sure he will remember this; it was one of his most succinct statements—

"One of the reasons why the industrial relations system in Queensland was more successful and far more cost-effective than the equivalent in New South Wales and Victoria was that lawyers were kept out of a lot of the areas of the system—areas where they are not needed. Many a lawyer in the southern States has grown fat on becoming a so-called expert in industrial law."

If this Bill goes through, the costs of arguing one's case before the commission could blow out tenfold. This change will force small employers out of the commission or send them to the wall with legal bills. They will have the choice of gritting their teeth and putting up with unsatisfactory employees or going broke

fighting unfair dismissal cases or, worse, paying off troublesome employees just to avoid the expense of having to defend themselves. As I said in my opening comments, instead of building business confidence, lunacy like this shatters business confidence.

In summary, this Bill shatters business confidence in Queensland, because it is about nothing more than increasing the power of trade unions at a time when their membership is in rapid decline. Scrapping greenfield agreements on construction sites sends a huge message to investors—

"Don't cross the line into Queensland, because in Queensland you'll have to give the CFMEU, the BLF, or both, a start on your project. When the CFMEU and BLF get a start on your project, there is no telling when it will finish."

This Bill kicks small business in the guts by removing the 15 employee level exemption from unfair dismissal laws and replaces it with a far too short three-month probation period. This Bill is unfair, because it gives instant right of entry to workplaces and because it gives us a shortened peace obligation period. It opens the way for lawyers to get involved in all aspects of industrial relations, and that means more claims, more cost and another burden on small business.

I despair for the democracy and the economic future of this State when I see the frightening level of influence that militant unions have over the Beattie Government. If we pass this Bill, we will have the "Queensland line". That is a line that investors will be very reluctant to cross.

Mrs ATTWOOD (Mount Ommaney—ALP) (5.05 p.m.): This Bill is about fairness and flexibility. The Beattie Labor Government wants to see genuine workplace reform balanced with fair wages and employment conditions so that improvements in productivity and workplace efficiencies will not be achieved at the expense of workers. The Labor Party in Queensland has a proud and long record of delivering substantial productivity improvements and moderate wage outcomes through an innovative industrial relations framework which offers flexibility while protecting workers' interests. The Industrial Relations Bill 1999 epitomises this. Workers in the electorate of Mount Ommaney support this and are grateful to the Government for this thinking.

This Bill introduces democratic freedom of choice to the State's industrial relations

system. The Bill is about choice for employers and choice for employees in determining the workplace arrangements that best suit their particular needs. Employers to whom I have spoken specify that working arrangements must have some flexibility in order to maximise profitability for the business and to optimise the morale and job satisfaction of the worker. The Beattie Labor Government strongly rejected the Liberal/National approach of confrontation and division that is best illustrated in the Workplace Relations Act 1997. When it comes down to it, most employees and employers want to work together amicably to achieve their mutual and respective goals.

Through this Bill the Beattie Labor Government has taken strong and decisive action to make a real difference in people's lives. With the Industrial Relations Bill 1999 we have refashioned the industrial climate towards constructive negotiation aimed at achieving mutually satisfying outcomes for both employers and their work forces. It is in the employer's interest to maintain a happy, regular and reliable work force that will be there for the long term. Employers and their employees will be able to choose the type of agreement that best suits their circumstances and particular needs.

The proposed legislation offers greater flexibility in providing a broader range of agreements, exceeding the limited options under the Workplace Relations Act 1997. Members of the Centenary and Districts Chamber of Commerce are looking forward to working with these arrangements. Employers and workers can choose between agreements that cover single employers, multiple employers, new businesses, projects or proposed projects, and agreements can be made to cover employees of the State. This arrangement will cover a variety of circumstances under which a person can be employed.

Workers and employers have the freedom to choose to negotiate collectively or individually. In addition to the types of collective agreements just outlined—which may be made with unions or directly with employees—employers and employees have the option of negotiating individual agreements, for example, a Queensland workplace agreement.

Of course, the Industrial Relations Bill 1999 is not a single-minded piece of legislation such as the existing Act and does not focus solely on agreement making as the only option in determining a fair standard of wages and

conditions. Groups of employers in an industry will be able to choose to remain within the viable award system for determining wages and conditions for their workers or to develop their appropriate agreements or agreement.

More than 50% of Queensland workers are reliant solely on awards to govern their wages and employment conditions. Under the coalition's laws, these awards were destined to be stripped back to 20 basic conditions and could only provide wages that are classed as a safety net—another action which shows total disregard for the workers of Queensland. The so-called safety net of award wages is often in the vicinity of 10% below the wages provided under agreements for employees performing similar work. No wonder people have to take on two jobs to support their family! Family life always suffers in these situations. This leads to lack of supervision of children and increased crime, and our social environment falls apart and disintegrates.

It is clear that employees who rely on awards for their wages and conditions have been disadvantaged when compared with workers who have been able to negotiate for wages and conditions that reflect the living standards of the community in which we live. It is often the case that workers who rely on awards are not only the low paid, but in many cases are women and those from disadvantaged groups. Why is it that in this modern country there is still this imbalance? The Industrial Relations Bill 1999 will right this wrong.

One of the principal objectives of the Bill is to ensure that wages and employment conditions provide fair standards in relation to living standards prevailing in the community. This is in the interest of fairness and equity. These fair standards do not have to be achieved through agreement making, as is the case with the one size fits all approach of the coalition Government, but may be achieved through the awards system.

Employers and workers have the freedom to choose the arrangements that suit their individual circumstances. The more than 50% of Queensland workers who are reliant on awards can look forward to legislation that provides for awards that will set fair wages and conditions, rather than be limited to a minimum safety net of wages and conditions. The awards will be reviewed at least every three years to ensure that they reflect the living standards prevailing in the community. With the regular rise in the cost of everyday items, a review every three years is not unreasonable.

The Bill provides for choice in the area of union membership. Employees will be able to determine whether to belong to a union or not without fear of discrimination or coercion to either join or not join. The freedom of association provisions of the Bill will also ensure that awards and agreements can contain provisions that encourage people to join and maintain membership of a union. This provision is consistent with decisions of the Australian Industrial Relations Commission and will allow for employees to be informed about their rights to decide whether or not to join a union.

Choice is a significant feature of this Bill when it comes to the recovery of unpaid wages and superannuation contributions. Existing laws require employees or their agents to pursue such a recovery through the Magistrates Court system. The Industrial Relations Bill 1999 provides employees with the options of pursuing a claim for recovery of unpaid wages through either the Magistrates Courts or the Queensland Industrial Relations Commission for claims not exceeding \$20,000.

For the first time in Queensland's industrial relations history, gay and lesbian workers will now be able to choose to declare their sexuality and be entitled to equal rights to working conditions in spite of doing so. The legislation does this in a number of important areas. They include: access to parental and carer's leave for same sex couples, requiring the Industrial Relations Commission to redress areas of direct and indirect discrimination in employment conditions through awards and agreements and through introducing a prohibition on the dismissal of a person from their employment due to their sexual preference.

Workers who are engaged as contractors but believe they are employees for all intents and purposes will be given the choice to pursue a claim in the QIRC for a declaration of their status as an employee. This will provide those workers who are forced into contracts to their disadvantage to be entitled to the same wages and employment conditions as their colleagues. These benefits include sick leave, family leave, annual leave, long service leave and maternity leave.

The freedom to choose is also evident in the arena of seeking the assistance of a third party when making an agreement. Parties to the development of an agreement will be able to choose to seek the assistance of the QIRC in the development of that agreement where negotiations have broken down. Of course, the parties are not required to accept the

intervention of the QIRC but can choose for themselves whether or not to involve the QIRC. Parties who wish to bargain without the intervention of the Industrial Relations Commission will be able to do so and can take responsibility for their own negotiations. Parties who choose to seek the assistance of the commission can do so, but it is important that people know that they have this option if needed.

The issue of choice appears in other less likely areas of the Bill. For example, employers will be able to determine whether they pay employees for industrial action or not. This ability for an employer to determine issues in relation to paying or not paying their own work force will also apply in circumstances of deciding whether or not to pay workers who are stood down due to issues beyond the employer's and employee's control. This is another example of the fairness of this Bill.

Under the unfair Workplace Relations Act of 1997, employers were prohibited from paying employees who are stood down for reasons such as inclement weather, regardless of the wishes of the employer or the provisions of an award or agreement. In fact, a situation arose only a few weeks ago in which working time was lost on the south-east motorway project as a direct result of the inflexible and dictatorial provisions of the Workplace Relations Act of 1997, which prohibits the payment of wages to employees who are stood down. The relevant award provides for payment for time lost due to wet weather, and the employer was willing to make the payment but this was prohibited under the provisions of the Workplace Relations Act 1997. Surely an employer has the right to decide whether or not to outlay their own money for the long-term advantage of their business. A significant disruption to the progress of the work on the motorway was only averted when the employees were informed of the proposed new provisions of the Industrial Relations Bill 1999, which provides employers with the ability to choose whether to pay or not.

The Industrial Relations Bill 1999 provides all Queenslanders with the freedom to choose workplace arrangements that best suit their circumstances and individual needs. After all, an employer must be able to decide what is going to be the most effective arrangement for their business. The freedom of parties to choose their own arrangements will assist the framework for industrial relations proposed by the Bill that supports economic prosperity and social justice for all Queenslanders. Basically, an employer wants to employ somebody who is going to be committed to their business and

will negotiate conditions with this in mind. On the other hand, employees want a job that is interesting, one that fits their skill base, one that they can take ownership of and one that can give them enough security to support their families, and this legislation provides that framework and that flexibility to foster harmonious working relationships.

I congratulate the Honourable Paul Braddy, the Minister for Employment and Industrial Relations, on his hard work and commitment with this reform. I commend the Bill to the House.

Mr DAVIDSON (Noosa—LP) (5.18 p.m.): In the Courier-Mail on Monday, 31 May, the Minister for Employment, Training and Industrial Relations said whilst photographed cuddling a lovely puppy, "Queenslanders lived in fear under the former coalition Government's 'dog eat dog' laws", when referring to the current Workplace Relations Act 1997 and the Industrial Organisations Act 1997. Let me tell the Minister that many small business owners in my electorate and all over the State of Queensland now have a fear that has nothing to do with dogs eating dogs, or even cuddly puppies. Their very real fear as of this date is being returned, as if in a time warp, to the days of union thugs demanding and getting from their public face, the Queensland Labor Party, the untrammelled right to again interfere in the legitimate management operations of business both big and small.

Less than 22% of employees in the private sector are members of a union. Thus it follows that 78% of employees in the private sector do not have the slightest interest in some union troglodyte whispering in their ears what the union can do for them. If for no other reason than this, it should be apparent to Mr Braddy, the Minister responsible for bringing this Bill into this place, that what his union pals and mentors in Queensland want is not what the great majority of Queensland's private sector workers want.

This Bill, if allowed to pass through this House, would impose a regime of a right of entry to business without the union official having to give notice to the employer, which is a return to the bad old days—a return to the unnecessary disruption of business over the length and breadth of Queensland. This Bill will allow a right of entry to a union official, who will have the unfettered right and ability to discuss any matter at all with employees during non-working time.

Apart from the bleating of the Minister's union dinosaur mates, is there or has there been any call from employees to be subject to

this attempt at coercion? I cannot recall any thunderous, vociferous appeal for Jennie George, Bill Kely or any other union predator to rush to Queensland post haste to save the workers from the clutches of the grasping employers. In fact, the reverse is the truth, even taking into consideration that Mr Beattie, "Mr Five Per Cent", the Premier of this State, would not do his job at Gordonstone with his union buddies and was happy to have "Bodgie Bob" come up to Queensland to do what he should have done himself.

Private sector employees are deserting the bullyboy tactics of unions in their droves and nothing that this Bill can or will do will arrest this flight. Even the dubious attempts to redefine who is an employee—its extensive range of cover will now include independent contractors—are but a shallow attempt to significantly alter common law definitions. It is another unsubtle endeavour to cast a wider net for the Minister. This Bill is nothing more than a touch of the forelock by the Minister to the major financial supporters of the Labor Party.

Earlier in my comments I referred to the possibility of coercion. I can hear Mr Braddy say, "My Bill specifically points out that coercion is not permitted." And so it does. A provision encouraging an employee to join or maintain membership of a union exists, and it does specifically state that coercion is not permitted, even though any union official can enter any premises to have a chat with a worker. We all know what that entails, given the past history of union visits to business. This clause is not only conflicting, confusing and unnecessary; it also appears to be in conflict with the freedom of association provisions. Apart from these provisions, this ability to enter business premises is an unwarranted intervention in an employer's business by a third party and would only create disharmony in the workplace.

After all, just who do these people think they are? Have they ambitions to follow the Left Wing faction of Minister Spence and her Director-General, Marg O'Donnell, who have not waited for this legislation to pass through this House to commence their own version of "join up or else". I table documents sent to the staff of the Department of Fair Trading which very clearly spell out the position relative to unionism in the department. People do not have to have the Treasurer's qualifications to understand the ramifications of resistance to it. The memorandum signed by the Director-General of the Department of Fair Trading, Marg O'Donnell, states—

"Together with the union, we will be establishing a consultative forum across both Departments that will provide an opportunity for staff and unions to directly contribute to the future direction of the Departments. As a member of the union"—

that is, Ms O'Donnell——

"I am supportive of their work, and recognise that working together in a united way will ensure that we achieve the strategic goals of the Departments. I look forward to working with the SPSFQ and I encourage you to actively participate or contribute to these important forums."

There are three SPSFQ representatives on the joint departmental consultative committee—three union officials involved in formulating the future directions of the Department of Fair Trading. I believe that is nothing short of intimidation: "Join the union movement or lose your job". Of most importance, this Bill does not at any stage indicate how the commission will define coercion. Is it any wonder that business is anxious about and in fear of the consequences of this unbridled attempt to halt the march of membership from an insipid and irrelevant union movement?

As if to further restrengthen the slipping union grip, this Bill, under the title of certified agreements, does away with the greenfield agreements. In this new provision, a 21-day peace obligation has been inserted, which occurs 21 days after the giving of notice by either party of intention to begin negotiations for the agreement and ending no earlier than seven days after the nominal expiry date of an existing certified agreement. It is worth noting that the task force that prepared the basis of these changes recommended that this period be 28 days. The impact of this provision is that unions will be able to take action seven days after the expiry of a current agreement as long as notice has been given 14 days before the end date of that current agreement.

To top off all of this union indulgence, a new provision is included which will allow a relevant union to be heard on the application for certification of an agreement, including a non-union agreement. This should be a great help to demarcation disputes! But just to make sure none of the union buddies miss out on the cake, the commission is required to notify all relevant employer organisations of such an application and tell them they are entitled to be heard. What a terrific—in the true sense of the word—way to encourage employers to enter into certified agreements. Not only can

those who do enter into them expect lengthy delays in getting agreements ratified; they will enjoy untrammelled and unwanted union intrusion in their affairs in gargantuan proportions. That represents another win to the Labor Party's financiers at the expense of business and employees.

Just to make certain that business continues to receive a proper caning from this Bill, which the Minister would have us believe represents a commitment to restore fairness and balance to Queensland's industrial relations system, it will now be lumbered with what is poorly termed "flow-on" of certified agreements. The existing provisions have been reworded and state that the commission "may include" in an award provisions that are based on the certified agreement if it is satisfied that it is consistent with the principles of the full bench in deciding wages and employment conditions and that it would not otherwise be contrary to the public interest.

The major concern here is that the changing of the wording, albeit very subtly, may see applications of this nature being made more frequently and more frequently succeeding and thus, as a flow-on, becoming an award. This will not encourage enterprise bargaining, because those who do not enter enterprise bargaining agreements will see their gains subsequently flowing into awards. Where is the incentive to enterprise bargain and thus enjoy the economic benefits to both parties that are enjoyed in other places where no such provisions or potential exist?

The ramifications of this Bill bring nightmares to the legitimate dreams and aspirations of the engine room of Queensland's economy: small business. The pandering by this Government to union demands will set back the nature of a balanced but flexible workplace in Queensland and, as a result, severely damage the engine room of this State's economy. Is it any wonder that business feels betrayed by the promises of this union-led rabble posing as a Government?

If all of what I have just said is not enough to deter even the most lion-hearted of entrepreneurs from doing business in Queensland, the potential to let the legal fraternity into this morass of industrial madness certainly will. Quite correctly, employers have maintained a strong opposition to allowing the legal profession to appear in the Queensland Industrial Relations Commission without the consent of the parties concerned.

There is a misconception that by allowing solicitors to appear there will somehow be a

lessening of involvement by aggressive independent consultants in the tribunal. However, allowing solicitors to represent parties will most likely see an increase in the amount of matters pursued by solicitors, who, in the main, are not familiar with the jurisdiction. As has been experienced in the Federal jurisdiction, the use of the legal fraternity by one party invariably sees the use of a lawyer by another party. In most cases this will be unnecessary, and the only reaction will be an increase in costs to everyone concerned. Of course, it will be argued that leave of the commission will be required before a solicitor can appear. Federal jurisdiction experience has amply demonstrated that it is rare for leave to be refused and, as such, the process almost becomes a formality. No doubt Mr Braddy's legal fraternity friends in the Labor Lawyers enclave will be ecstatic with this potential windfall. I know that small business in Queensland is a great deal less than enthused with this prospect, and with justification.

In his self-congratulatory media release of 24 May concerning this Bill, the Minister stated, when commenting on the unfair dismissal clauses of the proposed Bill—

"The benefits to small business and workers will also be seen in the introduction of a mandatory three month probationary period for all employees. An Australian first, this change reflects the Government's belief that small business has a right to access the suitability of its new employees."

How touching! For the Minister's edification, I point out that the much-lauded three-month probationary period for all new employees is already available to employers where the parties agree. However, the new salary exemption, whereby employees whose annual income exceeds \$68,000 are prohibited from bringing an application, will see an increased number of applications made by employees who are currently exempted. Similarly, the exemption for small businesses of 15 or fewer employees has now been removed, which will be a further incentive for employees to approach the commission and a further disincentive for business to employ workers.

That brings me to clause 83, which relates to what an employer must do to dismiss an employee. Apart from the period of notice and compensation provisions, this clause stipulates that dismissal can only take place if—

"... the employee engages in misconduct of a type that would make it unreasonable to require the employer to continue the employment during the notice period."

Misconduct is then described as—

- "(a) theft; and
- (b) assault; and
- (c) fraud; and
- (d) other misconduct prescribed under a regulation."

Now, this Government's previous industrial relations legislation waffled on in the same manner about misconduct. So let me tell members a story about one of my constituent employers and the matter of misconduct.

One of his drivers was taking an inordinate time to make his deliveries and was badgering his fellow employees to slow down their performance. I might add here that this particular driver was the only one who belonged to, as it is now called in politically correct language, an employee organisation within this firm. Naturally, the employer was concerned at this behaviour, which was not just incidental but a very common occurrence. As a result, the employer decided to follow this particular driver to find out at first-hand just why it was that this man took longer to do the job than the other drivers in his employ.

No sooner had the driver left the employer's premises than he proceeded to collect a very comely young lady who was definitely not the driver's wife. Needless to say, the extra time the driver took to make the delivery had absolutely nothing to do with the employer's business, since the employer's business was in no way funny. Consequently, the employer chatted the driver about his activities in company time and was promptly abused for his trouble. Nevertheless, the driver was not sacked, as he deserved to be, and continued to frolic with his lady friend as if nothing had occurred. Naturally, he was again asked to desist from this activity and, as a result of this chat, he verbally resigned.

However, surprise, surprise, the very next day the employee organisation's representative arrived to inform the employer that his organisation had advised the driver to seek compensation for wrongful dismissal. Further, the said rep from the union informed the employer that if he did not reinstate and compensate the driver, they would see the employer in the Industrial Relations Commission where, to quote this would-be thug, "We always win because the commission and the Government are on our side." Lovely industrial relations for you, Madam Deputy Speaker! This particular employer did not take too kindly to this threat and advised the union minion to go ahead with his threat and that, given all of the circumstances, he, the

employer, expected the Industrial Relations Commission to see things as they really were, given the verbal resignation—apart from the driver's job performance and misconduct.

Eventually, they all appeared before the commission. All of the evidence was produced and heard and, in the circumstances, one might have expected the driver—who, remember, had resigned verbally—to have been soundly advised by his employer of his responsibilities as an employee. However, I know that members will not be surprised to learn that the union minion had it right the first time. All that the hearing officer wanted to know from the employer was had he notified the driver properly in writing of his misconduct and the fact that such misconduct could lead to his dismissal? The employer correctly responded that he had not done so because the employee had verbally resigned and had never returned. Bad luck, Mr Employer! The commission not only found for the driver, in that he had not been properly notified, but also went on to award the driver \$7,500 in compensation for all of his troubles and, further, awarded costs against the employer. Just add another \$8,700 plus time to the bill for legal fees, etc. To add injury to the insult of this outcome, the driver then ran around the town boasting not only of his sexual prowess but also how he and the union had beaten the bosses. So much for misconduct, which obviously is a very costly commodity!

This Bill will take us back to that form of force and resurrect that type of costly result on business. And whilst on the subject of costs—just what will be the cost to this State with the proposed industrial tribunal and registry? This Bill provides for the appointment of a full-time President of the Industrial Court, a vice-president, a commissioner administrator, commissioners, registrar, president's advisory committee and inspectors—to say nothing of all of the attendant staff necessary to perform the stated duties. The mind boggles at the cost of the introduction of this army of officials and more so when one considers that all of this puffery is entirely unnecessary. Does Mr Braddy have some mates looking for a cosy job? Is this his way of reducing unemployment?

Obviously, there is a great deal more to this Bill than I have broached—and which my colleagues also have, and are contesting—but there are three things certain from what the Minister has presented to this House with these papers: one, the only winners with this document are the unions; two, the losers are Queensland business and the economy of this State; and three, the Labor lawyers have their

tickets to the gravy train. If the Premier of this State—"Mr Five Per Cent"—wants to embrace this Bill, he can wave goodbye to the major plank of his election promises—jobs, jobs, jobs—and his promise of 5% unemployment.

The Premier and his Minister Mr Braddy may have a nice, warm and fuzzy glow from this gross attempt at social engineering on behalf of their Trades Hall comrades, but I can assure them both that the employers and employees of Queensland will come back to bite them where it hurts most—at the ballot box—when the true cost of this futile exercise in industrial relations reaches into the pockets of every business and employee in Queensland. This is no bone of contention. This is a fact. This Bill belongs in the rubbish bin.

Mr PURCELL (Bulimba—ALP) (5.37 p.m.): We might get a bit of balance back into the debate, if we possibly can. The current system for negotiating agreements is hamstrung by ideological people who want to force people into agreements to which they do not want to be parties. Members do not have to cast their minds back too far to find many instances of this. They are not made up by us or by some fictitious employer. If members opposite want to run things past me, they should give me names and make them real, otherwise it is all make-believe—nearly as much make-believe as the reports of the port of Brisbane that the port authority put on this table here in the Parliament for three years. Those reports told us how well that port was doing; how the workers had increased their productivity in box rates down there; how the throughput was the best in Australia; how we were up to world's best practice; and how they could reduce the box rates per customer and give more money back to the people who were handling. But because somebody in Canberra said that they were not doing it right, they put up fences and did what they did. That is real. That is not fictitious.

Either those reports that were tabled in this House are lies and, therefore, the port authority should be dismissed, or they believed the lies of somebody else who was telling them that those workers were not performing and were not doing the job. Everybody on the other side of the House denigrated those workers and what they stood for because they wanted to go to work legitimately. And it was all ideologically driven. It was proven in the High Court of Australia that what they did was wrong. That is the sort of legislation that we are going to change. The legislation was wrong. It wronged people. It took away their livelihood.

The framework for negotiating agreements under the Workplace Relations Act 1997 is limited by the following ideological views: the enterprise is to be the focal point of agreement making; and employers and employees are to negotiate directly without the intervention of third parties. That never happened. The only reason Reith is not in jail now and that the parties did not continue the dispute was because the union decided that it wanted to survive and look after its members on the wharves. A Government has unlimited tax funds and can change the rules if it looks like losing. That is when one has to start looking after one's troops. No-one in this place would not believe that Reith was not a third party. He was illegally interfering in this matter in contravention of his own Act. I can assure honourable members that Reith's time is coming. The employees he conned onto the wharves will be just about getting to the Federal Court when the next election comes around. We will see how Reith and his little curly-headed mate handle it then.

Mr Santoro: The workforce is down by 50% and productivity is up. What about that?

Mr PURCELL: The reports have been tabled by the port authority. Is the member for Clayfield telling me that those reports are lies and therefore they should be dismissed because they have misled the Parliament?

Mr Santoro: You mentioned Reith. Are you going to sack him too?

Mr PURCELL: No. The member for Clayfield is saying that what Reith was saying is correct. He cannot have it both ways. Either Reith is lying or the port authority is lying. The honourable member cannot have it both ways.

A Government member interjected.

Mr PURCELL: I reckon he was. The hairs on the back of the necks of the other blokes should be standing up because they will not be there for much longer.

The latter view resulted in restrictions on the capacity of the Industrial Relations Commission to assist parties to reach agreement. There are not too many industrial relations practitioners on the other side of this House. From time to time both parties need a third party to assist them to overcome their problems.

Mr Santoro: Our legislation allowed that.

Mr PURCELL: Your legislation allowed nothing.

Mr Santoro: Yes, it did.

Mr PURCELL: If the other party refused to negotiate or sit down and talk, that was the

end of it. The assistance of the commission was denied to the parties.

The former has meant that it is very difficult to achieve agreement other than for a single business. As noted by the industrial relations task force in its final report—

"... the current arrangement makes agreements involving more than one employer, including those involving major projects such as construction projects, difficult to obtain."

Those are the words of the task force. I would say it is virtually impossible. In submissions to the task force, employer groups such as the Private Hospitals Association, the Australian Mines and Metals Association, the Queensland Hotels Association, the Queensland Chamber of Commerce and Industry—a few mates of yours, Santo—

Mr Santoro: They are all mates of mine.

Mr PURCELL:—and the Australian Industry Group argued that the range of agreements should be increased or made easier to achieve. Even employers are arguing that it is too hard to get agreement.

In considering submissions from such groups, as well as evidence about the uptake of agreements and trends in agreement making, the task force concluded that there should be provisions in the legislation for agreements for the following: a single employer or enterprise, multiple employers, projects and greenfield sites. The task force also recommended that these types of agreements should be equally available: that is, that there should be no ideological view that enterprise based agreements are somehow superior to other types of agreements and therefore should be easier to achieve.

The Industrial Relations Bill 1999 implements this recommendation. The Bill provides for agreements for a single business or enterprise, multiple employers' projects or proposed projects and for new businesses. Employer groups have been critical of the Bill on the basis that it does away with greenfield agreements. In fact, new business agreements are designed for genuine greenfield sites. Greenfield agreements were intended to cater for the establishment of new businesses—to make it easier for companies wishing to establish a new business to finalise employment arrangements prior to the employment of any workers. This is exactly what the new business agreements will allow.

To claim to be a practitioner and to say what the member for Clayfield is saying in relation to AWAs is absolutely wrong. Builders

employ people over a period. They go from site to site and from project to project. The member for Clayfield is saying that if builders have six different projects they should be paying six different rates because of six different agreements. That is absolutely crazy. All that is doing is sowing the seeds for the problems that are now being reaped in all sorts of places.

Mr Santoro: There's nobody complaining about the current arrangements.

Mr PURCELL: Nobody has complained about it? There have not been any industrial blues, hey?

Mr Santoro: You said employers.

Mr PURCELL: I said employees.

Mr Santoro: You said employers.

Mr PURCELL: They talk to me, Santo, they may not want to talk to you.

Mr Santoro: Come on!

Mr PURCELL: We named them.

Mr Santoro: Get out of it.

Mr PURCELL: Research suggests that greenfields are currently used as de facto project agreements for construction purposes as project agreements are extremely difficult to achieve under the Workplace Relations Act. For example, of the 108 greenfield agreements, 56 related to just two projects. The agreements involved were identical. Only the employer's name varied. This Bill's provisions for project agreements eliminates this unnecessary duplication. The Bill retains the advantages of greenfield agreements in providing for new business agreements. They may be made before any employee is engaged by the new business. Employers are able to rationalise union coverage for the new workplace.

This means that an investor wishing to establish a new manufacturing plant, for example, will still be able to finalise the wages and conditions of employees before they commence employment and be able to rationalise union coverage, if desired, in order to introduce flexible work practices. The Bill contains provisions for project agreements which offer many advantages for project developers.

Proponents of projects will be able to negotiate agreements which operate to the exclusion of other agreements so that all employees working on a project will work under a single set of conditions. This will eliminate a common cause of disputes on projects where employees of subcontractors working side by side on a project, undertaking identical work,

are in receipt of different wages and conditions.

Obviously, the member for Clayfield has not lived in Queensland for the past 30 years because, prior to the AWAs, project agreements were negotiated on sites for 25 years. The Queensland situation was a model for the rest of Australia. All the unions combined in a single bargaining unit. Every major infrastructure project from Norwich Park coal—which was when I first started with the union—to the building of the last big power stations were all negotiated under a single bargaining unit.

This did not occur elsewhere in Australia and the other States are now starting to reap the whirlwind. Workers discover that someone on site is receiving an extra 50c or \$1 an hour. There is leapfrogging on the site. Employers are held to ransom because people working side by side are receiving different wages.

The Loy Yang blue in Victoria arose because the metal trades workers received a wage rise, then the building unions received a wage rise, and the metal workers would chase that rise and so on. That job took four times longer than it should have because there was no single bargaining unit and a project agreement was not negotiated. It was absolutely crazy stuff. The member for Clayfield wants Queensland's taxpayers to lose money they can ill afford to lose when projects are not delivered on time.

Project agreements will be able to operate for the life of the project, thereby avoiding the need to negotiate a new agreement mid-project. Generally, agreements have a maximum lifespan of no more than three years. Employer organisations will be able to sign project agreements on behalf of member companies. That means that subcontractors who are members of employee organisations will automatically be covered by the project agreement while on the project site, thereby obliterating the need for subcontractors to negotiate a separate agreement. These provisions will make project agreements more attractive and workable. The provisions will ensure that all relevant unions are given the opportunity to be party to an appropriate agreement, which will avoid demarcation disputes. These provisions are similar to the informal arrangements that operated satisfactorily under the Industrial Relations Act 1990.

I remember a very nervous Bjelke-Petersen and Edwards speaking to the building unions when we won Expo. They were concerned that it would not be finished on time

and that we would experience what happened in Canada, where they were still building as Expo was operating. There was no problem. The Queensland Government sat down and negotiated a project agreement with the unions. They honoured their part of the deal and we honoured ours. End of story. Expo was built on time with a minimum of fuss.

Mr Santoro: It was a green site expo. You know that.

Mr PURCELL: What does the member mean? A green site? Does he mean that the builders did not work on other sites at the same time? What planet does the member live on? If the member believes that people working at Expo did not work all over Brisbane, he does not live on this planet. At the time, there was a boom in Brisbane. I happened to be organising that job and about 40 other jobs. If the member thinks that people just worked at Expo and nowhere else, he has no idea what is going on—none at all.

I know who the Government of the day rang when one of their employers had stuffed up and there was a problem because people were injured on the site, or because that employer was not adhering to the occupational health and safety regulations, or when people were not getting paid correctly. They used to give us a ring to come down and sort them out so that the job could finish on time. When we made a deal, we stuck to it. That is where most of the employers came unstuck. They did not stick to their agreements.

The Bill also removes the impediments in the current Act on the use of agreements by multiple employers, that is, joint venture situations, or cases where they are related to corporations, common enterprises, or employers involved in undertaking similar work. The Bill allows such agreements to be amended to add new employers when the other employer parties and the employees of the new employer agree. The Bill enables employers and employees to make the type of agreement that suits their needs, be that for a single enterprise or for more than one employer. The Bill retains individual agreements. Queensland workplace agreements are recommended by the task force.

The previous Government rhetoric was about choice. However, the choice and the range of agreements under the Workplace Relations Act 1997 is limited. The new legislation is not hidebound by ideology; it is motivated by the practical requirements of employers and employees who on a day-to-day basis spend their lives in industrial

relations and working in industries. The Bill provides an expanded range of agreements that are designed to meet the diversity of employment situations both now and in the future. This approach provides greater opportunities for employers and employees to select the most appropriate agreement for their particular circumstances and to negotiate agreements that meet their specific needs.

If anybody thinks that they can force people to work under restrictive work practices or that they can force somebody to join another organisation when they do not want to because of an agreement, or that they can move them from one site to another, they will find that, as the High Court found, it is unlawful. That is how Reith came unstuck in a large way.

I would like to talk about a couple of other matters, such as giving notice to enter a workplace. The people who interfered with that practice really did not know what they were about. I have heard what previous speakers have said about unions coming into workplaces. We have never had a problem with people coming into workplaces. Of course, employers who had problems with unions coming into workplaces had something to hide. Usually, their work site was unsafe. Therefore, the employer does not want the trade union representative looking at the working conditions or finding out the terms under which the workers are employed. To ask a union to nominate—give up an employee—who they are going to see is absolute rubbish. How many employers give up their mates, except Santo? I know that we on this side do not do that.

The members opposite also do not take into account that this Bill is going to apply to families. It is not the unions who work on sites; it is men and women who belong to families and who want a decent pay packet to take home to them. These people do not hide their money or bury it in a hole in the ground out in the back yard; they spend it. When they spend that money in the community, that expenditure multiplies about six times and creates more jobs. This Bill is all about families; it is about looking after men and women so that they can get a decent return for their labour. Earlier we heard that the single working parent is nearly a thing of the past. We have a Federal Liberal Government that pays lip-service to families. It does not care. It wants to enforce the Industrial Relations Act and screw wages down to as low as possible, thereby forcing both parents to work. That is an absolute disgrace. The pressure that places on parents and their children is absolutely disgusting.

The Workplace Relations Act 1997 is mirror legislation of the Federal Act. Through this Bill, this Government is changing the legislation to mirror what Queensland is all about—giving people a fair go. It strengthens the commission to help both sides. If we have a weak commission, we have weak industrial relations laws. Before I finish, I would like to quote the following—

"For a worker to refuse to belong to a union is not to exercise a democratic freedom. It is to accept benefits that others have worked for, without contributing to the costs.

Democracy flourishes only when freedom is accompanied by responsibility."

Debate, on motion of Mr Malone, adjourned.

BURNETT WATER STORAGE

Mr SLACK (Burnett—NPA) (5.57 p.m.): I move—

"That this Parliament reaffirms the Premier's public commitment to constructing a major water storage on the Burnett River within five years from the June 1998 state election."

On 11 June 1998, an ambitious Opposition Leader stood in the central Burnett business district of Bundaberg in front of a group of journalists and promised to build a dam on the Burnett River within five years subject to environmental studies. He said that water and the lack of Government action in this area was a symbol of the then Government's dithering. Mr Beattie then went on to tell the waiting throng exactly what the current Government was doing wrong. It appeared to him that the dam evaluation was dragging on because "one consultation process began as the previous one finished". Surely the now Premier would not have made this pledge to the people of Bundaberg without advice that it was feasible, practical and achievable. Some weeks before Mr Beattie's pledge, based on information from the Natural Resources Department and on the coalition's Cabinet position, the then Premier Rob Borbidge had already committed to the five-year plan.

Almost 12 months to the day that Mr Beattie made this promise to the people of Bundaberg and the Burnett, his Government stands condemned. By his own words and by his Government's appalling inaction on this desperately needed project, this Government stands condemned. Last week, the Natural

Resources Minister, Rod Welford, visited Bundaberg and admitted that it could take a further 24 months before the department would even identify the best site for the proposed Paradise dam or a major storage on the Burnett River. To keep their promise, that leaves the Government two years to conduct the IAS on the chosen site and actually construct the massive \$247m dam—a construction job that should take two years but could take three years.

Mr Beattie has not only broken his promise to the people of my electorate but also most likely damned to the unemployment scrap heap many hundreds of my constituents and those of Labor member Nita Cunningham. This is from a Premier who talks jobs, jobs, jobs and a 5% employment target! That is another promise to the people of my region that he will break. While the Premier sits in his office and pats himself on the back, one of the shires that will benefit the most from this increased water storage has an unemployment rate approaching 30%. Yes, nearly 30%!

The member for Bundaberg knows how important water is for the future of our area. She claims that she stood for Parliament to get the Paradise dam fast-tracked and to create more jobs which are so desperately needed in our district. She was the Mayor of Bundaberg and she knows just how many industrial projects and job generating businesses have gone begging because of the desperate shortage of water in our area. She must be feeling very embarrassed right now. Instead of accelerating the process, it is going slower than ever. It is a pity that the member for Bundaberg did not know that one can lead a Labor horse to water, but one can never never make it drink—

An Opposition member: Or build a dam.

Mr SLACK:—or build a dam. That is exactly what the coalition Government did with the advanced planning stages of many water storage projects in Queensland such as the Nathan dam, the St Helen's Creek dam near Mackay and the Finch Hatton dam. The coalition Government has led the Labor Government to water in all of those areas, only to see it evaporate. Labor has put the brakes on every one of those projects and there are many others looking exceedingly shaky.

Under the coalition Government, the engineering and feasibility studies into the prospective dam sites for the lower Burnett River began in earnest. In July 1997, the DNR initiated new aerial photography, field control surveys and the production of updated contour

maps of the Paradise dam site. That was a three-month study and it preceded the engagement of a consultant to undertake detailed feasibility studies and a preliminary impact assessment for storage at the Paradise site. By early 1998, assessment work on the prospective sites, including Paradise, Mingo and Kalliwa, had already begun. That included work on the actual proposed height, cost and technical details of the project. We should not forget that a lot of data had been collated during the development of the Burnett/Isis/Bundaberg irrigation scheme which was, after all, designed to include a major lower Burnett water storage project.

More than 18 months of work had already been expended on identifying a dam site when we left office. The Minister, Mr Welford, now expects us to swallow his platitudes that it could take another 24 months. Does he think that we are so gullible? Would any engineering expert think that it was reasonable to take three to four years in total to identify a site? The largest consultant engineering company in Queensland, Sinclair Knight Merz, did not think that that was reasonable. In October 1997 they met with me and the then Natural Resources Minister, Howard Hobbs, to present a detailed planning report indicating how water from Stage 1 of the Paradise dam could be for sale from 2001 and from the completed project in 2002-2003. This was the precursor to the coalition Government bringing forward the DNR scheduled time line on Paradise dam. Today I table the independent advice that shows just how achievable the five-year plan was and still is.

It is not only unreasonable to take more than three years to choose a site; it is also contrary to the advice given to us by the Natural Resources Department and Sinclair Knight Merz. If it was reasonable to take more than three years, would the Minister, Mr Welford, be happy to furnish the Opposition with a copy of the preliminary assessment report on the suitability of the sites, which was due for completion in September last year? Indeed, where is the Minister during this very important debate?

The coalition Government delivered on the Walla Weir and endorsed a \$12.5m water augmentation program that would have raised the three existing weirs at Bucca, Walla and Mundubbera, which would have provided an additional 20,000 megalitres to the Bundaberg area. I note that the weir bags still have not been ordered and that it may be the year 2000 or even 2001 before farmers get any benefit from our 1998 decision.

When Rob Borbidge told the people of Bundaberg that the dam could be delivered within five years, he based his commitment on a full and proper procedure outlined by the DNR, which had the full support of Cabinet. It covered all the environmental bases and was achievable within the five-year time frame. All it would take for the Government to deliver on this promise is to stop dragging its feet on the choice of a site, conduct the IAS in conjunction with the current WAMP, and maintain the level of commitment that we had to a major dam. This would ensure that one consultative process is not begun as another is finishing, which is the approach that this Government has adopted and which is the very approach that Mr Beattie scorned while in Opposition.

I assure the Minister and the member for Bundaberg that the coalition Government had put in place the fast-tracking of all relevant studies and had embarked on the time effective option of doing the WAMP and IAS studies jointly.

Mrs Nita Cunningham: That's rubbish.

Mr SLACK: Minister Welford is being deliberately deceitful on the matter when he refers to the position of the Department of Natural Resources in early 1997, because the goalposts were moved forward after that date. The member for Bundaberg says that that is rubbish. Was she there? Was she in Cabinet? Does she understand it? I do not believe so, otherwise she would not make such comments. I can only emphasise and reiterate that the position was changed to bring forward the construction timetable—a timetable that both Mr Borbidge and Mr Beattie endorsed 12 months ago. The member for Bundaberg has a seat in this Parliament basically as a result of the Premier making that pledge in Bundaberg. She cannot try to duck away from that. It was a major issue in the election of the member to the seat of Bundaberg.

Mr Welford: Tell the truth.

Mr SLACK: That is a good one! The Minister has been very careful in choosing his words. In essence, he is a fraud on this issue. Since the member for Bundaberg has made such a strong stand on water provision, where does she now stand? Is she going to continue to make blind excuses—

Mr WELFORD: I rise to a point of order. I regard the allegation that anything I have said is fraudulent as grossly offensive and I demand that it be withdrawn. The member does not even live in his electorate.

Mr SPEAKER: Order! The member will withdraw.

Mr SLACK: I withdraw if what I said offends the Minister. Will the member for Bundaberg continue to make blind excuses for the Labor Government or will she show some courage and stand up for her electorate? Surely she will vote to accept the motion that this Parliament reaffirms the Premier's public commitment to constructing a major dam on the Burnett River within five years from the June 1998 statement and let the people of Bundaberg be the judges.

Time expired.

Hon. V. P. LESTER (Keppel—NPA) (6.07 p.m.): I second the motion. It is indicative of this can't do Beattie Government that, once again, the Opposition has to come into this House and try to hold this Government to its election promises. That is a shameful thing. The Beattie Government ran its election campaign on the platform of jobs. It was going to be a can-do Government, but so far the Government's performance has been absolutely dismal.

Tonight we are debating one of the biggest issues in the Burnett region: water or the lack of it and the Beattie Government's will or lack of it to fix the problem. So important is the issue of water to the Burnett region that the current member for Bundaberg made it a key plank of her election campaign. In fact, on 3 June 1998 at her campaign launch she said—

"In Bundaberg the major issues are jobs and water, and very early after the election I would hope to have the relevant Ministers here in Bundaberg to assess the possibility of fast-tracking a major water storage like Paradise dam."

Those relevant Ministers have visited Bundaberg, but the fast-tracking of a major water storage project has proved to be nothing more than a mirage on the horizon for the Burnett fruit and vegetable industry, the sugar industry, and the near 30% of young people who, unfortunately, remain unemployed in the region. The Opposition has not moved an unrealistic motion tonight. All members should be very clear that this motion simply calls on the Beattie Government to honour the Premier's pre-election promise.

Back on 11 June 1998 the then Opposition Leader matched the Borbidge Government's commitment and promised to build a major water storage facility in the area within five years. However, he went further than that. He went on to criticise the dam's evaluation process, claiming that it was dragging and that one consultation process begins as another one finishes. In the main

street he told reporters that, if possible, they should be simultaneous. But now in spite of these criticisms and the now Premier's promise, the Burnett water storage has been consigned to the growing list of major water projects frozen by the Beattie Government. The Premier's criticisms have come back to haunt him.

Only last week the Minister for Natural Resources visited Bundaberg to proclaim that it would be another 24 months before a site for the dam was even identified. Then the Burnett WAMP would be completed and only then, according to a Bundaberg News-Mail report in the first week of February, the Department of Natural Resources would introduce the impact assessment study for the new storage. What about the Premier's commitment to running these studies concurrently? It has been absolutely forgotten. What has the Minister for Natural Resources been doing in the nearly 12 months since the election to fulfil Labor's pre-election promises? Unfortunately, nothing! What has the Beattie Government been doing to deliver on the coalition's \$12.5m water augmentation projects on the Burnett, the raising of the Walla Weir, the Bucca Weir and the Jones Weir—projects that will deliver another 21,000 megalitres to the Burnett region? Again, the answer is: nothing. The inaction of the Beattie Government in respect of water development and job creation is consistent. It has squibbed on the big projects and on the smaller projects. Meanwhile, farmers and other industries in the Burnett that need water have been left high and dry and the 30% unemployed have been left stranded.

The member for Bundaberg is squirming in her seat, and well she should be. Her election platform of water and jobs is looking decidedly rickety. The Beattie Government will not deliver on water or jobs. If the member for Bundaberg is genuinely committed to providing water for the Burnett region and jobs for the people in her electorate, she would cross the floor tonight and support our motion. She would support the holding of the Beattie Government to its pre-election promises. If the member for Bundaberg does not hold her Government accountable and stand up for the people in her electorate, her electoral platform and credibility may well come under scrutiny and she will come crashing down at the next election.

Time expired.

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (6.12 p.m.): I move the following amendment—

"Remove all words after 'That this Parliament' and insert—

'will continue to support the long-term water needs of all regions of Queensland, including the Burnett, with a proactive approach to catchment planning, WAMPS, improved water efficiency and community involvement to ensure security of water resources is achieved in an environmentally and economically sustainable way.' "

Interestingly, over the past few weeks we have had a succession of debates on the regional forest agreement—something which I have noticed members opposite are not nearly as keen to talk about in the past week. This week the only mention of RFAs was on Tuesday in a question that was asked of me in question time. In the course of this debate members opposite have been very keen to jump on one issue. Over and over again in relation to RFAs, members opposite keep saying, "You must have a scientific solution. You must use science. You must use logic. You must have a scientific outcome." That is what they keep saying.

Let us have a look at what they are saying now in relation to a major storage on the Burnett River. They are now saying, "Hang the science. Hang the logic. Don't worry about the capacity of the dam or the impact on the river system or water flows. Just build it." That is the typical National Party response: "Don't you worry about that." That is exactly what they are saying in relation to this issue.

The Premier said that a dam would be built subject to environmental studies. That is contained in the first paragraph in the article from the Bundaberg News-Mail that the honourable member has been quoting constantly. The second paragraph of the article stated that the Premier said that he was not going to make silly commitments on the campaign trail. It is as simple as that.

Let us nail the strength of what we are doing. We are conducting a WAMP in consultation with the local community. That means that a detailed study of stream flows will be used to determine the available resource, present commitments and environmental needs. I am advised by the Minister for Natural Resources that that will be ready in the first half of next year. Guess what? That is well inside the five-year time frame. The Premier's statement was made in 1998. If we add five years, that takes us through to the year 2003. Next year just happens to be the year 2000. We are right on target in relation to that commitment. However,

we are acting on scientific advice. Members opposite will not accept it, and I do not expect them to. They just do things when it suits them. The old National Party trick was to say, "Don't you worry about that." They use a scientific argument when it suits them.

The member for Burnett is a problem for the member for Bundaberg, because she carries his workload. If we were to ask anyone in Bundaberg who looks after the problems of constituents in the Burnett, they would tell us that it is the member for Bundaberg. Time and time again when I have been up there I have been told that the problem of the member for Burnett is that he does not visit Bundaberg. He spends more time in Brisbane than he does in his electorate.

Mr Seeney interjected.

Mr ELDER: If the member for Callide read the newspapers up there, he would see ads placed by the member for Burnett that tell people to phone him at his parliamentary office. Where is that? Here! But he is never here. He is never in his electorate and he is never here to answer the phone calls from his paid ads. Where is he? Is he with the latte set at Park Road or at the Coffee Club at Cleveland? The fact of the matter is that he is never in his electorate. He has not been surfacing in his electorate. He has left that to the member for Bundaberg. The fact is that, if he spent more time there, he would know exactly what the people in his electorate are saying about this issue. He would know that they are comfortable with the approach that this Government has taken.

A few weeks ago I was in Bundaberg speaking with all of the local mayors. They were not all that impressed by the contribution from the member for Burnett in addressing the issues that they were bringing forward. He knows that. He would know that a couple of mayors have taken a really keen interest in the member's performance. If I were him, I would be watching my back. His performance has been shameful.

Time expired.

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (6.17 p.m.): I second the amendment. Is this not typical? The can't-do Opposition is complaining about what the Government is doing. Let us make it clear what the Opposition achieved when it was in Government for some two and a half years. It made one decision about a dam. Do members know what it was? It decided that the Comet dam would not go ahead. The one decision that it made about whether a dam

would be built was that none would be built. That was about as far as they got.

We see the phantom member for Burnett trying to whip up some steam about the Burnett. Let me tell him about the Burnett. In the Burnett, a catchment planning study was started when the Opposition was in Government. It had basically done nothing else. The WAMP was nowhere near being started. If I had not started it, to this day it would not have started. I brought forward the WAMP for the Burnett so that it would run simultaneously with the other catchment planning studies. I am the one who has taken the initiative to bring forward the WAMPs for the Pioneer and Barron Rivers. Members opposite did nothing.

Five minutes before the election the former Premier ran around saying, "You'll have a dam in five years." The current Premier was not silly enough to make false promises similar to those that the now Opposition Leader made. He said that he was not going to make any silly commitments before the election, because he recognised that planning properly for water in the Burnett was what the Government had to do for the long-term security of water supplies in the Burnett.

Simply building dams without any regard for their capacity to service the needs of people who need water would not be a responsible approach to take. Yes, the member for Burnett can wave around the press statement that has a headline that misleads and misrepresents what the now Premier said. He knows well what the Premier said; he said that we would do what is needed to provide water for the people of the Burnett region, but that we would do it in a responsible way. We are not going to make silly election commitments on the eve of an election in the way that members opposite did.

The reality is that members opposite were in no position to determine any time span within which they were going to deliver on the Burnett, because they had not even started the WAMP—unless what they are now disclosing is that they never intended to do a proper assessment of the water resources and allocation in the Burnett before they built a storage. That is what they are confessing tonight. What they are confessing is that they were planning to build a dam without any assessment of the resource, the capacity for allocations or how they would be allocated, and without any regard to environmental flows to maintain the health of the catchment in the Burnett on which so many of the farming industries of the Burnett depend. That is what they are saying tonight.

Talk about fraud! The member for Burnett is a beauty talking about fraud. The first statement that he ever made about a dam in the Burnett was that it was going to be ready in three years. Then his leader turns around five minutes before the election and says that it is going to be ready in five years. Now they have the hide, having not even started the WAMP, to come in here and complain that our Government has not moved things forward in the Burnett. We have done more in the Burnett in nine months than they did in two and a half years.

Mr Reynolds: They are a bit embarrassed.

Mr WELFORD: They are very embarrassed. We have already got the initial engineering appraisal for the lower Burnett River dam sites out there in the public domain. We have already got the initial environmental evaluation for the lower Burnett River dam sites out there in the public domain. We have got the catchment planning study going. We have got the urban water strategy operating. We have got the ground water rescue project well and truly down the track and are linking it in to the assessment of the river resources in the WAMP.

We have so much happening now in the Burnett that people in the Burnett realise that we are now doing a great deal to progress the issue of water resources in the Burnett—not because the Johnny-come-lately member for Burnett suddenly turns up on his electorate doorstep once every six months, but because the member for Bundaberg has genuine concerns about her community and has got a Government that is responding, unlike the previous Government. Its members could not care less about the member for Burnett because they know that he does not care about his electorate. He is retiring at the end of this term, anyhow, and for the last term he was never in the country. So why would anyone ever worry about him?

Time expired.

Hon. T. R. COOPER (Crows Nest—NPA) (6.22 p.m.): As usual we hear from members on the other side of the House this endless rhetoric about how much they have done and are going to. Of course, the reality is that we do not see any results. Again, they have listed a whole heap of things that they reckon they are going to do. There is nothing concrete at all. Why is it that all the people of Bundaberg are still complaining? Why is it that the Bundaberg media and the people of Bundaberg are still complaining that nothing has been done? It is because they, the

people, have got it right and members opposite have got it wrong—as usual. So we have to sit and listen to this rhetoric.

I know that the member for Bundaberg is embarrassed. Of course she would be. She would have to be embarrassed because she knows that they are not doing anything. She knows darned well that they are not doing anything and that, even in the future—up until the time of the next election—nothing will be done. However, we will continue to keep them honest in relation to development in the Bundaberg region.

We know that the Bundaberg region is one of the most renowned, one of the most successful and probably the premier horticultural and sugar growing district in the State. We know that and we also know that the fruit and vegetable industry and the sugar industry are now worth about \$160m and \$139m respectively. Those industries provide thousands of jobs for the people of the Burnett. What those on the other side have done is spent most of their time talking about RFAs. Then they went into personal denigration of the member for Burnett. That is all they had; there was no substance in their addresses—none at all. Members opposite know as well as we on this side of the House and the people of Burnett and Bundaberg do that they are failing because they are not delivering. People want to see something. They want to see something that is genuine and real, and they are not seeing it.

But underlying the considerable statistics on the industries of that area is a glaring and very serious problem, and that problem is that the Beattie Government refuses to fix these things despite having been given the tools to do it by the Borbidge Government. Both these industries rely on irrigation water. We talk about irrigation water and the smart practice of using irrigation water, which we agree with absolutely. But there cannot be the smart practice of using irrigation water if there is not the water in the first place. We have to make sure that we have water supply security for the future. If we do not have that, then the rest falls to the ground. Members opposite know that themselves.

The main irrigation supply—the Bundaberg irrigation scheme—which some 70% of growers access, cannot meet the demands placed on it. Underground aquifers are being severely affected by salt water intrusion, which is affecting production levels, water use and soil structure. The Fred Haigh Dam at Gin Gin reached the record low of 3% capacity in 1998. Under this scenario and with

successive years of below nominal irrigation allocation levels, horticulture and particularly sugar production has been severely restricted.

Mrs Edmond: You are the ones who promised more water than there ever was. It is my family up there who are affected by this. Then you refused to put in piping for the Monduran Dam.

Mr COOPER: I know that the member is the Minister for Health, but the debate that we are trying to discuss tonight is far, far more important because the people of Bundaberg and Burnett are a darned sight more concerned—and we are concerned for them—than she is. Quite obviously the Minister for Health is not. Her performance and record up there is no good either, because the people continually criticise her as well.

Water, as we have said, is a scarce commodity. We know that. When water is scarce, growers are faced with the dilemma of whether to water small crops or sugarcane. Sugar is generally the loser in favour of the high return of fruit and vegetables. Tree crop farmers have to decide whether to conserve their allocation and use only sufficient water to keep their trees alive and then use the balance of the allocation later in the hope of getting the trees into production or, alternatively, keep the trees healthy and hope for the best. Under both practices, production is restricted.

Just as we have found with the future of other areas, be it the Lockyer Valley, the Brisbane Valley or the Darling Downs, this area will not have a future unless there is a secure water supply. Members opposite know that. The difficulty they have is actually doing something about it. The difficulty they have is making decisions to actually make things happen. That is why their Government has been such a failure in these past 12 months. It has not delivered on a single thing, except the things that we started. We have done it for them. We are quite happy to continue to show them how.

Time expired.

Mrs NITA CUNNINGHAM (Bundaberg—ALP) (6.27 p.m.): I am not sure whether this motion is against the Government or against the member for Bundaberg, but what we have here this evening is the member for Burnett misrepresenting this water issue, just as he continually misrepresents me and has deliberately misrepresented the Bundaberg Hospital issue, the Childers dental clinic issue, the RFA, and the list goes on and on. His outrageous claims are being made with no reference to fact and no intention to do

anything positive—it is just cheap political point scoring made under privilege in this House in a deliberate attempt to again mislead the people of Bundaberg and to undermine industry farmers and our regional communities.

If the Opposition and the member for Burnett, in particular, had put as much effort into building this dam while they were in office as they have put into knocking it from the Opposition benches, then we might have it today. But the coalition made no decision to proceed with a major storage on the Burnett while they were in Government. In fact, they made no positive decisions on water infrastructure at all during their time in power. Their biggest decision, as we have heard, was to stop the Comet dam.

Honourable members interjected.

Mr SPEAKER: Order! I would like to hear this speech.

Mrs NITA CUNNINGHAM: In regard to this major water storage on the Burnett, the planning process put in place by the coalition in 1997 clearly shows that it had no intention of giving a final approval until mid 2001. In contrast, while the Opposition continues its whingeing, this Government is getting on with the job with \$4.5m in the current Budget to finish the Walla Weir and \$5.7m to progress work on the planning stages for this major storage—work that has been escalated by this Government.

I am astounded at the hypocrisy of the Opposition in putting forward this motion in the light of its appalling record on the provision of water infrastructure in the Bundaberg district. The Bundaberg irrigation scheme was bungled for more than 25 years. Some farms that were to go onto surface water were at the last minute allowed to stay off the scheme—a bad decision that has led to severe salt intrusion into those areas. Plans, plant and equipment were changed and changed again. Only one dam was built instead of two. So what we ended up with in Bundaberg is a dam that does not fill and a scheme that is struggling. It was only when the Goss Labor Government was elected that it was finished at all, at the instigation of the then Minister, Ed Casey. It was also Ed Casey who committed the Government to the construction of the Walla Weir.

I repeat: it was a Labor Government that made the commitment to build Walla Weir and it was this Labor Government that provided the funds to finish that weir after almost five and a half years of the coalition dragging its feet, as it did with the Bundaberg irrigation scheme. Labor also finished that. The people of

Bundaberg and the whole Burnett catchment area can be assured that it will be Labor again that listens to their needs and Labor again that will deliver on those water needs in the best environmentally sustainable and most economically viable way.

I know full well the need for more water in Bundaberg and in the Burnett region. In fact, as has been said, I got out of a very comfortable chair to come to this Parliament to do something positive about the problem, because I could see that the member for Burnett was not achieving anything. I will continue to work with the Government, the Minister, departments and the water users to ensure that there is long-term water security in our region for our future.

If we do not follow the necessary and responsible planning procedures this time, if we make irrational promises just to gain political points, if we end up with another dam that will not fill, then our region will have no future at all. I urge everyone to support the Deputy Premier's amendment. I say to the member for Burnett: if I could not have this issue resolved after 13 years—the length of time that he has been in this House—then I would resign.

Mr HOBBS (Warrego—NPA) (6.32 p.m.): What a disgraceful contribution by Government members! I can sum it up very simply by saying that if bulldust could be put into music, those opposite would have a symphony orchestra.

After six years of Goss Labor Government, in 1996 I set up the Water Infrastructure Task Force. It reported on 28 February 1997. It recommended that the Burnett River catchment be a Category 1 priority for the regional planning assessment study of the Burnett River. The implementation plan also made an assessment of Paradise dam, Stage 1 and Stage 2. It stated that the Stage 1 development would be to meet current and short-term needs for the Bundaberg irrigation area and that Stage 2 would be to meet future needs in the Bundaberg and Isis areas. That development was to cost in the order of \$247m. The \$2m Burnett River catchment planning and assessment study to evaluate structural and non-structural options to meet assessed future demands resulted in a framework being put in place so that future developments on that Burnett catchment would be carried out in a very sustainable and professional manner.

The proposal was put up by the Bundaberg and Isis region local management group. A site 131.2 kilometres upstream was

proposed. The nominated preference was known as the Paradise dam but there were two other sites—Kalliwa and Mingo Crossing. The proposed development had a Stage 1 capacity of 740,000 megalitres, with a yield of 203,000 megalitres. Stage 2 had a capacity of 185,000 megalitres, with a 331,000 megalitre yield. Costs included future distribution upgrades. The Burnett catchment study, to which \$2m has been allocated, will rigorously assess demands, evaluate options and compare the relative merits and impacts to arrive at a preferred development strategy to achieve maximum regional economic benefit.

On numerous occasions when I have spoken to people in the Bundaberg and Burnett regions the major problem raised has been the shortage of water. Industry and the councils were desperately in need of more water for urban and regional development to stop the salt intrusion in underground water supplies—all backed up by the Water Infrastructure Task Force. The members opposite have been going slow on all of these water projects. They know that they have been going slow. We have been talking to the people.

Mr WELFORD: Mr Speaker, I rise to a point of order. The member for Warrego is grossly misrepresenting the facts. We accelerated the process. We did not go slow; we have accelerated the process.

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

Mr LITTLEPROUD: Mr Speaker, I rise to a point of order.

Mr HOBBS: Mr Speaker—

Mr SPEAKER: Order! There is another point of order against you.

Mr LITTLEPROUD: The Minister is misleading the House. The Nangram weir was to be finished in June this year. It has not even started under this Government.

Mr SPEAKER: Order! Was that a point of order against the Minister or a point of order against the speaker? That is rather unusual.

Mr HOBBS: In July 1997 I met again with the local industry and local government. I, along with my director-general, indicated that DNR would get on with the various technical assessments for the Paradise dam. We would continue with other necessary studies in the context of the regional study and the WAMP and set up the reference panels.

We used consultants for many of the study components to assist DNR to keep to the timetables. It was expected that the dam

would be constructed within five years. That would mean that it would be up and running in 2002. In subsequent months I was shown prospective dam site details. Now the Minister is not even listening. He reckons that he started this process. He has the details. The progress was made in parallel with the WAMP and catchment studies. We had four or five different consultants working on this particular project.

Mr Welford: I see.

Mr HOBBS: The Minister did not know about that, did he? He forgot about them. They were working to try to progress this. We were fair dinkum about getting this project up and running. The preliminary studies showed that adequate volumes of water were available.

It is possible to run the different aspects of the project in parallel. It takes a long time to build a dam and a long time to do the studies, but things can be done in parallel. I believe that we were making a responsible assessment of the project. Salt intrusion was starting like a cancer. The social demands of the community were there, as were the requirements for rural development. We had to get on with the job. These projects were put in place. How can the Minister say with a straight face that the Labor Government started those projects? It did not start those projects. They were going before Labor came to Government. They were started under my administration and that of our deputy leader. This Minister is a Johnny-come-lately.

Mr MULHERIN (Mackay—ALP) (6.37 p.m.): What a load of claptrap we have heard from the member for Warrego. He is flashing around the Water Infrastructure Task Force report. What a flawed document! It was a wish list in which every kid got a prize. It never had any scientific basis. It never had any funding allocation.

Mr HOBBS: Mr Speaker, I rise to a point of order. I take exception to the statements made by the member. That document was a professional document, backed up by all the consultants that we could find in this State and applauded from the top of this State to the bottom of this State.

Mr SPEAKER: Order!

Mr HOBBS: If the member for Mackay says that it was not, then he is a fraud.

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

Mr MULHERIN: What we should be talking about in this debate is the Opposition's failure in Government to take on the real

challenges for regional and rural Queensland. Unlike the coalition, this Government is facing up to those challenges, working with regional and rural communities in close consultation to provide a prosperous future for the many families who choose to live outside the south-east corner.

This Government has consistently reaffirmed its commitment to assist the communities of Bundaberg and the Burnett solve their long-term water needs. We have accelerated planning studies in the region and promoted measures to help primary producers improve their agricultural production. Recently this Government introduced the rural water use efficiency initiative, providing \$41m to our primary producers over four years to help them become more profitable. This visionary initiative has been introduced by a Labor Government—a Government looking to the future for all Queenslanders and not just a few mates. It has the potential to increase agricultural production by \$280m annually over the next four years and to create another 1,600 jobs in regional Queensland.

We will be working with primary producers to improve the way in which irrigation water is used. We can, through better water efficiency, save the equivalent of 180,000 megalitres of water. This amount of water could irrigate about 49,000 hectares of agricultural land. If this can be achieved, we are looking at 1,600 new jobs—a great result for Queensland. In the Bundaberg region, the most significant agricultural crops are sugar and fruit and vegetables. These will benefit significantly from the Government's water use efficiency initiative. Both canegrowers and the Queensland fruit and vegetable growers have welcomed this initiative—a genuine partnership between Government and rural industry. Queensland fruit and vegetable growers said the initiative was an—

"... excellent example of how industry and Government could work together to provide significant economic and environmental benefits for growers and regional and State economies."

Canegrowers chairman, Mr Harry Bonanno, said the sugar industry, which is the largest user of irrigation water in Queensland, welcomed the move. He said—

"The widespread adoption of best practice water use methods throughout the canegrowing industry would contribute greatly to improved productivity, sustainability and international competitiveness."

That is the type of visionary initiative the Beattie Government is introducing for rural and regional Queensland. If we are to supply community water needs into the next century, it is important that we make efficient and effective use of existing infrastructure before new water developments are considered. This includes making the best use of available waste water and recycling opportunities. In my electorate of Mackay—another strong sugar growing area—the Government is working with council and rural industry to look at the feasibility of using waste water.

Mr Littleproud: What about the Finch Hatton dam?

Mr MULHERIN: That was a flawed process. A consultation committee was set up, and people said that it was a con job. That was confirmed when the member for Toowoomba South announced on 8 August last year that Labor had stopped the Finch Hatton dam. People were telling me that members opposite were never committed to the consultation process. That was confirmed by the member for Toowoomba South, when he said on the front page of the Courier-Mail on 8 August last year that we had stopped it. So he just perpetrated a fraud on those people and paid lip-service to the consultation process.

The Mackay City Council has expressed an interest in reusing waste water from the Mount Bassett and Bucasia sewerage treatment plant. If it is feasible, such a recycling initiative could have benefits for the entire Mackay community, both residential and rural water users, such as the growers at Farleigh on the north coast area of Mackay. Water is one of our most valuable and scarce resources, and I strongly support this initiative by council to make efficient use of waste water.

This Government is taking a responsible approach to water resources—an approach for future generations. The Opposition has spent 12 months misinforming regional communities, and this debate is yet another attempt to play politics with people's lives, to cause unnecessary anxiety. Over the past 12 months, the Opposition told regional Queensland—

Time expired.

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (6.42 p.m.): Water is absolutely crucial to the future of the Burnett region. There is no doubt about that. And the delay that this Government has put into the process which we started is stifling opportunity for primary producers in the

Burnett, and it is stifling an opportunity for the development of industry and jobs in the Burnett.

What we have seen tonight from Government members is a most unbelievable performance. We have seen the Deputy Premier come into this Parliament with an absolutely mealy-mouthed amendment that means nothing—more processes, more consultation, absolutely no commitment to a timetable whatsoever for the construction of a major storage in the Burnett area. That is something that those people want.

The honourable member for Mackay talked about Mackay. I am not sure whether that will be relevant to the Bundaberg News-Mail tomorrow—nor, probably, will the contribution from the Honourable Minister for Natural Resources. But the contribution from the member for Bundaberg will be most noteworthy and most newsworthy in her electorate.

Some very interesting things have been said tonight by Government members. On the one hand, we have the Minister for Natural Resources saying that the only decision the former Borbidge Government made was to say that the Comet dam would not go ahead. Yet on the other hand, members opposite wax lyrical and carry on about the proper processes that are to be followed. We followed the proper process with regard to the Comet dam. When I became Minister, I followed on from where Howard Hobbs—the Minister who preceded me—left off. I said, "We won't have these people hanging around. We will make a decision to build it or not to build it."

But one thing that the Minister forgot is the Nathan dam, the principles of which—the environmental impact assessment—we ticked off on. We gave support to that particular dam. We ticked off on that particular dam. By ticking off on that project, we gave the private sector proponents the opportunity to go forward and raise money. But do members know what the honourable member for Rockhampton said at the time? "You cannot possibly do this because you've got a WAMP process, and the WAMP process is going to have to precede it." That is what he said. He said that it could not be run concurrently. On the other hand, in the Bundaberg News-Mail on 11 June, the Premier said that, "Where possible, we will run the processes simultaneously." Government members say one thing and profess another thing, but when the wood is put on them they do absolutely nothing.

Members of this Government started questioning the processes that we went

through with the Nathan dam. We approved that particular dam. We paved the way for the private sector proponents to go forward and garner their finances. What has happened with that? We still have dillydallying with that WAMP process, and there is still a great deal of uncertainty.

Let us look at the performance of the honourable member for Bundaberg. When I was in Bundaberg last year as the Minister for Natural Resources, I said, "There is no reason whatsoever why we could not construct that dam within five years", because our catchment processes were under way. The Minister for Natural Resources talks about the WAMP process. That timetable was in place when I was the Minister. The preliminary assessment processes were always going to start in the middle of the year 2000. Nothing has changed, except that we had the will to do it.

Members have talked about the Walla Weir. I indicated that, using the principles which were established in the environmental impact assessment process which was done for Stage 1, there was no reason why we could not have had a bag on that weir in April or May of this year. But where is it? The year 2000, 2001 or 2002! Goodness knows what else!

The people in Bundaberg are really starting to question the commitment and the performance of the honourable member for Bundaberg. People have written letters to the local newspaper asking, "Where does the member stand on truth in sentencing?" She stands against it. The other day members debated the divisive apology issue—another issue that has been running in the member's local newspaper. What about her performance and that of the Health Minister on general outpatients? She is equivocating on a commitment. Where is the commitment that we will have the water storage built in the Burnett region within five years? Where are they? They are dinging out. They stand for absolutely nothing.

I assure you, Mr Speaker, that the people of Bundaberg and the people of the Bundaberg region are going to know about this because, for the first time, they actually had a Government—the Borbidge Government—that was prepared to put in place a timetable and to say that it was going to do something to construct that dam. But what happened? This Government came to power and proved once again that it is just a can't do Government.

Time expired.

Mr PEARCE (Fitzroy—ALP) (6.47 p.m.): What great timing the National Party has. The

very day that it brings on this debate and the very day that it continues its scare campaign about how dams in regional Queensland have been frozen is the day that this Government has given the go-ahead for the \$4.2m refurbishment of the Moura Weir on the Dawson River. The new boundaries have not even been confirmed yet, and I am down there delivering to the people in rural Queensland.

Mr HOBBS: I rise to a point of order.

Mr PEARCE: If ever there was a sign—

Mr SPEAKER: Order!

Mr HOBBS: I rise to a point of order.

Mr PEARCE:—of this Government's commitment—

Mr HOBBS: I rise to a point of order.

Mr SPEAKER: Order!

Mr PEARCE:—to providing water in regional Queensland, then—

Mr HOBBS: I rise to a point of order.

Mr SPEAKER: Order!

Mr HOBBS: I would just like to point out that the member can thank me for starting that program.

Mr SPEAKER: Order! There is no point of order. I call the honourable member for Fitzroy.

Mr PEARCE: The member did nothing. If ever there was a sign of this Government's commitment to providing water in regional Queensland, then today's announcement is a sign of better things to come. This Government is getting on with the job.

Over the past year, we have seen a wonderful scare campaign from members opposite about all sorts of things. That is because they have been running scared about One Nation. One Nation ran the mother of all scare campaigns, promising to turn back the clock to the 1960s. So what did the Nationals do? They started promising to turn back the clock to the 1950s.

Let us be quite clear about this. Times have changed. We do not go around bunging in dams close to our mates' places so that they can clean up on the benefits. These days, we actually go through the WAMP process so that there is a scientific basis for where we put dams. We are going through the Fitzroy Basin WAMP process at the moment in my electorate. Sensible people in central Queensland are saying that this is the way to go. I will tell members opposite something. This is going to hurt them, they are not going to like it, and I am going to get a great deal of pleasure out of saying this. I get around a lot,

talking to people out there in rural Queensland, and do members know what the National Party supporters are telling me out there? They are saying that they have confidence in a Labor Government putting in place the proper water structure that is needed. And do members know why they have confidence in us? Because they know that we can get on with it without having corrupt influences telling us where to put dams.

This motion is clearly aimed at getting the member for Burnett off the hook. When the coalition was in Government he did nothing for Bundaberg and the surrounding region. As the member for Logan said last night, when the coalition was in Government it could not even deliver a pizza.

Last week I received a phone call concerning the member for Burnett. The caller was asking about workers compensation. I said, "Mate, according to protocol, you should go to your local member." Do honourable members know what he said to me? He said, "He's never home." He said, "He's about as handy as an ashtray on a motor bike."

Mr Cooper: Can you say that again?

Mr PEARCE: He said, "He's about as handy as an ashtray on a motor bike." He is a do-nothing member.

What has happened here is that the member for Surfers Paradise, in the dying days of his term in office, lobbed into Bundaberg—as he did in my electorate—after the Nationals saw the threat of One Nation and promised to build a dam within five years, subject to proper studies being done. What did the Labor Premier do? He supported the need for a dam, but he said that it would be after a proper assessment process. If anything, those of us on this side of the House are ahead. We are ahead of what those opposite promised. The WAMP should be ready in the first half of next year, which will allow plenty of time for it to be finished within five years.

It is interesting to contrast the present language of the powder puff, never-at-home member for Burnett with what he said when he was in Government and had the opportunity to actually do something. I quote directly from his media statement of 15 May 1997 in which he said—

"The Government is expediting all the necessary environmental and technical studies for these projects and for Paradise Dam. However we cannot pre-empt the findings of those key reports."

He went on to say—

"The necessity for proper environmental impact assessment has been highlighted by the recent scrapping of the Comet Dam after studies showed that significant environmental damage would occur if the dam proceeded."

It was okay for him to say that when he was in Government, but now that he is in Opposition he has a different opinion. The problem is that he is not fair dinkum.

I want to try to introduce some commonsense into this debate about water because the availability of water has been and will continue to be of significant importance to the development of Queensland.

Time expired.

Question—That the Deputy Premier's amendment be agreed to—put; and the House divided—

AYES, 44—Attwood, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 42—Beanland, Black, Borbidge, Connor, Cooper, E. A. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

Pair: Barton, Goss

Resolved in the **affirmative**.

Motion, as amended, agreed to.

Sitting suspended from 7 p.m. to 8.30 p.m.

WEAPONS AMENDMENT BILL

Second Reading

Resumed from 25 May (see p. 1912).

Mr TURNER (Thuringowa—IND) (8.30 p.m.): Members of this House have stated that it is a great pleasure to rise to speak to the firearms issue. I find this difficult to understand. For me, I find the need to speak on this subject very sad. It is abhorrent that society has sunk to a level that we need to protect ourselves from ourselves. We talk of Martin Bryant as if he were some sort of phenomenon. However, the Martin Bryants have become commonplace in our world. Some of them hold very high office, and they

carry out the same acts of human destruction on a larger scale because they have the power to order their fellow man to pull the trigger. Firearms, knives, clubs, machetes, explosives—it does not matter which weapon is used, it is the mentality of the person who uses the weapon that should be addressed.

Videos and movies, video games, the Internet, violence in the home, drugs and even modern music have all played a role in the twisting of some people's minds. They have replaced compassion and tolerance for our fellow man with intolerance, hate and violence. If those problems had been addressed as they arose, we would not be debating this matter now. I recognise that, because of Governments' indifference and failure to protect people from antisocial activities, we now need to have controls on tools that are capable of destruction.

Personally, I was raised with firearms. I am a member of the Townsville Pistol Club and patron of the Townsville Sporting Shooters Association. I really understand where sporting shooters are coming from. These people love their sport, they are responsible citizens who operate within responsible shooting clubs and they take a very responsible attitude to firearm use. Education classes for their members are an important part of shooters clubs. They certainly do not condone the actions of people who abuse the use of firearms. I recognise the need for gun control; however, it must be applied in a sensible manner that still allows the legitimate use of guns. I do not see allowing club shooters to own semiautomatic weapons as irresponsible if those weapons are registered under the same regulations as pistols, which have very strict guidelines. Every person contemplating buying a firearm should be put through an extensive background integrity check and a rigorous safety course before being allowed access to any firearm. In the interests of the safety of the community, I do not believe that semiautomatic weapons should be made available to the general public. To deny people on the land the right to own a semiautomatic weapon may impose some inconvenience; however, they are not denied the use of a bolt action rifle to perform their tasks. That is the price that we must pay for the increased violence in our society.

I have also listened to members speak about the recent massacre in the United States that resulted from the use of firearms. However, no mention was made of the fact that, had the explosives involved been detonated, through the destruction that those explosives would have caused the death toll from the shooting would have paled into

insignificance. The children got the information to build these explosives——

Ms Struthers: How can that happen?

Mr TURNER: The death toll from the shooting would be minor compared to the 100-odd people——

Ms Struthers interjected.

Mr TURNER: I ask the member to listen closely. The children involved got the information to build these explosives, which are made so easily with step-by-step instructions from the Internet. What is our society becoming when we allow people access to this sort of information and then jump up and down when one of our citizens does what he or she has been taught to do? It could be said that we are as much to blame as the perpetrators. As a result of this massacre, President Clinton has now called for movie makers to consider the consequences of what they produce and the video game industry has agreed to plug a loophole that allows children to buy violent video games over the Internet. These moves could be too little too late. However, all of these problems in our society must be addressed as a matter of urgency before there is no turning back.

The Beattie Government voted against truth in sentencing. During the debate, Mr Foley stated——

"We stand for being tough on crime and tough on the causes of crime."

Dr Clark also said that increasing the time a criminal spends in jail will not make a safer society and that we have to address the causes of crime. So I put it to the Beattie Government: the gun laws go only a small way towards making a safer society. We have to get tough on the causes of crime.

The statistics show that firearms were involved in only one fifth of the homicides in Australia. Therefore, 80% of homicides were caused by means other than firearms. We are more likely to be killed in the home by a family member or friend than in a public place by a stranger. On an international level, and this figure would come as no surprise to anyone, the United States homicide rate is four times Australia's homicide rate. What does that tell us? The US is definitely getting it wrong, but perhaps some countries are getting it right. What are they doing differently from us? Perhaps we need to look at that. Let us change every contributing factor that is destroying the basic fabric of society and bring sanity back to the people. Would we allow our children to drink poison knowing that it would make them very sick or kill them? No, of

course we would not! Yet we allow their minds to be poisoned by all the elements that I have spoken about, and we do nothing about it. Let us get tough on the real issues.

It has been expressed to me by returned servicemen who were involved in close combat that after a while it grows on you. Every day death, mutilation and rotting corpses becomes more acceptable and eventually one does not even notice. People in the comfort of their own homes are bombarded by videos showing continuous violence to the stage at which they become as desensitised as the soldiers in a real war and the vulnerable act out the scenarios they are witnessing. My two year old grand-daughter watches the Wiggles. She can sing all the words to their songs, she knows all the characters and she acts out the parts. Even at that tender age, children also watch videos, many of which are violent, with their parents. They are being trained virtually from birth to accept this violence as normal. Let us be honest with ourselves. How many members in this House would have unthinkingly allowed their young children or grandchildren to watch brutal violence in their own homes?

A ridiculous comment that is often quoted by the civil rights campaigners is, "If you do not want to watch it, turn it off." I do turn it off and many other people turn it off. However, we are not the ones to worry about; it is the people who want to watch these programs, who enjoy these programs and become affected by these programs who are at risk of becoming offenders.

Unlike most other countries, Australia is fortunate in that it shares no borders with other countries. Although we live on an island, we still adopt the policies and bad habits of other countries and societies. We have a unique opportunity to reject a lot of outside influences. If we strengthen our own ethics and moral values, we could be selective in what we adopt from other societies. I emphasise that if the Government is strong enough and prepared to attack these issues, it may not be too late. Every day of every year that passes we sink further into the abyss. It worries me that I will leave my children and grandchildren in a society that is out of control.

In the interests of legitimate firearm use, I see no harm in reviewing the Weapons Act. However, I cannot support this Bill introduced by the honourable member for Caboolture without suitable amendments. As members of Parliament, I believe that we should maintain an open mind on all issues, including firearms. However, I emphasise that the use of firearms to destroy each other is only one element in the breakdown of our society.

Mr NELSON (Tablelands—IND) (8.40 p.m.): I apologise to the member for Nicklin. I do not have a list, and I was last on the list previously.

Any member of this House who refers to the Port Arthur massacre as a reason for banning firearms should take a long hard look at themselves. When this House has debated issues relating to Anzac Day and a few other things, straight away members of the ALP screamed, "Hypocrisy" and cried, "How dare you question our loyalty?" I say to them: how dare they use the deaths of 35 innocent people as a crutch for their lame arguments. The simple fact is that the gun never killed anyone. The person who operated that piece of machinery killed people and any argument to the contrary is insane.

Ms Nelson-Carr interjected.

Mr NELSON: I was brought up with firearms. My father carried a pistol on his hip for 18 years. I have never killed anyone and I do not have any intention of doing so. To say that every firearm owner in Australia will kill somebody is absolute lunacy. That is the reason why we are here tonight. Members opposite talk about sticking up for the people in their electorates. I was elected mainly on a platform of sticking up for the firearm owners in my electorate. I come from a rural area where there is a high proportion of firearm ownership. The reality is the most murders committed with firearms are committed in cities, which supposedly have a relatively low proportion of firearm ownership. If it was not against the law, I could have brought a crate containing a Bren gun and a box of pistols into this House, because those weapons are readily available. Any argument to the contrary is insane.

The firearms that have been banned and confiscated will not be used to commit murders and violent crime. Those firearms were handed in by law-abiding citizens who obey the laws of this State, even though it is to their detriment. They do so because they believe that the laws of the State should be abided by. When the Government disarmed the people of this country, it did not disarm criminals or people who were going to commit the violent crimes that it is so worried about. It disarmed the people on the land, the sporting shooters, farmers and other people who owned firearms for legitimate reasons. The firearms that are being used to commit murders and acts like the Port Arthur massacre are still on the streets and they will still be there in 20 years' time. The Government will not get rid of them, and it knows that. There is no denying that at all.

The Government cannot get rid of illegal firearms. They are in this country like illegal drugs are. It is illegal to smoke marijuana, but I know plenty of people who do.

Ms Nelson-Carr interjected.

Mr NELSON: I do not mix with them and the member for Mundingburra shows her ignorance on this subject when she speaks like that. The simple fact is that illegal firearms are out there—not head lice, but illegal firearms.

We should be about fighting crime. Fighting crime does not mean that we institute laws that take away a person's right to own a firearm. Fighting crime means that we do things like introducing truth in sentencing.

Mr Knuth interjected.

Mr NELSON: Exactly. Fighting crime means doing things like deterring criminals from committing violent crime and stopping them from purchasing the weapons with which they commit those violent crimes. I put it to the House that when the police station in Lakemba in New South Wales was shot up, it was not shot up with a registered firearm. I put it to the House that in Australia most of the murders that are committed with firearms are not committed by people who are registered or who have firearm licences. They are usually committed by people who have brought guns off the street from black market dealers, and I can tell the House that those types of weapons are available in large numbers.

The simple fact is that currently there are debates about decriminalising things like heroin and marijuana, because we have had a long prohibition on those things. The Government has put in a place a prohibition on firearms. Will I be in this Chamber in 40 years' time when I am in my 65th year and, after I have participated in a condolence motion for some members opposite, will I have to stand and say, "It is time that we decriminalised the ownership of firearms."

Mr Wells: Are you after National Party preselection?

Mr NELSON: I put it on the record yet again for the Minister for Education that I am not after National Party preselection and I do not want it. I would not be elected if I ran for the National Party in my electorate.

We now have a prohibition on firearms, just as we have a prohibition on drug use. Some circles are arguing for the removal of that prohibition on drug use—to free it up a little. I do not agree with that personally. I believe that drug use should remain a criminal offence. However, in a few years' time will we have the same debate to decriminalise firearm

ownership? Maybe history will be the best judge of that.

I put on the record that I do not have a firearm licence and I do not own a gun. When I was in the Army I was quite happy to hand my firearm in at the end of an exercise because I hated the thing. It was a tool that I used as a soldier in order to carry out my duty. I did not want to take it home and I did not want to go shooting with it. I do not derive any great pleasure from shooting feral animals. That is not something that I find enjoyable or fun to do. It is a job that has to be done on farms if, for example, wild pigs are ripping up the crops or feral cats, dogs or dingos are killing animals. That is not a job that I relish. Killing anything is not trendy, lovely or a good and fine thing to do. However, in some cases it is simply necessary to destroy animals.

A debate about trapping feral pigs is currently raging. I can tell the wonderful bureaucrats who came up with that idea that feral pigs cannot be trapped. One or two may be trapped, but pigs wise up after a while and will no longer go near the traps. The only way to properly eradicate feral pigs from a property is to shoot them. As any honourable member who has done a bit of pig shooting will confirm, it is damn hard to drop some of those boars. I am a crack shot, and again the challenge is there if anyone wants to step up. I can tell honourable members that it is damn hard to drop a feral pig with a high-powered rifle, let alone with a tiny bolt action .22 or something like that. I certainly would not wrestle an 80 kilo boar with a knife and a pack of dogs, because sometimes the hunter can come off second best. The point remains that in order to be humane, sometimes the best thing to do is to use a high-powered weapon and, hopefully, drop the animal with one shot. Causing distress to any animal, whether it is feral or not, is not something that I am about. Most farmers do not like to see any animal suffer because, believe it or not, farmers who work with animals are usually the most caring people on earth because they care about their—

Mr Knuth interjected.

Mr NELSON: A few of them would, but I digress. Some people who oppose firearm ownership argue that we are trying to follow the American style of the right to bear arms. That is an interesting statement. Time and time again when Governments have become oppressive people have had to stand up to them. Fortunately in this country people have never had to take it upon themselves to stand up to a Government. As I say, that is

fortunate. It is a great thing that Federation in this country was created by a vote and it is a great thing that we can come into this House and debate issues. Even though I vehemently disagree with some members in this House, it is a place of debate and we can discuss issues here.

In some cases when legislation is passed, there is an angry reaction to it. The member for Archerfield went on about manhood, which is something that she knows very little about because she is a woman. I do not try to speak about being a woman because I am not one and I have no idea about the subject. I am a male and I can tell the House that holding a firearm does not make me feel any more of a man. It is a tool like a shovel or an axe. Members can believe it or not, but I do not understand why people use firearms for sport because I think it would be incredibly boring to shoot targets all day. However, that is my opinion. I used to hate lying on a 300-metre mound and having to group my rifle every couple of days. It used to be the most boring thing on earth. Some people in the community have the fundamental belief—

Mr Fenlon interjected.

Mr NELSON: I accept the jealousy from members opposite. To date, my achievements have made me a member of this House at a much younger age than them. I am doing the job that the people of Tablelands sent me here to do. Those people have asked me to come in here and speak about firearms. I am doing my job, just as the member for Townsville and the member for Mundingburra did when they said that they were standing up for their electorates, and just as the member for Bundaberg quite often does when she says she is standing up for her electorate. As all members should well and truly know, this is an issue in my electorate and it got me elected to this House. I am trying genuinely to put my point of view forward.

The funny thing about all this is that I expect this reaction from the ALP. They are sticking to their guns and their principles, and that is fine. I understand that. That is their platform and that is fine. The people who have some explaining to do—and I think they realise it—are the members on this side of the House. Again, that is why I am here and the former member for Tablelands is not.

Mr Veivers interjected.

Mr NELSON: Mick Veivers is still here. I think he will be here a lot longer than most.

As I said, given the speech from the Leader of the National Party, I think they

realise that mistakes were made. I wait with bated breath and in great anticipation for the amendments to the Weapons Act that the National Party will bring in before the next election. I hope those address some of the fundamental errors made in the first one.

An honourable member: Just before the election.

Mr NELSON: Just before the election.

I wish to raise an issue that came to our attention very recently, namely, the 40-hour TAFE course for people who own firearms. I know many people in my electorate who are members of associations and who are registered and licensed firearms owners who will attend that course because, again, they will have to do so to keep their legitimate firearms. But I can tell honourable members that a few people—probably not from my electorate—will not attend those wonderful 40-hour TAFE courses, similar to those that teach people how to use a chainsaw. I will tell honourable members who will not be attending the 40-hour TAFE course. It will be the criminal element in society who have illegal firearms and who commit crimes that horrify members on both sides of the House. The 40-hour TAFE course will take away money and time from legitimate owners of firearms who have gone out of their way to comply with the Government's laws. The bureaucrats can shake their heads all they like. In reality, the criminals—for example, the people who shoot up police stations and commit other crimes—will not attend a 40-hour TAFE course that teaches them firearms safety and how to shoot at a target. When they pull their shotgun out of the boot to pull a bank robbery, they are not really interested in where the safety catch is. The simple fact is that these 40-hour TAFE courses address nothing, waste the public money and waste the time of legitimate firearms users who have done nothing wrong but who, yet again, are being punished for the crimes of others.

This all gets back to a fundamental belief in people's rights. I believe that, if an individual commits a crime, that person should be punished for that crime. I believe that if someone does something wrong to others, as an individual that person should say sorry. If we do something wrong, we should apologise. I believe people should be targeted for their actions as individuals. When we start punishing groups in society for the wrongdoing of others, we open the door.

I will give the House a simple example. Anybody who has armed service experience

would know that, if one person in a unit stuffs up, everyone is punished. That is all well and good in a tight-knit military environment. However, when that approach is imposed on the wider community all it does is cause resentment, anger and frustration. People say, "I did nothing wrong. Why am I being targeted? Why are these regressive laws being imposed on me, my friends and the people who participate in this sport with me? Why am I being targeted and punished when I have done nothing wrong?" Therefore, we are breeding resentment.

No criminal will attend this 40-hour TAFE course, that is, unless somebody has a wonderful plan to offer the course in prisons so as to give prisoners who have used firearms more training in their use so that they do not accidentally shoot their mate when they are jumping out of the car to do a bank robbery. Criminals will not attend this course. Again, this is a waste of taxpayers' dollars based on a fanatical belief that taking firearms off registered owners will reduce crime.

Numerous facts and figures have been cited in the Chamber to prove conclusively that taking away people's guns does not reduce criminal activity. It does not, cannot and will not do so. Any argument to the contrary is ludicrous to say the least. But again, I am not here to judge this; I am just passing on a message. The judges are the 25% of people who voted against the major parties at the last election and the 800,000 or 900,000 people who voted against those parties at the Federal election.

As a society, we should not punish law-abiding citizens and let criminals go free or get away with very minimal punishment. Today we heard that an offender walked free after serving only 25 years for destroying a life. Again, he did not use a firearm, he used a knife. At the moment, there are moves afoot to ban knives or other types of weapons that can be used to stab people. I remember hearing, "That will never happen. We'll never ban knives. You can't ban knives." To believe the contrary is to overdose on political correctness. It is simply not true. I reiterate that I am not a firearms owner. I do not have a firearm. I do not need one; I live in town. However, the simple fact is that many law-abiding citizens need a firearm to pursue either a legitimate sport—a sport that Australia wins gold medals in—or to destroy feral animals on properties or for the many other reasons for which firearms are necessary. That brings me to the Bill under discussion.

An honourable member interjected.

Mr NELSON: It certainly does not bring me to the end; I have four minutes to go.

There are certain parts of the Bill with which I cannot agree. When I was a member of the One Nation Party I did not agree with them and I sought to have some of them changed. They were not changed. That is an internal issue more than anything else, and that has been resolved by the fact that I am no longer with One Nation.

Mr Fenlon: They miss you, too.

Mr NELSON: I am sure they do.

I was elected on a platform of arguing against a restrictive firearms policy. Hopefully, as I said before, one day we will be back in the Parliament debating the issue of whether we should lift a restrictive prohibition that we have had for many years.

In conclusion, many references have been made to the United States. For example, under Virginia's Project Exile every criminal who is captured in possession of a firearm or who uses a firearm to commit a criminal act is automatically given a further five years' on top of whatever sentence they get. Project Exile has reduced criminality dramatically across-the-board. The National Rifle Association of America has stated that, if that law was applied right across the United States—again, it is very supportive of this law—that would be the ultimate form of targeting the criminal instead of targeting innocent people who have done nothing wrong and who have been legitimate firearm owners for some time.

My main message tonight is that if the Government were to target criminal behaviour and the illegal ownership of firearms, strike down people who import firearms into this country, knock gang related violence on the head, target heavy drug importation and attack the fundamentals of crime, such as that which the member for Thuringowa spoke about, it would have my full and undying support. However, when it attacks the legitimate freedoms and rights of individuals and when it attacks peace-loving and innocent law-abiding citizens of this State, it does nothing to reduce crime and everything to increase the chances of people like me and other honourable members being re-elected.

Mr WELLINGTON (Nicklin—IND) (8.58 p.m.): I support the concept and operation of a prohibited persons register. One of the concerns I have with this Bill is that it will place a mandatory requirement on all doctors and psychologists to report a condition or illness which for the purpose of the Bill would make a person unsuitable to obtain or hold a firearm licence or a weapon.

If this Bill is supported, I believe it may act as a real deterrent to men and women who need professional assistance and counselling. I say this because it appears to me that some people who may need professional assistance and counselling may refuse to seek that assistance from doctors because of their concern that they will be automatically reported to the commissioner for placement on the register. I believe we need to encourage men and women who need that assistance to come forward and seek out that assistance from doctors, instead of making it more difficult for them.

In his second-reading speech, the member for Caboolture spoke about the need for licensed firearms owners to not be treated like criminals, not be harassed by Government departments and not be subjected to unnecessary regulations or intrusions on their day-to-day activities. I support that statement. However, clause 22 of the Bill, which inserts a new section, imposes a general confidentiality obligation in relation to information gained in the administration of the Weapons Act.

My interpretation of the Bill is that it will make it more difficult for the commissioner to provide information on the register to other State and Federal Government law enforcement agencies and inquiries. I certainly cannot support the restrictions on the easy exchange of information between these agencies because I believe that we need to ensure that the Government law enforcement agencies and related agencies are not hindered in their endeavours to investigate and pursue investigations of illegal activities. I could talk for another 18 minutes, but I simply say that I cannot support the Bill in its current form.

Mr MICKEL (Logan—ALP) (9 p.m.): This Bill should be opposed. It in no way reflects the aspirations of the majority of Queenslanders. It is a throwback, a throwback to the maiden speeches of One Nation's world conspiracy theorists. We are asked to believe that a deranged individual such as Bryant was an international agent so that the Prime Minister could change the gun laws. If we ever doubt that, let us revisit that unforgettable debut of the member for Burdekin, when he said—

"The great doublecross of them all was Prime Minister Howard's knee-jerk reaction on the firearm laws, allegedly because of Port Arthur. We now know that Port Arthur had nothing to do with it. That was only the excuse to slug Australians with extremist laws long

hidden away in the files, laws hidden away in the dark bogholes of Canberra, awaiting the day when Australian law makers could be scared into passing laws hatched in a far away foreign capital to better fit Australians into their glorified international mould."

That is the absurdity that is driving this legislation in here. This Bill is an attempt to try to cloak the theory with some sort of responsibility. But none of the One Nation members at that time demurred from that paranoid interpretation of this tragic circumstance.

However, in the lead-up to this debate tonight, we have had Ron Owen threaten people who disagree with him on gun control by placing photographs of private homes on the Internet. Presumably this is to ensure that, whilst we are in here in Parliament or away on parliamentary business, we can be reassured that every lunatic with a grudge to bear on any one of us can place our families under potential siege. Owen has the full support of the One Nation Leader in this place in the absurdity that he is carrying on with. Let us bear in mind the mentality and the background that is driving this legislative change here tonight.

Owen's tactics work well in the United States where they have a fluid party system, a system made up of quasi-Independents under which it is easy to scare off politicians or buy off politicians who can be covered by the United States gun lobby. It is often overlooked that the strong Australian two-party system is a bulwark against this type of potentially corrupt behaviour by gun lobbies with bags of money. An Independent is more vulnerable to this narrow style, obsessive standover tactic, but the party system of Westminster with Cabinet Government stands against the corrosive influence of the gun lobby.

When the National and Liberal Party leadership determined that it would oppose this Bill, that was the end of it. The gun lobby cannot buy a preselection in this country in the same way that it can buy a preselection in the United States. It becomes sidelined, resorting to photographing MPs' homes and publishing the photographs on the Internet. It is this type of standover tactic, so repugnant to the Australian way of life, that the member for Caboolture stands shoulder to shoulder with. We should condemn it, and condemn it utterly.

This Bill is for people to defend their homes, we are told. The Criminal Code, developed by Griffith over 100 years ago, refined by Goss and revisited by the coalition

adequately allows people to defend their homes with reasonable force, which is why offences against the home carry a higher sentence depending on the hour of night. So reasonable force is well recognised by and enshrined in our Criminal Code, and has been for over a century.

But are armed robberies at home an overwhelming feature of our society? I can recall the windy rhetoric of the member for Crows Nest when he referred to the offence of breaking and entering as a home invasion and the inflated rhetoric of the member for Indooroopilly when he declared, "Well, the next home invasion will be the last one." Regrettably, there are still break and enters. Armed robberies at home constitute 7.4% of all armed robberies—traumatic, devastating, unwarranted, intrusive as they are—but 49% of all armed robberies occurred at retail locations, followed by streets and footpaths at 19%. In other words, One Nation is trying to use the emotive home defence argument for convenience to try to introduce laws that I might say even the United States Senate has been shamed into changing as a direct result of the Colorado incident.

There was an interchange between the Honourable the Minister for Public Works and Minister for Housing and the honourable member for Hervey Bay when this Parliament last met. I think it showed dramatically that these proposed changes to the firearms laws do not really have the support of One Nation. Let me revisit that exchange. The Minister, "Do you own a gun?" The member for Hervey Bay, "No. I do not own a gun and I do not have a firearm licence. I do not need to."

We revisit when the member for Hervey Bay was first elected. Unfortunately, regrettably, intolerably, the honourable member was the subject of some violence where he was king-hit—a level of violence, I might say, that is visited upon very few people. Yet, even with that direct violence that occurred to him—after all that—the member for Hervey Bay said, "I don't need a gun. Never had to need one." Yet it is a level of violence that has never been directed at most of us. So there the case rests when it comes to the level of support, the level of real need.

So if One Nation is proposing that, by liberalising gun laws, people can kill in their own homes, they are quite correct. Consider this research: the Medical Journal of Australia on 7 October 1991 found that there were 587 deaths by firearms recorded between 1980 and 1989 in Queensland. Of those, 416 were in Brisbane, 159 were outside of Brisbane and

12 were unspecified. Seventy-six per cent of those deaths were by suicide, 18% by homicide, 3% by accident and 3% were unspecified. Their findings found that firearm deaths often involved impulsive action during a state of intoxication. More tellingly they found—

"Self-protection is often cited as a reason for firearm ownership. We found only one—

only one—

"definite homicide by a civilian killing a fellow among 51 other clearly defined homicides and during the same period as 446 suicides."

The medical research concluded this—

"Parents who keep firearms for reasons of family protection should realise that if their guns ever did kill someone, the most probable victim would be their young adult son dying by his own hand."

Similar statistics, I understand, are available in the United States' experience.

I must say that the situation is no different from that in the rest of Australia. Suicide accounts for the largest number of violent deaths in Australia. For every murder where a firearm is used, there are about six suicides. The rate of suicide by firearm outside of capital cities is almost four times that in capital cities. Part of the emotion behind this Bill is the argument that the presence of a gun in the house will be a deterrent, presumably against violence occurring. It certainly is a misreading of statistics.

Residential locations were the most common locations for murder offences. That is, 66% of all murders occurred in residential locations. The offender was recorded as known to the victim in 54% of all murder offences. In 22% of recorded murders, the offender was a family member. The real dangers in households were for females. Females were more likely than males to be murdered by someone known to them. Offenders were known to female victims in 64% of murder offences and were known to male victims in 49% of offences.

The reason the family home is the source of such violence is the intensity of human relationships, which is the highest there. The prevalence of domestic violence is testimony to this. Reason is swept aside and deeds are done, fortified by alcohol—deeds often times of high emotion and little thought of the consequences. In most domestic violence, it is physical violence with the presence of a

firearm where intention becomes murder in the blink of an eye.

The seriousness of the injuries changes with the presence of weapons. Firearms were kept on top of wardrobes and knives in kitchens. The evidence available suggests that wives are usually murdered in their bedrooms and that the few husbands who are victims are murdered in the kitchen. Guns make violence more violent. Most murders, as I said, occur among intimates. The role of firearms is that of an exacerbating factor.

I have deliberately chosen not to dwell on the unfortunate scenes at the high school in Colorado and the two similar incidents since then. The reasons high school students turn guns on their classmates are highly complex and interwoven with a family with a history of violence, gang membership and substance abuse. However, the risk is amplified with the easy availability of a weapon.

I turn to the macho notion that people woken up from their sleep will easily turn a gun on a would-be intruder. All the evidence suggests that in such a circumstance the offender will overpower the person and use the weapon against them. In more unfortunate circumstances it may well be a family member, possibly even innocently returning earlier than expected from a weekend away, a holiday, a camp or other activity, who finds themselves in a household where there is a gun, subject to the homicide.

But if there are any people so inclined to be macho in weapon use, I draw the attention of the House to the case of the prison officer who took action and shot dead an escaping prisoner. I refer to that high profile incident in Adelaide Street. The officer was so overcome with the psychological and emotional scar of taking a life, even that of a hardened criminal, that, sadly, he took his own life several months later.

I revisit a very moving speech made by the member for Gladstone, who, during her contribution to the debate on Anzac Day trading hours on 11 March 1999, referred to the war contribution of her father. I do not seek to belittle that contribution in any way. Anybody who has had a relative in a war zone certainly knows the sacrifices that family would have made. The member for Gladstone told us that her father never spoke about the atrocities he saw. He spoke about the good times but not the atrocities. That is also my experience when I visit the RSLs. The people who were at the front lines never talk about it. They never talk about those atrocious scenes they had to witness because it is all too painful

to remember. If a war scene is too painful to remember, how dreadful must it be to have to think about taking a life in your own home? That is what this Bill invites us to do.

No good can come of this Bill. It has been dressed up by a bunch of fanatics and lunatics to make it look respectable. It quite rightly does not have the support of the Government. Correctly, it does not have the support of the leading Opposition. It has the support of the fringe dwellers, the marginalised, the lunatics, the fanatics. I leave the House to them.

Mr WILSON (Ferny Grove—ALP) (9.15 p.m.): I rise to join with many others in this House in strenuously opposing the Weapons Amendment Bill introduced by One Nation. My particular concern is for three very vulnerable sections of the community—women, especially in domestic violence situations; older people, especially those aged over 65; and children, especially in domestic violence situations.

I acknowledge that, whilst a prevailing consensus will emerge at the vote on this Bill about whether or not this Bill should proceed, nonetheless there is a range of views, even within One Nation, about the appropriateness of this legislation. I also acknowledge that this issue excites a great deal of passion and emotion.

If there is any maturity in those who want to progress this Bill, they will seek to understand that there are more views around about this issue than the ones they hold which they think warrant the passage of this Bill. The arrogance that they claim is displayed by the major parties in this House is the very arrogance that I have seen displayed by a number of them in their contempt for the views of others. I exclude the member for Thuringowa in this regard. Their utter rudeness and offensiveness in the way they conduct themselves ought to be widely known amongst the electorates of Queensland.

In this House we seek sober, moderate representation, in the most balanced way possible, of the diverse range of views that exist within our respective electorates. We do no justice to this very critical issue in our community or to this Bill by behaving in the way that a number of One Nation members have in this House, on the issue tonight and on previous occasions.

I believe that the three defects of the many that exist in this Bill are as follows. Firstly, clause 8 of the legislation would allow it to be a defence for a person to possess a firearm in the so-called defence of their own home. Secondly, clause 9 would produce a situation

where a person could hold a firearm licence for life. Thirdly, clause 7 totally reverses the presumption that presently exists and produces a situation that everyone has a right to own a firearm unless a person can be disqualified from holding a licence because he or she has been entered on a register of persons not fit and proper to hold a firearm. I believe that those three defects in this legislation would significantly increase the risk of homicide against those three vulnerable groups of which I have spoken before, principally by the use of a firearm.

I believe that the best foundation for the national gun legislation that exists at present can be found in the Goss Government's legislation introduced by then Minister Mackenroth on 28 August 1990, namely, the Weapons Act 1990. Minister Mackenroth laid a number of foundation stones for that new legislation, which swept aside the then Firearms and Offensive Weapons Act because it needed radical overhauling. As he said on 28 August 1990, in the view of the Goss Government that legislation was a shabby compromise of the circumstances generating it and that many lives had been lost as a result of that legislation. Consequently, he introduced the Weapons Act 1990.

The grounds which I believe underpin that legislation and which continue through to today are as follows: firstly, he acknowledged that more homicides are committed in the home than anywhere else, and that the majority of victims and perpetrators know each other as spouses, friends, lovers, family members or neighbours. That picks up the point made by the member for Logan and many others. What is it about that point that people on the other side of the House, particularly in One Nation, cannot understand? That is the empirical evidence of the recent 10 to 15 years of research. What can they not understand about that?

Another point made was that firearms are too freely available in the community. They were then, and they still are now. He also acknowledged that, in this society, we can rightly expect to be afforded respect for human life and for our happiness, and that there should be no unreasonable or harsh restrictions on farmers and other responsible gun owners. He also picked up on an observation by Professor Richard Harding of the University of Western Australia, who said—

"Australian legislatures should have the courage to resist any gun lobby which emerges in response to proposed amendments ... Issues relating to gun

control must be dealt with for the public benefit and not so as to serve sectional interests."

Those principles were continued by the coalition Government, I am pleased to say, in the aftermath of the Port Arthur massacre.

On 24 July 1996, Minister Cooper, as he then was, acknowledged a number of matters. He indicated that there was a firm and resolute determination among the nation's law-makers and that they had a clear and urgent duty to respond to the Port Arthur situation. The Queensland Government was committed to the important principle of national uniform firearms control. He also wished to place on record his appreciation for the cooperative bipartisan approach offered by the Opposition and accepted by the Government. Further, he indicated that there had been unprecedented public demands for urgent and radical action. He himself, in his ministerial office, had received over 12,000 letters and faxes calling for urgent action, and he acknowledged that the best possible legislation that could be achieved under the most extremely difficult circumstances had been put forward in the national gun legislation via the Weapons Amendment Bill, and it passed through the House.

The evidence is overwhelming about how vulnerable women, older people and children are to homicide and to homicide through a firearm. In four out of five intimate partner homicides, the perpetrator is a male and the victim is a female. According to the Australian Institute of Criminology's report No. 90, intimate partner homicides involve spouses, ex-spouses, persons in current or former de facto relationships, boyfriends or girlfriends or partners of same sex relationships. The research also shows that the number of cases in which females are the perpetrators and males the victims represents a quarter of the number of cases in which males are the perpetrators and females are the victims. The research also shows that, after a sharp instrument, the firearm is the most common weapon causing death.

Further, a current issues brief from the Commonwealth Parliamentary Library dated 7 May 1996 indicates that firearms are the most important contributors to death and injury in two ways: first, in terms of their availability; and second, because they are so totally lethal. The National Committee on Violence concluded that—

"The vast majority of firearms homicides are unplanned and impulsive, and in all likelihood would not occur if

such a lethal weapon were not to hand. The availability of a firearm in these circumstances makes death a far greater likelihood, for research has demonstrated that the death rate for victims assaulted by guns is several times that of those assaulted with lethal intent by knives or other weapons."

In relation to older people—and the research I am drawing upon here is from the Australian Institute of Criminology's report No. 96—the risk of homicide for older people over 65, and particularly in relation to the use of firearms, is of about the same order as for children between the ages of five and 14. In the period 1989 to 1996, 6.8% of all homicides were committed against those aged over 65. I note, in passing, that 25% of those killed at Port Arthur were themselves over 65. In the case of homicides of those over 65, the evidence shows clearly that the majority of those offences are perpetrated by males. It also indicates that more females than males are actually the victims of these homicides, and only in 5% of cases are females the perpetrators in that over-65 age group.

I challenge the members of One Nation, in every electorate in Queensland, to go to the people at the next State election and tell them exactly what they say in this House about the liberalisation and the deregulation of gun control that they want in Queensland. Because one of the furrphies that they spread around is that only the mentally ill commit these tragic homicides. But they would not be too interested in the evidence and the research, because the evidence is quite the opposite.

The Australian Institute of Criminology's report No. 96 of October 1998 shows that only 16.8% of homicides on older people—just focusing on them for a moment—are due to a perpetrator who has been found to have a mental disorder. Only 3.8% of all homicides by firearms have been committed by people who were judged to be mentally ill at the time. The Commonwealth Parliamentary Library's current issues brief, to which I referred earlier, reports that in 86% of firearm homicides there is no recorded history of violent crime or mental illness.

I refer honourable members to an article in the Bulletin of 14 May 1996 which has been written in straightforward, plain English and is not complicated by the language of statisticians. I recommend that honourable members read this article which contains an excellent brief survey of the firearm issue. It points out that, when all the evidence from the last 10 to 15 years is analysed, and when the

question is addressed of whether or not mental illness is the real explanation for mass killing with firearms, it is found that the people who perpetrate these crimes are not all that different from the rest of us. The report says that they are not obviously different from the rest of the community. The real difference is that they feel free to express their emotions in physical ways which people did not use in the past.

The report relies upon research that was undertaken in Australia and New Zealand between 1987 and 1993. The report reveals that 70 people had been killed in mass killings during that period. Those people died in 11 separate shootings. Sixty of them were killed by people who had no history of mental illness or violent crime. The article basically says that most killers are not insane and cannot be identified in advance. Every person carries within himself or herself the potential for good or bad; for acts of grace or acts of incomprehensible cruelty. Murder reveals that side of us that we would prefer to pretend does not exist. How true that is!

The reality is that, because of the three defects I have identified, the liberalisation of gun laws proposed by this legislation will produce a situation where the three most vulnerable sectors of our community—women in domestic violence situations, children in domestic violence situations, and elderly people—will be exposed more ruthlessly than ever to the whim of, mainly, a male person, probably a member of the household, using a gun that is supposedly held for the defence of the family or the defence of the home. That person uses the gun against another person who is a member of the family unit.

This legislation must be buried, and it must be buried so that it can never be exhumed. I heartily oppose the legislation.

Ms NELSON-CARR (Mundingburra—ALP) (9.34 p.m.): On the third anniversary of the Port Arthur massacre we were confronted by an extreme Right Wing political attempt to relax our gun laws by allowing dangerous weapons back into the community. Only weeks after America's latest atrocity where 13 people were killed in a society that supports a gun-crazed perspective, we are confronted by the same extreme Right Wing One Nation—and its defectors—attempt to bring guns back into the community. This is shameful.

As a mother of five children and a teacher of many young people, I feel outraged not only because we are constantly reminded of these shocking and horrific events in our history where innocent people continue to lose

their lives but also because most of these incidents occur in settings where we least expect them—schools, shopping centres, restaurants and our homes.

After the Port Arthur tragedy, the Government, responsible individuals and agencies moved jointly towards the development of uniform firearm legislation. Since homicide has the highest potential to cause fear in the general population, and in every five days one person is killed by another with the use of a firearm, it is not hard to understand why so many of us are outraged by the attempts of a minority of people to reintroduce guns into the community. Gun massacres are not new to Australia.

Mr Knuth: Do you reckon we should get rid of them? Would that solve the problem?

Ms NELSON-CARR: The honourable member should listen; maybe he will learn something.

During the period between 1987 and mid-1996 the Australian Institute of Criminology reports that, on average, 13 people have died in multiple killings by firearms every year—an average of 5.3 deaths per incident. The Port Arthur tragedy and another mass killing in Brisbane in 1996 added another 42 people to the death statistics.

With these statistics in mind it is no wonder that those responsible members of our community who campaigned for tighter gun control were those who wanted to save lives. The grief and pain which follow gun deaths are spared as a result of gun control. Prior to the tightening of firearm regulations, domestic homicides across Australia were increasing. In so many cases, husbands and fathers would use a rifle to kill the wife and children and then commit suicide. The reasons for such massacres ranged from jealousy to business failure. Frequently, friends and neighbours had no idea that the family was in turmoil.

While the gun lobbyists call for increased mental health services to curb domestic homicide, the member for Caboolture was saying on radio that gun outlaws, or gun users, are a small minority of people whose mental problems should be appropriately dealt with within the health care system and that law-abiding shooters should be left alone to pursue their favourite pastime. The member wants us to believe that criminals and psychiatrically disturbed people are the real causes of the gun problem. Of the 28 massacres between 1987 and 1996, only two of the killers had a criminal record, and only three had recognised psychiatric problems. Most of them fell into the "normal" category.

Indeed, many would suggest that the type of murderous behaviour seen in many of these massacres is becoming commonplace. It is usually angry, inadequate and unhappy men who are perpetrating this behaviour. This type of person is more often seen in our community. It is a quick, easy way to relieve negativity and frustration.

This would support the notion that it is undesirable to support a gun culture. Guns should not be established as a vital element in work and play—that is, a gun to be admired for recreation and providing a full and happy life. Guns should not be promoted, as in the American culture, as the pathway to freedom and independence and as a part of everyday life. The more that guns are taken for granted, the more violence will be normalised and the more frequent will be its appearance.

To quote Linden Richard in *Biting the Bullet: Gun Control in Australia*—

"An important feature of the most recent national uniform gun control legislation was the requirement that ownership of weapons be recorded. The gun lobby dismissed the requirement as expensive, a waste of time and a useless aid to catching criminals. In light of the tragedies, however, the reason for such registration becomes clearer. In many cases an offender's lack of knowledge of a weapon has cost people their lives. For example:

In 1992 in Terrigal, New South Wales, a man who had already surrendered several weapons to police used an illegally retained gun to shoot dead two women and three men in a domestic dispute.

In 1995 two police officers who were coming to the aid of a woman in an apparently routine domestic dispute in Crescent Head, New South Wales, were shot dead by the woman's drunken ex-boyfriend. The man used a weapon police had not known he possessed.

A proper firearms registry would have given the police some indication of what dangers they were likely to face in these instances. It would also give them this type of invaluable knowledge during any future events.

...

The Sporting Shooters Association of Australia (SSAA) has suggested that some mentally unstable people are

attracted to guns. After the murder of three people in a gun shop in the Melbourne suburb of Springvale in 1993, the SSAA called for gun shop owners to be armed (Australia, *Gun Massacres in Australia*, p. 46). But would this be a positive solution, or would it just lead to more deaths? Proponents of tighter firearm restrictions believe a better solution would be to remove the guns from ready access and only place them in an atmosphere of restrained and responsible use."

The problem of suicide in our society is only exacerbated by the availability of firearms. The gun provides a fast and effective means to an end so that by reducing the accessibility of such provision we would probably reduce the number of such deaths.

The Herald Sun of 27 November 1984 reported as follows—

"The April 1994 suicide of rock singer Kurt Cobain (of the American band Nirvana) shocked his fans, and led to intense curiosity and interest among many teenagers who had never previously heard of him. A few months later, a young brother and sister, aged 12 and 15 years, from country Victoria killed themselves the day before they had to attend a fringe Christian group's four-day country convention. The suicide note said the convention was the reason for their action. Their suicide note said the convention was a reason for their action. It was reported that the girl was a Nirvana fan. The children used their father's rifle which they had never been taught how to use. It was kept under a bed. The children's bewildered parents said there was no warning of the suicides. The father said, 'I can't understand why they would do this. Suicide is so final.'"

Jenny Plumstead, of Gun Control Australia, said that the tragedy highlighted the weakness in Australia's gun laws at that time, and stated further—

"Sensible gun laws could have prevented these unfortunate deaths. A 1993 survey by the Bureau of Statistics found that 85,000 homes in Melbourne had guns, but fewer than 20,000 of them kept their guns locked safely in a steel box or safe. Most simply stored them in a cupboard."

Mr Feldman interjected.

Ms NELSON-CARR: The member was talking, so he did not hear the reasons.

The issue at stake is public safety. Although those proponents of less restrictive firearm conditions deny that the restriction of gun flow in the general population will not reduce firearm misuse, it has to be agreed that our society is tragically touched by gun mayhem. If our shocking suicide rate, especially among rural males, can possibly be reduced by lessening the availability of guns, then surely this should be reason enough to continue to tighten gun control measures. How else can we live in a peaceful society if we do not place limits on gun usage?

Mr Feldman: Help them keep their farms and you wouldn't have poverty.

Ms NELSON-CARR: Is the member finished? Gun control is not oppressive; rather, it helps to set boundaries of civilised behaviour that can only benefit the whole. If we refused to pay taxes and drove on the wrong side of the road, there would be no benefits for anyone. Our environment would be unsafe. I recommend the tightest possible controls on gun ownership and usage in our society and urge members not to support the Bill.

Mr FENLON (Greenslopes—ALP) (9.41 p.m.): I rise to oppose the Weapons Amendment Bill. In doing so, I wish particularly to stand up and be counted. I have considered this legislation very carefully. I have been lobbied directly by members of the pro-gun lobby. I have considered their submissions very carefully. I must say that their representations were polite and well considered. However, I must reject those submissions and this amendment Bill.

Mr Feldman: Tell us your reasons.

Mr FENLON: I certainly will. In doing so, firstly I want to say that I am here strongly representing the overwhelming view of the people in the electorate I represent. In particular, I am here representing the gun owners in my electorate. They shoot at the Belmont Rifle Range. Those people take their children to the Belmont Rifle Range and teach them how to use firearms safely and to respect firearms. I support those people's views. I also believe that children should be taught how to use firearms and how to respect them so that if they encounter them later in their lives, they have the appropriate skills to be able to use them.

Mr Feldman interjected.

Mr FENLON: I take that interjection. The families in my electorate who have the guns have no problems with the law. The people I know have their guns locked up and are complying with the law. They love these laws.

They think that they are the best thing since sliced bread. They are more than happy to comply with them. They have no problem with them. In fact, as gun owners, some of those people are advocating that the gun laws should be tightened even further. Those people are great lovers of sporting shooting. They live in the suburbs that I represent and they are very happy to be able to use their guns regularly. I am not delicate about guns. I grew up with guns around me. Personally, I do not have any problem with using guns for sport and recreation. However, times have changed, our society has changed, and we must take account of those changes. We no longer live in a small country town environment. We must have laws that suit a mass society, which is struggling to cope with changing values, the difficulties experienced by young people, and the power of such weapons.

I want to touch on the most dangerous and insidious part of this Bill, which relates to the definition of reasonable force. The Bill raises the issue of reasonable force in the context of the defence of ourselves, our family or our place of residence as being the most sacred aspect of our lives. I certainly agree with that. However, this Bill uses that premise as the reason to change the principle of reasonable force, which is currently enshrined within our Criminal Code. That principle has been with us for a long time and it has worked extremely well. In recent years, we have seen some refinement of it. Basically, the principle of reasonable force is that an individual can use force that is reasonable in the circumstances. The circumstances vary according to the dispute and the violence that may emanate. The principle could vary when it is applied to a frail grandmother dealing with a burly youth or when it is applied to a frail, small young person dealing with a robust female. Whatever the circumstances, the tried and tested method of our law is to determine, on the basis of the evidence, whether reasonable force was used.

In recent years there have been incidents in which individuals have been severely injured and even killed and it has been deemed that reasonable force was used and those persons have been exonerated. In other cases, reasonable force was determined not to have been exercised and the person made subject to prosecution. That method has worked very well. The proposal contained in this Bill changes the fundamental principle of reasonable force. If it were not such a serious matter, the way in which this Bill attempts to change the principle and the way in which this proposition was put so quaintly in the second-

reading speech would be comical. The second-reading states—

"This Bill will also remove the anomaly whereby someone legally acting in self-defence may nevertheless still be guilty of an offence under the Weapons Act."

So this Bill regards the principle of reasonable force as some sort of anomaly. That is an abhorrent concept that turns our system of law, which has been operating for many years, on its head.

What surprises me most of all is that former officers of the Queensland Police Service are among those members who are advocating this Bill. I cannot believe that that is the case. If people went to the fine members of the Queensland Police Service in my electorate and said, "There is a proposition to change the law so that you can walk into someone's front yard and they can shoot you and say, 'Sorry, I thought you were an intruder. I didn't see your blue shirt and your badge' ", they would have those people tarred and feathered.

Mr Feldman interjected.

Mr FENLON: If there is something else, I would ask the honourable member to please tell us about it. That is the proposition in the legislation and I state it clearly because the honourable member may not realise what he is advocating. When the principles of reasonable force are taken away, a serving officer of the Police Service can walk into a yard and be shot, and an offender, or an innocent person for that matter, can use exactly that defence. The member may want to tell the House something different, but so far he has not further explained that issue. That provision is contained within this Bill. It is a complete reversal of the fundamental principle of reasonable force that is enshrined within our legislation. It will put officers of the police force, other officials and the general public in grave danger.

This legislation gives people a 007 licence to kill. It removes the principle of reasonable force and it says, "You do not have to abide by this principle any more." Although it is quaintly put, the legislation removes that anomaly. This Bill says, "You can now shoot somebody who is intruding on your premises." We do not know how that will be proved. The details surrounding this provision seem to have gone out the window. We do not know exactly what they are. The principle of reasonable force is removed through this proposition. It is as simple as that.

The issue is that, as I have said, our society has changed. We have to deal with desensitised youth, and in the course of this debate some very good points have been raised about the pressures that are placed on young people, and on society in general, by the mass media and so on exposing people to violence. Unfortunately, that has changed our society. As a result, we have to maintain a far more vigilant position in terms of controlling guns, as unfortunate as that may be.

The obvious precipitator of this situation was the very tragic Port Arthur massacre. That was real and it is something that Australia is still dealing with. The aftermath of that massacre has been etched deep in the Australian psyche. It has changed Australia forever. As a result, most Australians—people from the most diverse positions of the Australian political landscape—have come together. Now, only a few fringe dwellers are left on the outside when it comes to this issue. John Howard said—

"It took an act of savagery unprecedented in peacetime to produce a coalition of interest unprecedented in peacetime—in its breadth, its depth, and its strength to resolve."

That was the start of the process to bring Australians together. We said, "We will not take any more. We are going to change these laws forever. We are going to take a position and be a responsible society."

Australia is not alone in this reaction because internationally the same sort of trend has occurred. Similar very unfortunate disasters have happened in other countries. For example, in 1987 in Hungerford, Berkshire, in the United Kingdom 16 people were killed by Michael Ryan. The British Government banned the private ownership of most self-loading rifles and shotguns in Britain through the introduction of the Firearms (Amendment) Act 1988. Similar disasters have resulted in like action being taken by most comparable western countries. That has led to the situation that we have in Australia today.

As a response to the tightening of laws, the Australian Parliamentary Council identified a need to ensure that some mechanism is in place to review the progress of these laws. The Australian Institute of Criminology was enlisted for that purpose. It is ironic that just this week the Australian Institute of Criminology has released a paper on the results of a study of the first couple of years of the implementation of these laws in Australia. The study states—

"In summary, the preliminary results seem to indicate that there has been an

observed decrease in firearm-related violence and misuse, especially in firearm-related suicides."

The report further indicates that the tightening of firearm control legislation may reduce suicide rates, especially among young men. That is an important aspect, especially for our rural areas, because as we all know the rate of suicide among young males in the country areas of this State in particular is highly alarming. The report indicates that of the most common methods of attempting suicide, firearms are more likely to prove fatal. In the United States, about 90% of firearm suicide attempts are successful, compared to about 80% for hanging, 77% for death from carbon monoxide poisoning and so on. The report concludes—

"There are many factors to be considered when attempting to assess the impact of the implementation of any new legislation. Overall, based on the preliminary findings outlined in this paper, we have observed a decline in firearm-related death rates (essentially in firearm-related suicides) in most jurisdictions in Australia. We have also seen a declining trend in the percentage of robberies involving the use of a firearm in Australia. Explanations for these declines are not yet available ..."

It must be said that these are very preliminary findings and there is certainly a lot more follow-up work to be done in terms of the impact that the laws have had. It is salutary to look at the Queensland statistics for the past two years relating to firearm related deaths. In 1996, the figure was 4.76 and in 1997 it was 3.23.

I conclude by commenting briefly on Mr Owen's publication of pictures of members' houses on the Internet on behalf of his pro-rifle, pro-gun organisation. I place on the record that this action was intimidatory, sick and insidious. Above all, it was un-Australian. If this gives an indication of the mentality of the people who advocate gun law liberation in this country, I believe that Mr Owen has done his cause a great disservice. It raises the spectre of whether we need some form of stricter privacy legislation in this country, but I do not think that we should let something like this push us down that road. Australia is a wonderful free country and we should not allow this sort of low act to push us into unnecessary knee-jerk reactions. I urge the House to reject this rapacious piece of legislation.

Mr FELDMAN (Caboolture—ONP) (9.59 p.m.), in reply: Before I begin, I acknowledge the contribution of all members

who participated in this debate and the passion with which they spoke. I will comment initially on a statement made at the last sitting in this debate by the Attorney-General, who said that the spectre of Martin Bryant haunts this Parliament. The only trace of Martin Bryant in our society today should be his spectre. If the citizens of Tasmania had the ability to carry a firearm in self-defence, how many lives would have been saved had a solid, community-minded citizen put him away? If the Attorney-General and his Government had the guts to put the issue of capital punishment to a referendum, evil murdering offenders such as Martin Bryant would only be ghosts and spectres in our society. The good thing about ghosts is that they do not hurt anybody.

When the One Nation drafted organ donor Bill is finally passed, perhaps in future a few dying One Nation members will be able to donate their spines to members of the Labor Party and the coalition. It is not a Viagra pill that they need, but a backbone. Instead of hanging vicious criminals, the Government puts them away in comfortable accommodation, feeds them three meals a day and gives them free medical care, education and entertainment. Meanwhile, the families of victims suffer in silence, anguish and often poverty, unable to understand why the killers are protected by the State. That is what is wrong with Queensland. It has nothing to do with firearms.

Three weeks ago, two separate brutal attacks occurred in Queensland in which two males were abducted, raped, set on fire and left for dead. That is what is wrong with Queensland, and it has nothing to do with firearms. Last month a 23 year old man was convicted of murder in the Western Australian Supreme Court. The man killed his 67 year old grandmother and her pet dog not with a gun but with a hammer, a lawn edger and a knife. Then he attempted to decapitate and disembowel the corpse. He removed part of his grandmother's intestine and hung it over a fan. He told the police that he was inspired by the movie *Silence of the Lambs* and that he had prepared a list of people to kill. That is what is wrong with society, and it has nothing to do with firearms.

A number of years ago a little girl named Sian Kingi was attacked. As I have elaborated on my involvement in the investigation previously, I will not comment further except to warn the House that noted criminologist and social psychologist Paul Wilson has said—

"If people think that violent sexual offenders can be rehabilitated they are living in cloud cuckoo-land."

That is what is wrong with our State. It has nothing to do with firearms.

On 5 May 1999, we read in the Courier-Mail that young Australians are learning their problem solving and aggression from violent video games and absorbing the same misguided ideals that led to the recent US school massacres. That is what is wrong with our kids. Firearms are not the problem. On the subject of educating our children, let me read a poem that Year 8 children from the Beenleigh State High School were given to study and prepare an assignment on about one month before the Littleton schoolyard massacre in Colorado. The poem, by Roger McGough, is titled "The Lesson". It reads—

"Chaos ruled OK in the classroom
as bravely the teacher walked in
the havocwreckers ignored him
his voice was lost in the din
'The theme for today is violence
and homework will be set
I'm going to teach you a lesson
one that you'll never forget'
He picked on a boy who was shouting
and throttled him then and there
then garrotted the girl behind him
(the one with grotty hair)
Then sword in hand he hacked his way
between the chattering rows
'First come, first severed' he declared
'fingers, feet, or toes'
He threw the sword at a latecomer
it struck with deadly aim
then pulling out a shotgun
he continued with his game
The first blast cleared the backrow
(where those who skive hang out)
they collapsed like rubber dinghies
when the plug's pulled out
'Please may I leave the room, sir?'
a trembling vandal enquired
'Of course you may' said teacher
put the gun to his temple and fired
The Head popped a head round the
doorway
to see why a din was being made
nodded understandingly
then tossed in a grenade
And when the ammo was well spent
with blood on every chair
Silence shuffled forward
with its hands up in the air
The teacher surveyed the carnage
the dying and the dead
He wagged a finger severely
'Now let that be a lesson' he said"

The poem was enclosed with a letter sent to me by a woman who was appalled that this poem would be given to children in that school as the basis for a lesson. She writes—

"I am a very concerned mother of a year 8 student, who was given the enclosed poem by her English teacher.

I personally do not see that it is an appropriate poem to be used in the school curriculum. I rang the Beenleigh State High School to make a formal complaint at my disgust at the poem.

I spoke to one of the Deputy Principals who knew nothing of the poem as it was not in his department.

He said that he would speak to the English teacher concerned and that someone would get back to me.

When the Head of the English Department rang me back it was to tell me that she knew nothing of the poem. When she had spoken to the teacher concerned, she was told that it was to show students that poetry could be funny and that it did not have to be dull and boring."

The writer of this letter expressed her view that there was nothing funny about the violence portrayed in this poem. I thoroughly agree. She was told that there was nothing that could be done about it now as the poem had been handed out, and that they will try to choose more appropriate poems in the future. The writer stated—

"I feel that should never have been handed out at school in the first place. It was only a few days later that the massacre happened in the school in the USA."

This is what is wrong with children today. I table the poem and the letter for the information of the House.

A study by the US Office of National Drug Control Policy found that drugs, alcohol and tobacco are used in 98% of all movies. According to retired Lieutenant Colonel David Grossman, a US military professor and behavioural expert on killing, the violent video games played by Australian teenagers are used by the US military to desensitise its soldiers and turn them into killing machines. That is what is wrong with our society today. It has nothing to do with firearms.

This week in Wollongong a 32 year old man killed a two year old child with what? A gun? No, with a claw hammer! In Sydney two men bashed another man to death while a

crowd of onlookers cheered and clapped. That is what is wrong with our society today. It has nothing to do with firearms. The people responsible for these abominable acts should not be living in our society any more. For the common good, they should be put to death. There is no justification, either moral or economic, to keep these types of monsters alive. The families of the victims suffer in anguish, unable to understand why their taxes feed, clothe, house and educate the monsters who killed their loved ones.

Is the Government aware of the call from individuals and community groups alike to allow suitably qualified people to acquire a firearm for self-defence? I refer to a letter from the President of the Victims of Crime Association Queensland dated 13 June 1996 to then Police Minister Russell Cooper. It stated—

"Dear Minister

Thank you for the opportunity for our organisation to put forward a submission on the issue of gun control.

Over the past few weeks I have received input on this issue from a number of branches of the association."

The letter continues—

"I feel that the branches and members are conveying to me through their personal input, primarily, that they do not share the opinions of the anti-gun lobby, and in fact believe that all those who want to have a weapon should be able, if they pass the necessary criteria, to do so, etc."

In addition, Mr Ian Davies goes on and says plainly what should be concerning this Government. He emphasises mental health; alcohol and drug abuse; visual violence in movies, videos, computer games, etc.; media violence; the insensitive pursuit of victims of violence and sensational reporting; lack of discipline in schools and homes; lack of responsibility by parents; and lack of commitment by the criminal justice system. I can only echo the noble concerns of this man who cares for the suffering of victims—a very righteous cause. But instead of tackling the cause of the increasingly dysfunctional society, you have taken the path of least resistance and created the gun grab.

Recently we saw on A Current Affair that a Tasmanian RSL also wants people to be able to defend themselves with firearms. The comments of these two community groups are in accord with our policy and allow licensed people to obtain a firearm for self-defence

while restricting possession of category D weapons to members of military rifle clubs established under the auspices of the military Act of 1913. Does the Attorney-General regard these people as rednecks?

Two phenomena have become apparent during this debate to introduce better firearm laws into Queensland. The first phenomena is the absence of the National Party in this debate. It is missing in action, as the cartoon illustrated this morning—no target—because its members have been ordered to keep their mouths shut and to do as they have been told. They say they will fix the gun laws when they are in Government. Talk is cheap and no-one believes them. Incidentally, just for the information of the House, I point out that they have removed their firearm policy from the National Party Internet site.

The second revelation emerging from this debate is that, with the exception of the member for Gladstone and a couple of other members on this side of the House, no-one in this House appears to be able to read, because they have demonstrated the most appalling ignorance in relation to this Bill. No wonder the public complains that politicians do not understand them. Let me say it again for the literarily challenged—and I would have said "brain dead", but some have clearly shown in this debate that they did not have one to begin with, as the member for Logan clearly demonstrated.

The Weapons Amendment Bill is a direct translation of our State firearm policy, which was released before the State election. We only want good people to own firearms, and that is why we support compulsory licensing and compulsory practical and theoretical training. That is why we also adopted the concept of the prohibited persons register from the Queensland Liberal Party. We do want people to have a freedom of choice. If they are of good character and if they qualify for a licence, then they should be entitled to obtain a firearm for self-defence if they wish to do so. We do not want children having unsupervised access to firearms, and our policy reflects this. We do not want licensed firearm owners to individually register their category A, B or C firearms because that will not reduce crime, is a waste of police manpower and because we believe that the individual registration of firearms is only the prelude to eventual confiscation of all privately owned firearms in Australia.

We do believe that our defence forces are chronically inadequate to perform the task of protecting us, and we support the use of

military rifles by properly constituted military rifle clubs, as originally envisaged under the defence Act of 1913. After both great wars, our Government gave away guns and ammunition to our people so that they could learn to handle a firearm. Why? So that we would be in a state of preparedness should the unspeakable occur again! Are any of us ready today should the unspeakable happen? No-one is prepared to face this truth.

We believe that it is not the fault of firearm owners that we live in an increasingly unemployed, violent and immoral society within which no Australian Government—and I repeat: no Australian Government—has had the guts or ability to tackle the problems, and we believe that every human being has a God given right to effectively defend themselves and their family and that no State can take away that right. This is one of the inalienable rights that our ancestors fought and died for and is a right that should never be taken away. This State is dismantling that legacy.

The contribution made by the member for Mount Ommaney was so inane that none of it warrants a response, except in relation to the crime figures that she quoted from the Minister's graph. We have discovered that the graph was produced by the police at the Minister's request. As we cannot examine the data it was compiled from, we have no further comment except to say that it is a political graph quickly cobbled together. If the Minister was fair dinkum, he would table the ancillary data as well.

The latest Queensland police statistical review summarises the situation in easy to understand language. On page 11 it says—

"The increasing trend in armed robbery evident in 1996/1997 (when reported offences rose by twenty percent) has continued this year, with offences rising by sixteen percent from 1070 to 1246 offences."

It also says that robbery offences tend to occur more frequently in the south-east corner of the State, with the highest rate occurring in the Metropolitan North Region, with 93 offences per 100,000 population, where one would expect the level of legal firearm ownership to be low. In other words, the incidence of armed robbery appears to be inversely proportional to firearm ownership. This laughs in the face of the report of the friends of the criminals: the Coalition for Gun Control.

We also see from the CJC publication A Snapshot of Crime in Queensland from February 1999 that armed robbery has risen from 17 per 100,000 population in 1989-90 to

36 per 100,000 in 1997-98. More interestingly, we can see from the same publication that the Queensland armed robbery rate of 36 per 100,000 population is much lower than the national average of 48 per 100,000, yet Queensland has the greatest density of firearm ownership in Australia. What does that indicate? It indicates that firearms in good hands are unrelated to the increase in armed robbery. In fact, the reverse may be true.

More startling evidence that the gun grab has failed to curb armed crime may be found in the Australian Bureau of Statistics publication 4510, Recorded Crime, Australia, 1997. We see the number of victims of armed robbery has increased from 6,256 in 1996 to 9,015 in 1997, or a 44% increase, in spite of the gun grab. We also learn that the Northern Territory, which always has had draconian gun laws, has the highest rates in Australia per 100,000 population for murder, assault and sexual assault. How can honourable members argue with data like that?

Something is badly wrong in Australia, but I can tell honourable members now that decent Australians owning firearms have not caused it. Criminals with criminal intent, who will always have access to any firearm they like, are the ones who have caused it. They are the ones targeted by our legislation.

The bleeding hearts tell us that we cannot stop drugs from coming into this country. The same is true for firearms. It is as easy as the ordering of engine parts over the Internet, as the Sunday Mail clearly indicated. Regarding suicide, the publication Firearm-related violence: The impact of a Nationwide Agreement on Firearms, published by the Australian Institute of Criminology, shows that the total number of suicides is increasing from 2,393 in 1996 to 2,723 in 1997 and that in 1997 just 12% of suicides were firearm related. This tells us that the gun grab has had no effect on suicide numbers and that more people in Australia are killing themselves. That is something that this Government should be addressing—why they are doing it.

Let us look at the suicide rate of Japan, where the legal ownership of firearms is prohibited. According to our information from the Parliamentary Library, in 1967 Australia had a suicide rate of 12.7 per 100,000 people and Japan's rate was 14.1 per 100,000. In 1994 Australia had a suicide rate of 12.9 per 100,000. Japan's rate had jumped to 17 per 100,000, and yet there is no civilian ownership of firearms in Japan.

Suicide statistics from other countries also tell the same sorry story of how this world is

progressing in relation to suicide. If people want to suicide, they will find a way. This fact must be very disappointing to the Minister for Families, who obviously does not like firearms and does not want anyone else to have one either and who will say or do anything to get her way.

What about the well-documented fact that some 18,000 people per year die due to the effects of our hospital system? If the real issue was saving lives, then surely spending the \$500m on our hospitals rather than on confiscating guns from the good people would have saved more lives. Something is causing people to suicide, but it is not firearms. Something has caused an increase in armed crime in Australia, but it is not firearms.

I emphasise to this House that we have fully referenced all our sources so that anyone may verify our figures. That is something we cannot do in the case of the nebulous contributions by the members for Archerfield, Waterford and South Brisbane. The member for Archerfield perhaps let the cat out of the bag when she said that semiautomatic hand guns would be confiscated next. I must tell the member: every firearm owner—every honest, law-abiding concealable firearm owner—heard her.

One of the reasons we are stoically fighting here tonight is that we believe that the national registration of all firearms is but a prelude to total confiscation. We fear that this is only the thin end of the wedge and that ultimately the plan is to completely disarm the Australian civilian population. I will read to the House a quote from a very famous person. Then I will ask the House to identify the author. It was said—

"This year will go down in history. For the first time, a civilised nation has full gun registration. Our streets will be safer, our police more efficient, and the world will follow our lead."

Who said that? It certainly was not John Howard and, no, it was not the Police Minister either. Nor was it the member for South Brisbane, the member for Archerfield or the member for Greenslopes. It was actually Adolf Hitler. We all know that, rather than a safe society emerging, the extreme opposite occurred.

Whilst I acknowledge that the aforementioned persons all have a strange resemblance to Hitler in stature and policy, I do not agree that we should follow them in the goosestep of the gun grab. I recommend that anybody who wishes to learn how many people died as a result of Hitler's gun grab

contact an organisation called Jews for the Preservation of Firearm Ownership Inc. These Jewish people truly understand and know the ultimate price paid for compulsory firearm registration. That was disarmament and then death.

The member for Archerfield also said that the perpetrator of the Dunblane massacre would qualify for a hand gun licence in Queensland. I can confidently say that the perpetrator would definitely not get a licence under our legislation. I refer to the public inquiry into the shooting at Dunblane primary school on 13 March 1996. From that inquiry report, produced by the Central Scotland Police, we note that the perpetrator was in fact on the list of unsuitable persons kept by the scout association. The report suggests that the man was mentally unstable and possibly a pederast. Not that the second offence bothers those opposite, but a mentally unstable person would be reportable under our legislation.

Mr FOLEY: Mr Speaker, I rise to a point of order. The remark the honourable member made is offensive personally, I believe, to every member on this side of the House and I ask that he withdraw it.

Mr SPEAKER: Order! Will you withdraw that comment?

Mr FELDMAN: I refer to your rules, Mr Speaker, in relation to all people. The remark has to be personal.

Mr SPEAKER: Order! What did you say?

Mr FELDMAN: I was informed that the insult had to be personal.

Mr SPEAKER: Order! I think the whole of the Government side could take points of order.

Mr FELDMAN: One Nation has been called many things and there should be no point of order, Mr Speaker.

Mr SPEAKER: Order! I will ask the Clerk for his advice on this matter. The remark is certainly unparliamentary and I ask you to withdraw it.

Mr FELDMAN: I withdraw it on those grounds, Mr Speaker. I will talk about self-defence and the 1688 Bill of Rights, which is part of Queensland law as confirmed by the Imperial Acts Applications Act 1985. This Bill clearly implies that a person has the right to acquire a weapon to defend himself or herself. The fact that the Bill refers to religious groups is irrelevant as we have freedom of religion under section 116 of the Commonwealth Constitution. The Leader of the Liberal Party

was only half smart when he made reference to this in his speech, but that was possibly all he could do. The right to self-defence is a God-given, inalienable right which this Government is obfuscating by stopping qualified, good, law-abiding Queenslanders from obtaining a firearm to defend themselves or their loved ones.

Our Commonwealth Constitution mainly limits the powers of Government rather than bestows rights on individuals. This means that if something is not prohibited under our Constitution, our foundation legal document, then it is legal. For example, free speech is not mentioned in the Constitution but the High Court has decided that we do have it. Likewise, the issue of self-defence is not mentioned in the Constitution. Therefore, I expect that if the High Court was forced to decide it would rule that we all have an inherent right to self-defence, and effective self-defence at that. Unless one is a martial arts expert, one is effectively defenceless against armed robbers, home invaders and murderers, who will never be disarmed by any Government or police force—and history has shown this. This Government, by prohibiting qualified persons from obtaining firearms for self-defence, is acting unconstitutionally in my opinion.

The Government will argue that it can make laws for the peace, order and good government of the people. This Government argues, just as Hitler did, that its firearms laws are increasing the safety of society. But that is not what the crime figures indicate. If we can learn anything from history, that is certainly not what history clearly illustrates. We believe that enabling properly qualified and trained people to defend themselves with firearms does contribute to the peace, order and good government of the people.

The deterrent effect of random distribution of people who can defend themselves with firearms will reduce the attacks on people and property and will reduce the number of victims of crime at the expense of criminals. It will work in the same way that random breath testing is reducing drink-driving. It will work in the same way that red-light cameras are working. It is obvious that criminals will think very, very carefully before attacking someone who is or who may be armed, and this is the best, cheapest and quickest way for the Government and the taxpayer to reduce crime.

This absolute fact remains: as long as the Parliament prevents its constituents from effectively defending themselves, especially in their own homes, the blood of every victim of

crime in this State will lie on the members of this House who do not support effective self-defence.

I was a serving police officer in this State from 1977 to 1998—some 22 years. I did not have to wear a gun at all when I was first sworn in. As a matter of fact, I did not get a gun for some nine months after I was sworn in. At a time of the most lax gun laws relating to registration and the highest proportion of society owning firearms, the police and the protectors of our society did not have to wear or use one. This shows how the trend to violence in society has grown, and I have seen it grow from my own experience.

We have invented new sections of the Criminal Code to describe the rage and violence of our society. We now have torture in the code as an offence. We have incidents of road rage, phone rage and computer rage. We have drifted a long way from the more peaceful society that we once were. In all of this, I cannot blame firearms, knives, axes, hoes, machetes, hammers or any other tool used to kill. People kill. And until this Government moves to address the core issues that push people to violence, the trend will continue.

Time expired.

Question—That the Bill be now read a second time—put; and the House divided—

AYES, 9—E. Cunningham, Dagleish, Feldman, Knuth, Pratt, Prenzler, Turner, Tellers: Paff, Black

NOES, 76—Attwood, Beanland, Beattie, Bligh, Borbidge, Boyle, Braddy, Bredhauer, Briskey, Clark, Connor, Cooper, J. Cunningham, D'Arcy, Davidson, Edmond, Elder, Elliott, Fenlon, Foley, Fouras, Gamin, Gibbs, Grice, Hamill, Hayward, Healy, Hegarty, Hobbs, Horan, Johnson, Kingston, Laming, Lavarch, Lester, Lingard, Littleproud, Lucas, Mackenroth, Malone, McGrady, Mickel, Mitchell, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Purcell, Quinn, Reeves, Reynolds, Roberts, Robertson, Rose, Rowell, Santoro, Schwarten, Seeney, Sheldon, Simpson, Slack, Spence, Springborg, Stephan, Struthers, Veivers, Watson, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Baumann

Pair: Barton, Goss

Resolved in the **negative**.

QUEENSLAND BUILDING SERVICES AUTHORITY AMENDMENT BILL

Second Reading

Resumed from 18 November 1998 (see p. 3257).

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Aboriginal and Torres Strait

Islander Policy and Minister for Women's Policy and Minister for Fair Trading) (10.38 p.m.): The Government will be opposing this private member's Bill before the House, namely, the Queensland Building Services Authority Amendment Bill, but not because we disagree with the sentiments of the member for Whitsunday, who introduced it. I believe that, after reading the member's second-reading speech, almost every member of this House would agree that we need to provide greater security of payment for subcontractors in this State. Indeed, this subject has been spoken about by many members in this place. I believe that we are all earnest in our desire to provide that security. I believe that the problem that the Government has with this Bill is also mentioned in the member's second-reading speech, in which he acknowledged that these amendments are simple. They are simple. They are embarrassingly simple. And they provide no security of payments at all for subcontractors. This Bill proposes amendments to enhance security of payment in the building and construction industry. As will be seen, however, the Bill fails to achieve this objective and, in fact, may serve to undermine the existing powers of the Queensland Building Services Authority in this regard.

The Bill purports to oblige the Building Services Authority to intercede on behalf of subcontractors by an amendment to the objectives of the Queensland Building Services Authority Act. The Bill does not, however, contain any mandatory provisions which would create an obligation on the Building Services Authority to perform any function, whether on a subcontractor's behalf or otherwise. In the absence of such provisions, the amendment to the objectives of the Act is ineffective from the perspective of improved security of payment for subcontractors.

The Bill would also amend the Act to allow the Building Services Authority to impose a condition on a builder's licence where the subcontractor has laid a charge under the Subcontractors' Charges Act 1974 or where the builder has failed to comply with a court order for the payment of the amount to a subcontractor. The Bill further provides, for the purpose of the imposition of conditions, that it is a reasonable excuse for a builder not to have paid their subcontractors if they themselves have not been paid.

These provisions demonstrate a misunderstanding of the operations of the Subcontractors' Charges Act 1974 and equitable contracts. As a claim of charge under the Subcontractors' Charges Act 1974

can only be laid against moneys that are payable to the builder, a valid claim of charge may also automatically enliven the legislative excuse for non-payment contained in this Bill. Accordingly, the section will be rendered meaningless by the inclusion of the excuse for non-payment of subcontractors and, as such, will not enhance security of payment in any way. The inclusion of a reasonable excuse for non-payment would not be welcomed by subcontractors or the industry in general.

The Building Services Authority may currently impose a condition on a builder's licence where it believes that the builder has insufficient resources to meet liabilities, regardless of whether the builder has been paid. In fact, major industry stakeholders, including the Queensland Master Builders Association and the Housing Industry Association, have proposed that paid-if-paid or paid-when-paid clauses in contracts be deemed void because they are unfair.

Once again, this aspect of the Bill fails to enhance security of payment for subcontractors in any way. Rather, it would legitimise adverse outcomes already rejected by the industry.

It is disappointing that the member who introduced this private member's Bill stated in his second-reading speech that he has some understanding of the Scurr report and the implementation steering committee's report which was proposed by the former Government. I have said in this House and at other venues that I think the implementation steering committee's report on reforms to the building industry—particularly the Building Services Authority—has a lot to recommend it and is a quality document. If the member is purporting to have read and understood that document, it escapes me how he could introduce a Bill of this nature.

The purpose of the amendments relating to the imposition of conditions is unclear. The Building Service Authority currently has broad discretionary powers for the imposition of conditions in the event of concern over a builder's financial position. For example, over the past three years the BSA has initiated over 1,400 financial audits of builders, resulting in the imposition of conditions on, or the suspension of, more than 1,000 licences. Over the same period, more than 500 licences have been cancelled. These audits have been initiated because of a number of factors, including evidence of non-payment of subcontractors.

The existence of the BSA's broad discretionary power is explicitly recognised in

the Bill by the inclusion of a provision stating that the broad power is not limited in any way by the powers contained in the Bill. In light of this recognition, it is clear that the introduction of specific but flawed powers containing excuses for the non-payment of subcontractors adds nothing to the existing powers of the BSA and completely fails to meet its objective of enhancing security of payment.

The Government recognises the importance of security of payment in the building and construction industry and will shortly be delivering a comprehensive and coordinated draft of reforms designed to improve industry performance and promote security of payment. These objectives are not met by the Bill currently being debated.

It is disappointing that the member who introduced this private member's Bill has, to my best knowledge, on no occasion asked for a briefing on the Government's proposals for building a better building industry or in relation to our reforms to the Building Services Authority. Before introducing such a simplistic and embarrassing Bill such as we have before the House tonight, I would have assumed that the member would have taken the opportunity of getting a full briefing from the independent statutory authority about this issue. However, that did not occur.

Had the member been taking notice of the ministerial statements that I have made in this House and my public statements that have appeared elsewhere, he would have been aware that the Government is undertaking a thorough review of the building industry, and in particular of the Queensland Building Services Authority.

In the August session of Parliament I will be introducing three separate Bills to replace the Queensland Building Services Authority Act of 1991. The first Bill will be the Queensland Building Services Authority Bill, which will establish and empower the BSA and which will regulate commercial building contracts. The second Bill will be the new Queensland Building Tribunal Bill establishing and empowering the Queensland Building Tribunal. The third Bill will be a new Domestic Building Contracts Bill which will set out in straightforward detail the mandatory and prohibited contents of domestic building contracts.

The changes that we will be making to the Queensland Building Services Authority have gone through an extensive period of consultation. The changes were agreed to by a special purposes Cabinet subcommittee

comprised of myself, the Minister for Public Works and Minister for Housing, the Deputy Premier and the Minister for Local Government. All of us spent many months and put in the hard work in consulting with the industry in relation to the changes that we need to make to the Queensland Building Services Authority in order to deliver the reforms of the building industry that all Queenslanders want to see.

The legislation is being produced as I speak. I wish to commend the very dedicated and hard-working efforts that have been put into this matter by members of the Queensland Master Builders Association, the Housing Industry Association and the Building Industry Subcontractors Association. I believe that when we finally bring the three new Bills to the House in August they will receive the support of industry in general. These Bills are not about the simplistic, quick-fix solutions of paid-if-paid or paid-when-paid clauses that have been considered and rejected by the building industry in this State on many occasions over the past decade.

Mr Schwarten: No subbie supports that.

Ms SPENCE: Not one subbie I have ever spoken to supports paid-if-paid clauses. It escapes me how the honourable member could think that this is a Bill that would receive any support in this Parliament or in the industry. The Government's reforms will be aimed at benefiting subcontractors. We recognise that security of payment for subcontractors is an important issue. In rejecting the Bill before the House tonight, I think it is important to understand that this is an important issue and that a range of measures is needed to ensure that subcontractors receive their correct payments.

New legislation will ensure that there is a 5% cap on retentions and securities with a maximum of 2.5% retention and securities for defect liability period. There will be new prompt payment requirements to apply in all contracts stipulating that subcontractors must be paid within 30 days. We are doing simple things like making sure the subcontractors have written contracts with the head contractor—something that we assume occurs but, unfortunately, it does not occur in the building industry in this State. We will also give rights to suspend work where full payment is not made and no valid reasons are provided for any payment not paid by the due date. We will prohibit unfair contract clauses such as paid-if-paid and paid-when-paid clauses, the subject of this Bill tonight. There will be more rigorous financial assessments and audits on licensees to

improve financial viability. In this way, we hope to ensure that builders have financially sound businesses to ensure that they are capable of paying their subcontractors for the jobs performed.

There will be stricter penalties on builders and trade contractors who provide false and misleading information. We will introduce a five-year licensing ban for directors and persons associated with failed companies. We will streamline the dispute resolution processes through the Queensland Building Tribunal, with disputes involving less than \$10,000 generally determined within a day. We will provide access to the Queensland Building Tribunal for commercial disputes up to \$50,000. We will introduce nationally consistent technical competence standards. There will be better defined licensing classes and clearer definitions for scopes of work. We will introduce managerial nominees for companies to provide greater flexibility in meeting licence requirements. We will introduce power allowing immediate action to be taken against unlicensed contractors.

I have outlined a range of changes that we will make to the Building Services Authority Act to ensure that subcontractors receive their payments. However, neither I as Minister nor this Government is so foolish to suggest to Queensland's industry that any changes that we make in this Parliament to this legislation are going to guarantee 100% that all subcontractors in this State will be guaranteed payment forever and a day. That is impossible. However, I believe that the reforms that we are proposing, with the agreement of the industry, will create a better climate for subcontractors and ensure that builders have greater financial viability so that they can ensure that subcontractors get paid.

I have to say that, although the security of payment for subcontractors is an issue that takes up a lot of the time of this Parliament—and certainly over the past decade it has taken up a lot of the time of the political landscape—we in Queensland have one of the most secure building industries in Australia. The Building Services Authority is highly regarded as one of the goalposts within the Australian building standards. I also have to say that the other major players in this industry are the Queensland consumers. Most of the disputes that are resolved by the Building Services Authority or in the Queensland Building Tribunal are between builders and consumers and not between builders and subcontractors. So when we looked at reforming the building industry and reforming the Queensland Building Services

Authority, obviously a lot of our attention went to reforms that we could introduce to make the building industry safer for consumers as well as for subcontractors.

In the few minutes remaining to me, I want to talk about some of the reforms that we believe are needed to ensure that the industry is safer for consumers as well as for subcontractors and builders. One of the things that we will do is increase the maximum insurance entitlement from \$100,000 to \$200,000. I understand that during the 1997-98 financial year, over 23% of the residential dwellings that were built in Queensland cost over \$100,000. In fact, the cost is growing steadily. Obviously, when things go wrong for the people who are building houses that are worth over \$100,000, they are making much higher claims on the insurance fund. Certainly, those claims are disproportionate to the premiums that the builders are paying. For those reasons, we have decided to accept the ISC recommendations that there is a need to increase the insurance entitlement from \$100,000 to \$200,000. That increase in the insurance entitlement has been introduced already in New South Wales and Victoria.

Another major reform for consumers will be that, for the first time, insurance cover will be extended to high-rise residential units. We have all seen the burgeoning residential unit market in this State. It is time that the building industry and the insurance that we provide in the Building Services Authority kept up with the developments in the building industry. That is why we are including high-rise residential units within the insurance policy.

Moreover, we believe that we will be introducing more effective contractor licensing, which will eliminate bad builders from the industry and prevent the re-emergence of those associated with failed building companies. We will introduce the requirement for all contractors to arrange insurance and have written contracts for all building work, including variations. There will be limitations on deposits in domestic contracts and a five-day cooling-off period, during which consumers can withdraw from the contract. This is a new initiative. There will be a streamlined dispute resolution process with disputes less than \$10,000 generally determined within a day. We will introduce the right to end contracts where the price rises by more than 15% or where the work is not completed within 150% of the time specified in the contract. There will be better defined licensing classes with a clearer identification of important licensing information. There will be the extension of licensing to cover the important areas of fire

protection and soil testing—long overdue areas for reform in the Queensland building industry. There will be more appropriate licence requirements for persons undertaking structural renovations and repairs and inspection services. For the first time, we will provide a consumer advice booklet with all domestic building contracts.

By outlining some of the building reforms that this Government is initiating and by explaining to the member for Whitsunday this long and involved process that this Government has gone through to get to this point, I hope that I have convinced him and the members who sit with him on that side of the House that the very simplistic changes that he is proposing—to introduce paid-if-paid and paid-when-paid contracts—are the last thing that the building industry wants to see in this State. It wants to see a better licensing regime. It wants to see greater compliance with that regime. It wants to see a strengthened Queensland Building Services Authority.

I have a lot more to say on this subject, and I know that I have 40 minutes within which to say it. However, I will be happy to wait until the next sitting of Parliament to do so.

Debate, on motion of Ms Spence, adjourned.

ADJOURNMENT

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading) (11 p.m.): I move—

"That the House do now adjourn."

Townsville and Toowoomba General Hospitals

Miss SIMPSON (Maroochydore—NPA) (11 p.m.): I am hearing disturbing reports about the lack of intensive care beds and stretched services at the Townsville General Hospital. Worried local doctors have told me that recently two patients could not be flown into this major regional centre because of the lack of intensive care beds. They were flown elsewhere, despite the fact that Townsville was the closest major hospital. I call on the Health Minister to reveal how many times the intensive care unit at this busy hospital is full and what plans the Government has to boost funding. I ask her: how many other people who clinically could have been treated at the Townsville Hospital if the beds were available

have had to be flown elsewhere? I also challenge her to release information about how many operations have been cancelled because of the pressure on this unit. The lack of hospital beds has ramifications for other services in the hospital.

I table a letter from an elderly Ingham man who was admitted to the Townsville Hospital on 24 May this year. That man was awaiting serious heart surgery that was to take place the next day, but it was cancelled as there was not a bed available for him after the operation. The letter states—

"You will appreciate that as an elderly man, the thought of undergoing major heart surgery was extremely distressing for my family and I. The last-minute cancellation seriously exacerbated this distress and did nothing to improve my health at a time when I expected a degree of certainty. The delay also meant serious inconvenience to family members who had taken time off work and travelled hundreds of kilometres to be with me during this stressful time."

Another north Queensland man has raised with me the issue of the blow-out in the time needed to get an appointment at the Townsville district diabetic clinic. He has been told that his normally three monthly appointments will be now be six months. He cannot get an appointment for six months. Obviously that is very worrying for someone who is trying to cope with a disease and who needs a certain level of support. I have written to the Minister about the matter and I call on her to reveal the waiting lists for the clinic. Without proper follow-up treatment and supervision, there are many complications of diabetes that in dollars are very costly and in human terms are very damaging.

I also understand that the Toowoomba hospital has suffered from incredible pressure on services and is looking at areas where it can cut costs. This is happening at a time when the Health Department is about to employ three new fat cats on salaries of \$180,000 each to form a new layer of management in the department. Contrary to the deliberate untruths that the Health Minister has told media outlets, under the coalition there was no management structure over health districts called zones. This is a new layer of management in the Health Department. I will table the line management structure that was circulated on 20 May this year by the Director-General of Health stating that this new structure will come into effect on 5 July 1999. I also table the coalition's line management

structure which clearly shows that there was no zone management layer over the top of the districts. That proves that the Labor Party will do anything to lie and cover up when it creates fat-cat jobs that will cost services in our regions.

The Toowoomba Hospital is also struggling to get enough intensive care beds. I table a letter that cites another example of a patient whose operation was cancelled, once again because of the lack of intensive care beds. Beds are physically available at the hospital, but the hospital is not funded to be able to use them. That is a major concern in another regional hospital, which has serious budgetary problems.

The Government's answer was to put in another layer of bureaucracy. Three salaries totalling \$180,000 are almost equivalent to the salary of a director-general. It is a disgrace that this Government is saying that that is not a major change. The Government should tell all the nurses, cleaners, laundry people, physios, occupational therapists, allied health workers and all the other people who work in the health services in this State that that is not a major salary package. The line management structures that I have tabled clearly show the lies of this Government, which says that it has not introduced another management layer. I table another document that shows that that level of management over the top of the districts did not exist under the coalition.

The Labor Party has a habit of paying for extra bureaucracy and cutting down on the services to the people who need them. It has created a very expensive, top-heavy bureaucracy with all these fat cats on salary packages, extra superannuation, cars and study leave, yet it does not deliver any extra services to the districts at the local level of management, which is what people need.

Time expired.

Whepstead Manor

Mr BRISKEY (Cleveland—ALP)
(11.04 p.m.): I rise to speak about an issue that is of great concern to many within my electorate. Whepstead Manor is a grand old heritage listed property at Wellington Point that was built in 1889 and today stands as an important link with our past. In 1992 the Goss Government passed the first heritage legislation ever enacted in Queensland so that properties like Whepstead could be protected. Without this legislation, many more important Queensland landmarks would have been destroyed, like those that we saw destroyed in

the middle of the night under previous Governments. Who will ever forget the Bellevue?

Not only is it important to protect buildings but it is also important to protect the gardens and surrounds that add to the grandeur of historical properties and tell us much about the lifestyle of our forebears. Herein lies the problem that those of us who want to see Whepstead Manor protected are faced with. The building is grand and is a listed property. However, the adjacent, now vacant land should also be protected. This land was once part of the property that Whepstead Manor sat on. It was very much a part of Whepstead when Whepstead was built and stood grandly on this large site. The site helped define the property.

The Queensland Heritage Act 1992 states that for a place to be entered in the Heritage Register, it must be of cultural heritage significance and satisfy one or more criteria listed under Part 4 of the Act. Whepstead Manor and its surrounds satisfy most of those criteria. It most certainly is important in demonstrating the evolution or pattern of Queensland's history. Whepstead Manor is a building, but the area of land on which it used to sit is very much a part of Queensland's history and provides insights into that history. Simply conserving the building without the total land on which it sits tells only part of the story of our past.

Another criterion is that the place has potential to yield information that will contribute to an understanding of Queensland's history. Whepstead Manor certainly does this. Once again it is not just the building that contributes to an understanding of Queensland's history, but it is also the grounds, the size of those grounds and where they are that tells a story as well.

Criterion (e) states that the place is important because of its aesthetic significance. Anyone who is fortunate enough to visit Whepstead Manor will comment on its beauty. The large grounds that surround Whepstead add to its beauty. Just as an artist does not paint a painting with only the main subject but places the subject in a context, so too Whepstead needs its large grounds around it to place it in its context. If an artist left out the background or other details, that would detract from the beauty of the painting.

Whepstead needs the large grounds in which it originally stood to remain so that its beauty or, as the Queensland Heritage Act states, its aesthetic significance can be conserved. For a place to be registered, it

must meet only one criterion. Whepstead Manor meets many. It is an extremely significant property and it should be protected as it was, that is, on its original, large property.

When observed from a distance, Whepstead's beauty and significance are obvious. If a large unit development is allowed adjacent to or on the land which was once part of the Whepstead site, it will surely affect the heritage significance of Whepstead. I do not believe that a unit development is acceptable, as it will surely detract from the aesthetic significance of the site. If this development does, as I believe, detract from the aesthetic significance of the site, then it is in contravention of the objects of the Queensland Heritage Act, because the objects provide that the Minister, the council and other bodies and persons concerned in its administration must seek to achieve the retention of the cultural heritage significance of the places and objects to which it applies.

Time expired.

Ms J. Huggins; Ms E. Scott

Mrs SHELDON (Caloundra—LP) (11.09 p.m.): On Saturday, 29 May, in an article in the Courier-Mail headed "Day of reckoning for cabbie", Tony Koch highlighted the disgraceful treatment of two Aboriginal women by a Sydney cab driver. These two women were in Sydney waiting for a cab to take them to the airport so that they could return to Brisbane. The cab driver would not accept them in his cab because of their race and colour, and he abused them. I am happy to say that at least some of the people in the queue abused the cab driver back.

The women in question were Jackie Huggins and Evelyn Scott. Jackie is a prominent Aboriginal academic and a member of the Federal Government's Council for Aboriginal Reconciliation. Evelyn is the Chairman of the Reconciliation Council and a Human Rights Commissioner. I have nothing other than admiration for both women, whom I know personally. I appointed both to important board and advisory positions when I was the Minister for Women's Affairs. I appointed Jackie Huggins to the Library Board of Queensland, on which she represented the interests of all Queenslanders with distinction. She worked with me to open a library in Cairns, which acted as a training house and communications centre for IT networking into Aboriginal communities. Through this centre, Aboriginal people could find out about their cultural history, which we also put on CD-ROM. Much of Aboriginal history is verbal only, and

hence it is important to record this valuable information for generations to come. Workers are trained at the library centre to go out into the communities and show people how to use the network, which is in most community council chambers and in community libraries.

I appointed Evelyn Scott, an eminent woman in her own right, to the Ministerial Women's Advisory Council to provide information and policy advice to me regarding Aboriginal and Torres Strait Islander issues. As a result of this process, the council and I set up a pilot program of self-training and administration involving cultural, family and community workshops run by the women of Palm Island, with Evelyn keeping a watching brief on progress. This was met with much enthusiasm by the Palm Island women. Evelyn and I launched this program in Townsville and travelled to Palm Island to speak to the women and the elders. Self-determination is surely the way forward for Aboriginal people. In general, the guiding light in this process are the women who, with dedication and commitment, are influencing progress.

Queensland and Queenslanders in general are richer for the commitment and wisdom of women such as Jackie Huggins and Evelyn Scott. The ignorance and bigotry they experienced in Sydney is unworthy of every decent Australian. Black and white Australians working together will overcome what at these times may seem insurmountable problems. Division, hatred and apathy will never achieve those ends. I would like to think that never again will two women of such dignity be abused in such a manner as they were in Sydney.

Education and Sporting Facilities

Mr NUTTALL (Sandgate—ALP) (11.13 p.m.): The issue on which I wish to speak this evening is one about which I have spoken in this Parliament before, namely, the greater use of facilities that I believe are currently underutilised. I am speaking mainly in relation to primary and secondary schools, TAFE colleges and universities.

Everybody would like a major facility in their backyard. One of the difficulties that we as a society and as a Government have is that the resources and the money are simply not available to continue to provide adequate resources for everybody's needs. Take a school library as an example. Currently, at the end of the school day at a secondary school, the school is locked up and the students go home and do their homework in preparation for the next day. In the past I have raised this

issue with various Ministers from both sides of the Chamber. Given the importance of computer technology in today's society, I believe that school libraries, in particular secondary school libraries, should be open not only after school but well into the evening and also on weekends. If that means that we are required to fund extra positions for people to work in libraries at those times, that should be factored into school budgets.

It is improper for us to expect young people in secondary schools to have access to modern technology, such as the Internet, in their homes. I do not believe that all students can afford that. We have these resources at secondary schools. Why do we continue to deny access to those resources over weekends? This is applicable not only to libraries but also assembly halls and sports facilities in schools, TAFE colleges and universities.

Recently, on a Saturday evening while in Toowoomba I had the opportunity to attend a basketball game at the Toowoomba university. I was astounded and most impressed by the facilities that that university had. It would have cost many millions of dollars to build those facilities, yet they are accessible only to university students. Basketball, soccer and hockey clubs in need of such facilities are expected to build their own facilities, yet just up the road these facilities have already been built at universities, TAFE colleges and so on.

I do not see why we continue to say, "If you want something, put in an application, raise funds and try to get some money." It is impractical to continue to duplicate facilities not only in small regional towns but also in larger towns, such as Brisbane and its suburbs. My electorate contains the third largest TAFE college in the State. Parents have approached me numerous times saying, "Why can't we access the library or the sporting facilities?" They also ask why they cannot access the facilities of the home economics and manual arts rooms at the local high school. I empathise with that view. I do not believe that either side of politics has done enough in addressing those issues. It is improper to ask young people to have access to those study facilities in their home. If we want our young people to have an opportunity to move into—

Time expired.

Brisbane Town Plan

Mr BEANLAND (Indooroopilly—LP)
(11.18 p.m.): On two previous occasions I

have spoken in this Chamber about aspects of the Brisbane town plan. Tonight I wish to address my remarks to another aspect of the plan that I have not yet addressed. In particular, I am concerned about home occupations or businesses.

Currently, under the town plan home occupations are permitted where only the resident of the home is working or running a business from home. This means that there are very clear restrictions on the way in which home businesses can be run. For example, they cannot employ anyone and the resident must operate from home by themselves solely.

Furthermore, the applicant must advertise the details of the purpose for which he or she proposes to use the property and all details have to be spelt out in the application and in the signs put on the property. Local residents then have an opportunity to object and, if they are unhappy with the council's decision, then appeal to the Planning and Environment Court against the decision of the council. Therefore, they have full rights under the current town plan. A particularly important right is that of appeal.

Under the proposed new town plan, applicants—that is residents—of home businesses, as they will become known, will be able to employ up to two people in addition to themselves. Cars are going to be allowed to park on the streets and people will be able to use up to 100 square metres of house space for the purpose of a business. This will allow a massive expansion of businesses into residential areas, bringing with it major changes to the character, aesthetics and environment of the neighbourhood. People will find in many streets that vehicles will be parking at the kerb side; they will be taking up all the space that has previously been used by visitors to local residents or the residents themselves. But employees of businesses in the streets will be taking up that parking space. Of course, that is not to mention the customers of these businesses, who will occupy a large number of spaces, even though as I understand it in some cases only one delivery vehicle per week will be allowed. That is a joke, of course. It will be a farce. That particular rule will not be able to be enforced because, after all, who is going to enforce it?

Furthermore, I understand that, where the resident employs only one person and does not use more than 50 square metres of floor area of their house or dwelling place, they will be able to do that without the local residents having the opportunity to object and appeal. I understand that they will be able to put in a

protest, but there will be no right of appeal. Of course, without the right of appeal, the right of protest is worthless. This means that no signs indicating that there is an ability to appeal will be put up. In addition, there will be additional noise coming from these places.

Where residents have only themselves as employees—they cannot employ other people—that places an obvious restrictions on the types of businesses that can operate from dwelling places. It does not matter whether those homes are in my electorate or across the way at Algester, over at Aspley, down at Carindale or wherever it may be, because residential A streets, as they are currently known, with low density housing are going to be affected by this type of development that is going to occur. We are going to find that house after house in street after street in a number of these neighbourhoods will be turned into business establishments.

The second area I just want to touch on briefly is that of security gates. I understand that these are going to be banned from retirement villages and townhouse complexes. This proposal will mean that many of those who live there—especially the elderly—are going to be fearful of their lives; they are going to feel insecure; they are going to feel that they are to be left at the mercy of thugs and burglars. I do not know why one would come up with this proposal, because for good reason most of these establishments currently have security gates. If they are going to be banned on future developments, at the end of the day it will mean that many private dwellings will be without security gates and, of course, those living there will pay some sort of a price for that. I am sure that they are going to be quite alarmed when they find out that in future security gates cannot be erected in townhouse complexes and retirement villages.

Time expired.

Queensland Rose of Tralee

Mr SULLIVAN (Chermside—ALP) (11.23 p.m.): The influence of the Irish people has spread throughout the Western World. As a result of the potato famines and other troubles, the Irish settled in large numbers in many countries. Australia became a favoured destination for Irish settlers, and our nation is all the richer for their coming.

For the last 40 years, the great Irish Diaspora have come together in the city of Tralee, County Kerry to celebrate their Irishness in a celebration called the Rose of Tralee International Festival. This festival is an

occasion for Irish communities from around the globe to link up and share their common heritage. The Rose of Tralee is a contest for girls of Irish birth or ancestry, aged 18 to 25 years. They are judged not on looks alone, but more on personality, poise, charm, sincerity and the ability to represent their home country in Ireland and to represent Ireland in their home country.

For 10 days in August, more than 300,000 visitors from all over the world will gather in Tralee for one of Europe's most popular festivals. Entrants from Canada, the USA, Europe, the Middle East, Japan, New Zealand, Great Britain, Ireland and Australia will gather in the Tralee Festival Dome. Over two nights, the "Roses" will be presented for judging, which will be broadcast live to tens of millions of homes in western Europe.

Queensland will be represented in Tralee by the 1999 Rose, Angela Martin, who was selected at the 12th Queensland Rose of Tralee Quest last Saturday evening, 5 June. I had the privilege not only of representing the Premier, Peter Beattie, at the quest, but also of announcing the winner to the hundreds of supporters who gathered for the celebration, and I table a copy of the program. It is appropriate that in this House we place on record our thanks for those who helped organise this wonderfully colourful function.

The Queensland Irish Association, under the guidance of President Pat Brennan and his directors, have consolidated the QIA as one of Queensland's most popular and friendly clubs. Through prudent financial management and years of hard work, QIA members have made Tara House a great place to gather for the one third of Queenslanders who are Irish and the two-thirds who wish they were.

It was at Tara House that committee convenor Noela McCormack and her committee members—Chris McGirl, Mary Woodley, Margaret Stacey, Janis Flanagan, Mary Casey, Maureen O'Reilly, Lorraine Hardin, Alexis Wavell-Smith, Kathleen O'Malley, Susan McLean, Pauline Donegan, Janet Phillips, Samantha Andrew and Angela Crealey—organised the 1999 Rose of Tralee selection. Master of Ceremonies, Jim Morrissey, and interviewer, Laurie Sheehan, helped create a welcoming, relaxed atmosphere which allowed those present to get to know and judge the 14 entrants. Thanks are due also to judges Carmel Mulherin, Marilyn Mackintosh, Berenice Atherton, Eleanor Davidson, Alan Aubrey and Dianne Mitchell, and to the many sponsors who supported the quest.

The 1998 Queensland Rose, Maria Crealey, in the great tradition of former Roses, was a magnificent ambassador for our State. Through her calm and friendly approach, she was also a great help to this year's entrants. Queensland will have a special place in Tralee this year because the QIA Pipes & Drums Band will lead the parade through the streets of Tralee. This will give Queensland massive exposure to millions of viewers because of this honour.

The Queensland Rose of Tralee committee members have been working with the Department of Tourism and the Department of State Development to help promote our State through the international festival. I have been in contact with the office of Queensland's Agent-General in London, and will be phoning Dermot McManus after the House rises tonight to see what support can be given to the Queensland contingent. I thank the Minister for Tourism and the Minister for State Development for the assistance their departments are providing to the Queensland committee, who are prepared to work so hard for this State.

All in all, the Queensland Rose of Tralee Quest has been a great success and will reach even greater heights in Tralee later this year. It is great to be Irish at any time, but particularly when the Queensland Rose of Tralee Quest is being held. I pass on my congratulations to all QIA members and their supporters. I am proud to be part of their celebration.

Motion agreed to.

The House adjourned at 11.28 p.m.