TUESDAY, 22 OCTOBER 2002

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

ASSENT TO BILLS

GOVERNMENT HOUSE
QUEENSLAND

25 September 2002

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

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 24 September 2002:

"A Bill for an Act to amend the Transport Operations (Road Use Management) Act 1995"

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

"A Bill for an Act to amend the Community Services (Aborigines) Act 1984, Community Services (Torres Strait) Act 1984 and Local Government (Aboriginal Lands) Act 1978, and for other purposes"

"A Bill for an Act to amend Acts administered by the Minister for Tourism and Racing and Minister for Fair Trading to facilitate the implementation of certain national competition policy measures, and for related and other purposes"

"A Bill for an Act to amend legislation about primary industries"

"A Bill for an Act to amend the Motor Vehicles Securities Act 1986 and the Property Agents and Motor Dealers Act 2000"

"A Bill for an Act about preventing harm in indigenous community areas caused by alcohol abuse and misuse and associated violence, and for other purposes"

"A Bill for an Act to amend various Acts administered by the Minister for Tourism and Racing and the Minister for Fair Trading, and for other purposes".

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

Yours sincerely

(sgd)

Peter Arnison
Governor

SITTING HOURS; ORDER OF BUSINESS

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (9.31 a.m.), by leave, without notice: I move—

(a) That notwithstanding anything contained in sessional and standing orders, the order of business for today's sitting be altered to enable a condolence motion to be moved and debated after any other government business.

(b) If the debate on the condolence motion extends past 10.30 a.m., it is to be followed by:

Question time (for 1 hour)

Matters of Public Interest (for 1 hour)

Government business until the adjournment is moved

Adjournment debate

Adjournment

Motion agreed to.

PETITIONS

Traffic Lights, Munro Street and Bruce Highway

Mr Pitt from 332 petitioners requesting the House initiate the installation of regulated traffic lights at the Munro Street/Bruce Highway intersection to enable residents ongoing safe access.

Gold Coast Harbour Vision 2020 Project

Mr Lawlor from 42 petitioners requesting the House advise the Gold Coast City Council that the House will not agree to the recommendations contained in the 'Gold Coast Harbour Vision 2020 Project—Report No. 1' and is against any commercial development of the Broadwater (including Wavebreak Is) and the western foreshore and any further reclamation.

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

Proposed Powerlink Transmission Corridor, Millmerran to Middle Ridge

Mr Copeland from 126 petitioners requesting the House to: (a) abandon the current Powerlink transmission corridor proposal from Millmerran to Middle Ridge, (b) require Powerlink to extensively investigate the number of other possible alternative routes for the powerline, (c) ensure that costs and ease of construction are not the sole determining factors in establishing this powerline and that proper consideration is given to potential social, environmental, land usage, aesthetic and health impacts.

PAPERS

PAPERS TABLED DURING THE RECESS

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

20 September 2002—

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a petition presented by Mr Bell from 9,215 petitioners, regarding the development of a State Government nursing home on the Gold Coast—

Mr R D Doyle
The Clerk of the Parliament
Parliament House
Alice and George Streets
BRISBANE Q 4000

Dear Mr Doyle

Thank you for your letter dated 1 August 2002 enclosing a petition seeking the development of a State Government nursing home on the Gold Coast.

The Commonwealth Government is responsible for the planning, funding and regulation of residential aged care. Using a population based planning methodology, the Commonwealth determines the number and location of places (beds) that will be made available and advertises the places through an annual funding round.

The number of places on the Gold Coast continues to expand and I understand that the Commonwealth advertised 120 new places in June 2002. I am advised that the Commonwealth proposes to name the successful applicants in November 2002.

It is suggested petitioners seeking further information about the Commonwealth's funding round contact Ms Mariya Ignatievsky, Director, Aged and Community Care Branch, Commonwealth Department of Health and Ageing on telephone (07) 3360 2660.

As it is not State Government policy to expand its current level of provision, Queensland Health did not make an application for any of the places in the above funding round.

However, I am pleased to advise that Queensland Health provides 14% of the high care residential aged care in Queensland. The services are provided in 21 facilities across a wide geographical area and I am proud to say that at many sites Queensland Health is the sole provider. Historically, Queensland Health has met its community service obligations in the absence of non-Government providers willing to enter the market at country sites.

That is not the situation on the Gold Coast where residential aged care services are provided by a number of organisations representing both the religious/charitable sector and the private for-profit sector.

In order to ensure that older people whose assets do not meet a minimum threshold have appropriate access, the Commonwealth has determined that a certain percentage in each facility/planning region must be allocated. All providers must meet the ratio—which ranges up to 40%—thereby ensuring places are available for those unable to pay the Commonwealth Government's accommodation charge.

Indeed I am advised that the ratio is generally exceeded but that sanctions apply when providers do not comply with the ratios.

Thank you for bringing this matter to my attention and I trust this information is of assistance.

Yours sincerely

(sgd)

Wendy Edmond MP
Minister Health and Minister Assisting the Premier on Women's Policy

Response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to Report No. 34 of the Travelsafe Committee entitled Report on the symposium on work-related road trauma and fleet risk management in Australia

23 September 2002—

Queensland Audit Office—Annual Report 2001-02

Report by the Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) pursuant to section 56A of the Statutory Instruments Act 1992

24 September 2002—

Ministerial response from the Premier and Minister for Trade (Mr Beattie) to Report No. 36 of the Legal, Constitutional and Administrative Review Committee entitled The Queensland Constitution: Specific content issues

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a petition presented by Mr Copeland from 122 petitioners, regarding the provision of special services by Education Queensland to students with disabilities within the Toowoomba and Southwest Region—

Mr R Doyle
The Clerk of the Parliament
Parliament House
Alice and George Streets
BRISBANE Q 4000

Dear Mr Doyle

Thank you for your letter dated 22 August 2002, forwarding a petition received by the Queensland Legislative Assembly, regarding the provision of special services by Education Queensland to students with disabilities within the Toowoomba and Southwest Region.

Queensland Health does provide therapy services to children with disabilities. Queensland Health Speech Pathology, Occupational Therapy and Physiotherapy services are in high demand. To manage this demand and to ensure equity of access, Queensland Health Service Districts have developed priorities for these services or are reviewing current priorities. These priorities reflect the professional knowledge and judgement of health professional staff and are based on urgency of intervention, efficacy and expected outcomes.

Inpatients in Queensland Health facilities will have priority for services and this means that there will usually be a waiting list for outpatient Speech Pathology, Occupational Therapy and Physiotherapy services.

I understand that the Honourable Anna Bligh, Minister for Education, has established a Ministerial Taskforce on Inclusive Education. This Taskforce has been set up to examine and guide responses to issues to support children with a disability to achieve their educational goals. There is cross government department and consumer membership on this Taskforce.

Disability Services Queensland is the lead agency in looking at roles and responsibilities regarding supports for people with a disability and Queensland Health is a member of the committee overseeing this work. At a service level, health professionals from the different agencies regularly liaise to coordinate the provision of care.

Please be assured that Queensland Health is committed to providing equitable services to local communities.

Thank you for bringing this matter to my attention and I trust this information is of assistance.

Yours sincerely

(sgd)
Wendy Edmond MP
Minister for Health and Minister Assisting the Premier on Women's Policy

23 SEP 2002

26 September 2002—

Ministerial response from the Premier and Minister for Trade (Mr Beattie) to petitions presented by Mr Wellington from 2899 and 75 petitioners respectively, regarding the Aborigines Welfare Fund—

23 SEP 2002

Mr N J Laurie
Acting Clerk of the Parliament
Parliament House
Alice and George Streets
BRISBANE Q 4000

Dear Neil

I refer to the letters of 9 and 22 August 2002, from the Clerk of the Parliament, regarding the petition received by the Parliament from Ms Viola Tuahine concerning the Aborigines Welfare Fund, which was lodged by Mr Peter Wellington MP, Member for Nicklin.

I have attached a copy of my response to Ms Tuahine. I would appreciate it if you would arrange for this response to be tabled in Parliament on my behalf.

Yours sincerely

(sgd) PETER BEATTIE MP
PREMIER AND MINISTER FOR TRADE
Encl

23 SEP 2002

Ms Viola Tuahine
C/- Foundation for Aboriginal and Islander Research Action
37 Balaclava Street
WOOLLOONGABBA Q 4102

Dear Viola

I refer to your petitions lodged with the Clerk of the Parliament on 8 and 21 August 2002 regarding the Aborigines Welfare Fund.

The Queensland Government values the concern that is being expressed by members of the community in relation to achieving a fair outcome for Aboriginal people and Torres Strait Islanders in reparation for past policies and practices. A particular concern expressed by some members of the community relates to the adequacy of the proposal for the reparation offer.

As you would be aware, in May 2002, the Queensland Government made an offer of reparation for the past practices of former Queensland administrations relating to the wages and savings of Aboriginal people and Torres Strait Islanders. The total monetary amount of up to $55.4 million is a proposal for a without prejudice offer of a one-off payment. This proposal builds on the process the Queensland Government began in 1999 when it offered one-off payments for non-payment of award wages to Aboriginal people and Torres Strait Islanders.

The Queensland Government is also proposing to offer written apologies, a statement in the Queensland Parliament and a protocol for commencement of all official government business requiring acknowledgment of traditional owners.

The Queensland Government is aware that the monetary offer may not meet the expectations of all potential claimants. However, this proposal for an offer is made in the spirit of reconciliation and as a demonstration of the Queensland Government's genuine desire to heal the past.

The proposal for an offer has been made to Aboriginal people and Torres Strait Islanders through the Queensland Aboriginal and Torres Strait Islander Legal Services Secretariat (QAILSS). QAILSS has been supported by the Queensland Government to provide information and seek feedback from Aboriginal people, Torres Strait Islanders and key stakeholders regarding the proposal.

The consultation process undertaken by QAILSS invited individuals whose wages and savings were controlled to indicate their in-principle support for the proposal. This step in the process was intended to gauge the general level of support for the proposal amongst the population of people who may be eligible for reparation. QAILSS agreed to report back to the Queensland Government on the proposal by 9 August 2002.

The report by QAILSS found that 96% of eligible respondents will accept a formal reparation offer. At the stage when a formal offer is made, the Queensland Government will provide independent legal advice to individuals to ensure that they make an informed decision on whether to accept the offer or not.

Before people accept the offer, they will receive a clear explanation that acceptance will mean that they will forgo the ability to take certain legal action. This will only indemnify the Queensland Government against legal action about past Governments' management of the Aborigines Welfare Fund or the Queensland Aboriginals Account and will not indemnify the Government against legal action relating to other matters.

Thank you for raising your concerns with the Queensland Parliament.

Yours sincerely

(sgd)

PETER BEATTIE MP
PREMIER AND MINISTER FOR TRADE

2 October 2002—

Queensland Law Reform Commission—Annual Report and Statement of Affairs 2001-02

Queensland Department of Main Roads Discussion Paper—Implications for Queensland of the High Court Non-feasance Decision

3 October 2002—

Report by the Minister for Industrial Relations (Mr Nuttall) under section 56A(4) of the Statutory Instruments Act 1992

7 October 2002—

Letter, dated 2 October 2002, from the Premier and Minister for Trade (Mr Beattie) to the Clerk of the Parliament referring to correspondence received by the Premier from the Commonwealth Parliament's Joint Standing Committee on Treaties regarding proposed international treaty actions tabled in both Houses of the Commonwealth Parliament on 27 August 2002 and 17 September 2002 including National Interest Analyses for each of the proposed treaty actions and a Regulatory Impact Statement for the Protocol amending the Convention between Australia and Canada for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income

8 October 2002—

Tertiary Entrance Procedures Authority—Annual Report 2001-02

Report by the Minister for Primary Industries and Rural Communities under section 56A(4) of the Statutory Instruments Act 1992

Boards of Examiners—Annual Report 2001-02

Coal Mining Safety and Health Advisory Council—Annual Report 2001-02

Mining Safety and Health Advisory Council—Annual Report 2001-02

Surveyors Board of Queensland—Annual Report 2001-02

9 October 2002—

Queensland Law Society—Annual Report 2001-02

Report to the Legislative Assembly by the Attorney-General and Minister for Justice under section 56A(4) of the Statutory Instruments Act 1992

Report by the Minister for Emergency Services and Minister Assisting the Premier in North Queensland under section 56A(4) of the Statutory Instruments Act 1992

Reports for the Legislative Assembly by the Minister for Environment pursuant to section 56A(4) of the Statutory Instruments Act 1992

11 October 2002—

Queensland Treasury Corporation—Annual Report 2001-02

Treasurer's Appropriation Statement 2001-02

15 October 2002—

Darling Downs-Moreton Rabbit Board—Annual Report 2001-02

16 October 2002—

Supreme Court Library Committee—Annual Report 2001-02

17 October 2002—

Reports for the Legislative Assembly by the Minister for Natural Resources and Minister for Mines pursuant to section 56A of the Statutory Instruments Act 1992

18 October 2002—

Statement of Unforeseen Expenditure to be Appropriated 2001-2002

Chicken Meat Industry Committee—Annual Report 2001-02

Queensland Abattoir Corporation—Annual Report 2001-02

Queensland Grain Research Foundation—Annual Report 2001-02

21 October 2002—

Report by the Minister for Health and Minister Assisting the Premier on Women's Policy under the provisions of section 56A(4) of the Statutory Instruments Act 1992

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Acting Clerk—

Chiropractors Registration Act 2001, Dental Practitioners Registration Act 2001, Dental Technicians and Dental Prosthetists Registration Act 2001, Occupational Therapists Registration Act 2001, Optometrists Registration Act 2001, Pharmacists Registration Act 2001, Physiotherapists Registration Act 2001, Podiatrists Registration Act 2001, Psychologists Registration Act 2001, Speech Pathologists Registration Act 2001—

Health Legislation Amendment Regulation (No. 3) 2002, No. 242

Coroners Act 1958—

Coroners Amendment Rule (No. 1) 2002, No. 243

Casino Control Act 1982, Charitable and Non-Profit Gaming Act 1999, Gaming Machine Act 1991, Interactive Gambling (Player Protection) Act 1998, Keno Act 1996, Lotteries Act 1997, Wagering Act 1998—

Gambling Legislation Amendment Regulation (No. 3) 2002, No. 244

Electricity Act 1994—

Electricity Legislation Amendment Regulation (No. 1) 2002, No. 245

Government Owned Corporations Act 1993—

Government Owned Corporations (QTSC Restructure—Stage 2) Amendment Regulation (No. 1) 2002, No. 246

Motor Accident Insurance Act 1994—

Motor Accident Insurance Amendment Regulation (No. 2) 2002, No. 247

Health Act 1937—

Health (Drugs and Poisons) Amendment Regulation (No. 1) 2002, No. 248

Maritime Safety Queensland Act 2002—

Proclamation commencing remaining provisions, No. 249

Maritime Safety Queensland Act 2002, Transport Operations (Marine Pollution) Act 1995, Transport Operations (Marine Safety) Act 1994—

Maritime Safety Queensland Regulation 2002, No. 250

Motor Vehicles Securities Act 1986, State Penalties Enforcement Act 1999, Transport Operations (Road Use Management) Act 1995—

Transport Legislation Amendment Regulation (No. 4) 2002, No. 251

Transport Operations (Passenger Transport) Act 1994—

Transport Operations (Passenger Transport) Amendment Regulation (No. 4) 2002, No. 252

Drugs Misuse Amendment Act 2002—

Proclamation commencing remaining provisions, No. 253

Justice and Other Legislation (Miscellaneous Provisions) Act 2002—

Proclamation commencing certain provision, No. 254

Drugs Misuse Act 1986—

Drugs Misuse Amendment Regulation (No. 1) 2002, No. 255

Public Trustee Act 1978—

Public Trustee Amendment Regulation (No. 2) 2002, No. 256

Animal and Plant Health Legislation Amendment Act 2002—

Proclamation commencing certain provisions, No. 257

Integrated Planning and Other Legislation Amendment Act 2001—

Proclamation commencing certain provisions, No. 258

Electrical Safety Act 2002—

Proclamation commencing remaining provisions, No. 259

Coal Mining Safety and Health Act 1999, Electrical Safety Act 2002, Mining and Quarrying Safety and Health Act 1999, Petroleum Act 1923, Queensland Building Services Authority Act 1991, State Penalties Enforcement Act 1999, Statutory Bodies Financial Arrangements Act 1982, Workplace Health and Safety Act 1995—

Electrical Safety Regulation 2002, No. 260 and Explanatory Notes and Regulatory Impact Statement for No. 260

Workplace Health and Safety Act 1995—

Workplace Health and Safety Amendment Regulation (No. 6) 2002, No. 261

Electrical Safety Act 2002—

Electrical Safety (Codes of Practice) Notice 2002, No. 262

Gambling Legislation Amendment Act 2002—

Proclamation commencing remaining provisions, No. 263

Statutory Bodies Financial Arrangements Act 1982—

Statutory Bodies Financial Arrangements Amendment Regulation (No. 4) 2002, No. 264

Police Powers and Responsibilities Act 2000—

Powers and Responsibilities Amendment Regulation (No. 3) 2002, No. 265

Weapons Act 1990—

Weapons Amendment Regulation (No. 1) 2002, No. 266

Nature Conservation Act 1992—

Nature Conservation Legislation Amendment and Repeal Regulation (No. 1) 2002, No. 267

Bills of Sale and Other Instruments Act 1955, Liens on Crops of Sugar Cane Act 1931—

Bills of Sale and Other Instruments and Liens on Crops of Sugar Cane Amendment Regulation (No. 1) 2002, No. 268

Petroleum Act 1923—

Petroleum (Entry Permission—Queensland Power Trading Corporation) Notice 2002, No. 269

Police Powers and Responsibilities Act 2000—

Police Powers and Responsibilities Amendment Regulation (No. 4) 2002, No. 270

Transport Legislation Amendment Act 2001—

Proclamation commencing certain provisions, No. 271

Associations Incorporation Act 1981—

Associations Incorporation Amendment Regulation (No. 1) 2002, No. 272

Queensland Heritage Act 1992—

Queensland Heritage Amendment Regulation (No. 1) 2002, No. 273

Wagering Act 1998—

Wagering Amendment Rule (No. 1) 2002, No. 274

Government Owned Corporations Act 1993—

Government Owned Corporations (QTSC Corporatisation) Amendment Regulation (No. 1) 2002, No. 275

Animal Care and Protection Act 2001—

Animal Care and Protection (Postponement) Regulation 2002, No. 276

Animal Care and Protection Act 2001—

Animal Care and Protection Amendment Regulation (No. 1) 2002, No. 277

MINISTERIAL PAPER TABLED BY THE ACTING CLERK

The Acting Clerk tabled the following ministerial paper—

Report to Parliament by the Minister for Education in compliance with section 56A(4) of the Statutory Instruments Act 1992

MINISTERIAL PAPERS

The following ministerial papers were tabled—

Minister for Employment, Training and Youth and Minister for the Arts (Mr Foley)—

Book by Val Donovan entitled The Reality of a Dark History – From contact and conflict to cultural recognition

Premier and Minister for Trade (Mr Beattie)—

Misconduct Tribunals – Annual Report for year ending 30 June 2002

Minister for Environment (Mr Wells)—

A Proposal under section 32 of the Nature Conservation Act 1992 and a brief explanation of the Proposal

MINISTERIAL STATEMENT

Administrative Arrangements

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.33 a.m.), by leave: I desire to inform the House that on 10 October 2002 in accordance with the Constitution of Queensland 2001, His Excellency the Governor, acting by and with the advice of the Executive Council, approved Administrative Arrangements Amendment Order No. 2 of 2002. I lay upon the table of the House copies of the relevant notification from the *Queensland Government Gazette*.

MINISTERIAL STATEMENT

Drought; Queensland Economy

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.34 a.m.), by leave: Queensland is again battling drought. Again our great state is turning brown as the dry sets in. Our land is battling. It is like a body wasted by disease. It is desperate for a cure and a tonic to offer sustenance. Two weeks ago I announced on behalf of the state government that we are contributing $500,000 to alleviate hardship caused by the record drought. The state government will make this contribution through the Australian Red Cross in conjunction with the Farmhand Foundation Appeal, which is coordinating these arrangements. The Primary Industries Minister, Henry Palaszczuk, has highlighted that the state government has made a total of $79 million available in the last financial year in providing natural disaster relief. Queensland currently has 46 drought declared shires with two more partly declared and more than 400 properties individually drought declared.

I call on all members to attend an ecumenical pray for rain service at St John's Anglican Cathedral tomorrow at 1 p.m. This is not a political event; rather, it is politicians joining with the community to pray for rain. This is another time for commonsense and a unity of purpose to prevail. In light of other matters to be debated today, I seek leave to incorporate the rest of my ministerial statement in *Hansard*.

Leave granted.

Mr Speaker

Queensland is again battling drought.

Again our great State is turning brown as the dry sets in.

Our land is battling—it is like a body wasted by disease—it is desperate for a cure and a tonic to offer sustenance.

Two weeks ago I announced that State Government is contributing $500,000 to alleviate hardship caused by the record drought.

Cabinet decided that there is a need for immediate help for farmers affected by the drought and a need to promote long-term strategies to try to avoid a repetition of the problems.

The State Government will make this contribution through the Australian Red Cross in conjunction with the Farmhand Foundation Appeal which is co-ordinating these arrangements.

The Foundation's activities will complement the direct relief efforts provided by the State Government to Queensland's drought-stricken primary producers.

Primary Industries Minister Henry Palaszczuk has highlighted that the State Government made a total of $79 million available in the last financial year in providing natural disaster relief.

Henry has also been vocal in declaring that the Queensland Government will continue to fight for reforms to the Federal Government's Exceptional Circumstances (EC) assistance scheme because it will benefit drought-affected primary producers.

The EC reforms we seek will mean affected farming families who need assistance will get it, and get it quicker.

There are genuine reforms of EC—they are needed and the Federal Government has acknowledged that, but will not implement them.

In real terms, the reforms could be the difference between farming families in Peak Downs in central Queensland—receiving EC assistance before Christmas or not.

We will not forget our farming families.

I also want to restate today that we continue to provide help for drought victims through schemes such as freight subsidies, assistance to restock, electricity tariff relief, school transport assistance program, and in partnership with the Commonwealth Exceptional Circumstances program.

Queensland currently has 46 drought-declared shires, with two more partly declared and more than 400 properties individually drought-declared.

At present the drought is expected to detract between 1/4 to a 1/2 of a per centage point in gross State product from the State economic activity in 2002—2003.

This impact was built into budget forecasts.

The latest Australian Bureau of Agricultural and Resource Economics (ABARE) forecasts suggest that the direct impact on the rest of Australia will be more severe, with New South Wales and Western Australia bearing the brunt of the impact. However, there will be some flow-on effect from the slowdown in growth in the rest of Australia on the Queensland economy.

It should be noted that the $1/2 billion reduction is the economic impact, not the impact on budget finances (ie not the operating result). The impact of the drought on the operating result in not expected to be significant.

If there had been no drought, the 2002-03 Budget forecast for economic growth would have been around 41/2%.

Data since then suggests the impact of drought is broadly as expected.

The ABARE September 2002 Crop Report estimates that the winter crop will decline by 17.1% than the expected 25.4% decline. However this is offset by a summer crop which is expected to decline by more.

That aside—I am urging the Prime Minister to convene a national summit to discuss water, water infrastructure and salinity.

The Commonwealth Government should consider a scheme which would see extensive tracts of existing irrigation channels piped to drastically reduce high evaporation and seepage losses.

I am also calling on all Members to attend tomorrow's ecumenical Pray for Rain service at St John's Anglican Cathedral at 1pm.

This is not a political event rather it is another one with politicians joining with the community to pray for rain. This is another time for commonsense and a unity of purpose to prevail.

I look forward to all joining me for this gathering.

Mr BEATTIE: In addition to the heartache the drought is visiting on many farmers and rural communities, it is having a broader impact on the economy. The drought is expected to detract about a quarter to half a percentage point from growth—and I stress from growth—in state product in 2002-03 in terms of lost output. This translates into a reduction of around half a billion dollars or $500 million in state product. I am pleased, nevertheless, to advise the House that the Queensland economy grew by 4.4 per cent in 2001-02 compared to 3.6 per cent for the rest of Australia. The budget estimate has the Queensland economy growing by four and a quarter per cent in 2002-03. The latest Access Economics forecast backs this up. It estimates growth of 4.2 per cent in 2002-03. I seek leave to incorporate the rest of my ministerial statement in *Hansard*.

Leave granted.

Access Economics also agree that private business investment will drive growth this year. Projects such as Comalco, AMC and Hail Creek Coal are among the drivers.

As noted by Access in their September Quarter Bulletin "the investment pipeline for Queensland looks particularly impressive, with commercial construction now starting to hit its straps".

Our economic strategy is built upon strong fundaments.

Low taxes.

Efficient and effective regulation.

Smart investment facilitation and an industry policy that encourages business to add value and be innovative; and

Investing in the skills and education of Queenslanders to boost productivity and deliver jobs.

A strong economy means strong jobs growth.

The total number of jobs created in Queensland over the past year is 50,100. This represents 28 per cent of the jobs created nationally, compared to our 19 per cent share of the population.

On the back of the strongest employment growth of any State our unemployment rate has fallen to 7.1 per cent.

Qld now has the lowest unemployment rate since April 1990. This stands in marked contrast to the peak unemployment rate of 9.5 per cent delivered by our predecessors.

Our policies are working, but just as business needs to be innovative and continuously improve, so does public policy.

We are committed to doing even better.

MINISTERIAL STATEMENT

Academia and Private Enterprise Partnership; Bali, Terrorist Attacks; Fire, Granite Belt

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.36 a.m.), by leave: As part of my government's Smart State vision, we are encouraging partnerships between academia and private enterprise. Later today at lunchtime I will be attending a ceremony to mark the extension of a partnership between Griffith University and leading global pharmaceutical company, AstraZeneca. To date AstraZeneca has invested $65 million in Queensland and created more than 40 jobs at its research and development centre at the Mount Gravatt Research Park. The extension of the agreement will lift that investment to around $100 million. During my trade mission to Europe I met AstraZeneca UK executives in London and encouraged them to consider further investment in Queensland. I seek leave to incorporate the rest of my ministerial statement in *Hansard*.

Leave granted.

At that meeting we discussed the continuation of the partnership between AstraZeneca and Griffith University and the arrangements for extending that partnership.

We also discussed my Government's support for the pharmaceutical industry and biotechnology in general.

I told them I believe Queensland can play an even larger role in research and biotechnology ventures, given we are becoming the biotechnology hub of the Asia-Pacific.

AstraZeneca is well aware of the rich biodiversity of Queensland's flora and fauna and what that has to offer researchers.

My government recognises that the formation of alliances between industry, universities, business and government is vital to further research and development opportunities.

We've provided infrastructure assistance at the Mt Gravatt Research Park, and advice to AstraZeneca on investing in Queensland.

I'm delighted that AstraZeneca and Griffith University have made a long-term commitment to research and development in Queensland.

I hope more of the world's leading bioscience companies and pharmaceutical companies follow AstraZeneca's lead and establish partnerships with our universities.

Mr BEATTIE: Finally, I want to say a few things before I move the motion of condolence in relation to the Bali bombings. We continue to mourn the deaths of innocent Australians in the Bali bombing outrage. On Thursday in the Great Hall of Parliament House in Canberra a national memorial service will be held for the victims. All premiers and chief ministers have been invited by the Prime Minister to attend. Representing Queensland will be the Queensland Governor, Major General Peter Arnison, and Mrs Arnison. I have invited the Opposition Leader, Mike Horan, to join me to attend as my guest and we will be travelling by government jet. The Prime Minister has also called a meeting of government leaders following the service. I believe that this would be a timely opportunity to sign the Intergovernmental Agreement on Counterterrorism, and I understand that the Prime Minister is considering doing that.

The agreement is the result of the Council of Australian Governments meeting in April this year when we agreed to implement a new system of national arrangements for counterterrorism. It is designed to lift Australia's ability to prevent and combat terrorism. The Queensland cabinet yesterday endorsed the agreement, committing to continued improvement of intelligence about terrorist activity and the sharing of that intelligence. It was originally intended that this agreement, which will establish a national counterterrorism committee, should be signed at the next council meeting on 29 November. However, the Bali outrage on the nation's doorstep has made the agreement an urgent necessity and the meeting on Thursday is an ideal time for the leaders to sign it. It is also likely that we will be given a high level briefing from relevant Commonwealth agencies that will lead to a discussion on security issues.

Because of the service and the meeting, there will be a need to rearrange proceedings in state parliament on Thursday. I seek the understanding of members for the changes. The Leader of the House will have something to say about that later. It will probably mean that we will change the parliamentary timetable on Thursday for government business to begin at 3.30 and question time to begin at 4.30. It will be an opportune time for us to report back on the deliberations of the meeting of premiers with the Prime Minister.

While we are talking about tragic circumstances, on behalf of all members I want to thank the firefighters, ambulance paramedics, SES volunteers, police, local government staff and the hundreds of local people who rallied together in tackling the massive fire which swept through a large area of the Granite Belt. Sadly, the fire resulted in the death of a Glen Aplin resident and seriously injured a fire warden. We wish him a very speedy recovery. The fire destroyed six

homes, 11 other buildings and nearly 300 square kilometres of farm and bushland—damage estimated at $7.6 million. There are some difficult times facing Australia. If we add the Bali bombings to the fire and the tragic shootings at Monash University, we see that this really is a time for Australians to come together.

Finally—the Police Minister will have something to say about this a little later—there have been some media reports about concerns involving government infrastructure. I table for the information of the House a statement released by the Police Commissioner last night. The Police Minister and I consulted on these matters. I stress that the security alert issued as at 11 October stands. While everything is being done by the Police Service, no-one should be panicked. The circumstances are being handled appropriately between Queensland police and federal authorities. In this very ugly world in which we live nothing can be taken for granted, but appropriate measures are being taken and we should not over react or panic about some of the matters that have been reported. There are a couple of issues here in addition that I seek leave to have incorporated in *Hansard*.

Leave granted.

Queensland Police Service

October 21, 2002

Issued at: 10pm

MEDIA RELEASE

On Friday 11 October Australian Federal Government authorities issued a raised level of alertness regarding possible threats to energy infrastructure, which was part of a worldwide alert in relation to this issue.

Subsequently the Queensland Police received information through the AFP that on the 13 October New South Wales Police intercepted a vehicle containing three men of Middle Eastern appearance in the general vicinity of power stations in the Newcastle area. When spoken to by New South Wales Police they indicated that they were en route to Brisbane to visit relatives for religious purposes. This information was communicated to the Queensland police and relayed to police stations throughout Queensland as part of a general raised level of alertness following the upgraded warnings. This information was also communicated to the management of power stations in Queensland.

A number of complaints have been received since 11 October 2002 in relation to power stations in Queensland; these included several bomb hoaxes and a separate claim by a person at Biloela who had allegedly seen three males acting suspiciously. All incidents concerning power stations have been fully investigated and none of the matters have been substantiated in any way.

It is important to note that the information regarding the three man intercepted in New South Wales has not at any time established that they posed any actual threat to any energy infrastructure or other facility.

Issued by
Commissioner Bob Atkinson

MINISTERIAL STATEMENT

Bali, Terrorist Attack

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health and Minister Assisting the Premier on Women's Policy) (9.41 a.m.), by leave: As the Premier has indicated, nine patients remain in Queensland hospitals with burns and injuries as a result of the Bali bomb blast. There are seven patients in the Royal Brisbane Hospital. Two are still in a critical and unstable condition in the intensive care unit. We have two patients at Princess Alexandra Hospital in a satisfactory condition, and the four patients treated in the Pindara Private Hospital on the Gold Coast have now been discharged.

Queensland Health staff have responded magnificently to this tragedy. In an international disaster of this magnitude affecting so many Australians, the Commonwealth became the lead agency. Queensland Health immediately offered its full resources, responding to every request from the Commonwealth. Queensland Health emergency health services organised specially trained retrieval teams and the Royal Flying Doctor Service aircraft to bring four of the most critically injured patients to Brisbane in the early hours of Tuesday morning. Although they were not Queenslanders, they were so critically ill that the only consideration was to get them to the nearest available specialist burns units as quickly as possible. When they are well enough they will be transferred to hospitals closer to their homes, as will Queenslanders who ended up in other states.

Later on the Tuesday morning an RAAF Hercules aircraft brought seven less critically injured patients to Brisbane. The plane was met by two Queensland Health retrieval teams, who accompanied them to hospital. Three other patients arrived by commercial aircraft and were admitted to hospitals in Brisbane and on the Gold Coast.

A disaster on this scale demanded a team effort involving surgeons, nurses, physiotherapists, psychologists, occupational therapists and social workers. Without their skills, care and commitment, it is fair to say that we would have been facing an even higher death toll. I would like to pay tribute to the wonderful work done by staff at the Royal Brisbane, Princess Alexandra, Mater and Pindara hospitals. Our staff and facilities have an international reputation for excellence in this sort of work. Some of the patients from Bali will be in hospital for weeks and many will require many months and possibly years of treatment. To the patients: we wish you a full and speedy recovery. And to the families of those who have suffered the loss of loved ones in the tragedy: on behalf of all Queenslanders we offer our deepest sympathies.

MOTION OF CONDOLENCE

Bali, Terrorist Attack

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.43 a.m.), by leave, without notice: I move—

1. That this House places on record its shock and sadness at the dreadful loss of life and hurt caused to people from Australia, Great Britain, New Zealand, the United States, Canada and Bali, and others from around the world, by the bombings in Bali. On behalf of the people of Queensland we express our deepest condolences to and support for those injured, and the grieving families and friends of those killed and injured in the bombings.
2. That this House places on record its appreciation for the efforts of Australians who have travelled to Bali to assist with the response to the bombings and care for those hurt, and to those Australians who have assisted the victims and their families on their return home, in particular Queensland Health, Queensland police and ambulance officers.

It was just over a year ago that this House noted the terrible loss of lives in the United States in the terror attacks on 11 September 2001. It is with sadness that I stand here today to move this motion, which will be seconded by the Leader of the Opposition, in recognition of the further senseless loss of innocent lives and the pain and suffering inflicted by the Bali bombings.

The events of the last 10 days have again highlighted that Australia is not immune to terrorism and its associated evils. Terror can strike Australians anywhere in the world. Unfortunately in this ugly world, there is nowhere that is totally safe. Even though Australians lost their lives in the horror of September 11, in some ways it seemed distant because it was physically so far away. But knowing that there were Queenslanders and so many Australians amongst the dead in Bali reinforces the reality that evil is at our door.

The Indonesian authorities report that the death toll is approximately 180 including, tragically, 92 Australians about whom serious concerns are held. Five people have died in Australian care. To our best knowledge, those injured and killed in the bombings include citizens of Indonesia, Britain, New Zealand, Canada, France, Germany, the Netherlands, Sweden, Switzerland, Japan, the United States, South Africa and other countries. This was a crime against humanity—the work of faceless cowards who have no respect for human life. I think we have to use direct terms. They are gutless, weak people for what they did.

The bombings have had a deep impact on the Australian psyche, and so they should have. The horrendous death toll is hard for many of us to comprehend. The murder of so many Australians, many of them young and yet to reach their full potential, is something we can never forget and something we find almost impossible to understand.

Many families are struggling to come to terms with the fact that a much loved son or daughter, husband or wife, mother, father, sister, brother or cousin will never walk through the front door again. The survivors must not be forgotten, either. Many will be left with life-long physical and emotional scars. Those who make a full physical recovery will be tormented by the memories of that terrible night. We must do all we can to help them and their families heal.

Australians have a right to feel revulsion and anger about these acts of bastardry. Only someone who is less than human would not be moved by the accounts of the survivors and the dreadful images we have seen coming out of Bali since the bombings. As everyone would know, the Queensland government has offered its full support for all national initiatives to assist in responding to the tragedy in Bali.

I want to thank all Queenslanders who have already done so much to help with the relief effort. Three police officers from the disaster victim identification squad were dispatched to Bali on Monday, 14 October. That was a tough job. The Queensland Police Service is also coordinating the collection of DNA samples here as part of the victim identification process to alleviate further stress on families who might otherwise have to travel to Bali. Our police continue to maintain a

presence at the Brisbane airport to assist on the arrival of people injured in the bombings and others returning home from Bali. A major incident room was established at police headquarters on the day of the bombings and it is being staffed around the clock by police officers and a civilian radio operator.

The Queensland government Police Service jet remains on stand-by if needed. I want to reassure Queenslanders that their Police Service stands ready to deal with any threat that may arise. The training and preparation undertaken for CHOGM has given them the experience and skills needed to handle any situation. It is one of the best police services in the world and it has been trained accordingly.

Our doctors, nurses and medical support staff have performed a magnificent job in dealing with injuries not normally seen outside a war zone. At present, nine people are receiving care in our hospitals, two of whom remain in a critical condition. Queensland's hospitals and ambulance units remain on stand-by. Queensland Health organised the retrieval team that flew to Darwin to bring home critically injured patients. Two flying doctor service aircraft with medical crews from Mount Isa and Cairns and two senior doctors and nurses were dispatched to Darwin on Monday, 14 October to meet the second wave of injured who arrived from Bali on board the RAAF Hercules. The retrieval teams escorted them to Queensland hospitals. Queensland mental health services are also available to all via the Lifeline crisis counselling on telephone number 13 11 14.

I also urge Queenslanders to continue to consider giving blood over the coming weeks and months to support those injured in this tragedy and, if they can, to donate money to the national Red Cross Bali disaster relief fund. The appeal has already raised about $8 million and the Queensland government has donated $250,000 on behalf of all Queenslanders. The donations will help the Red Cross continue its work in providing relief in the affected areas in Bali and cover future needs, including recovery and reconstruction in Bali. The Red Cross is also helping the families of people who have been killed or who are still missing, people who have been injured or who were witnesses to the bombings, and the volunteers who assisted in Bali.

Condolence sheets are available here at Parliament House, Government House, in the Executive Building and in electoral offices for members of the community to sign. As I said, I have also forwarded condolence sheets to the electorate offices of each member of the House and I seek members' assistance in making these available to people in their electorates to express their sympathy and support for those affected by the bombings in Bali. Eventually, when they are bound they will be tabled in the House and if the families of the victims would like, copies will be made available to them.

Across this state, as a mark of respect all government flags were flown at half-mast until sundown on Sunday, the national day of mourning. As I indicated before, on Thursday the Governor, Peter Arnison, the Leader of the Opposition, and I will represent Queensland at the national memorial service to be held in the great hall of Parliament House in Canberra.

Last year, I expressed my hope that the world would change for the better after September 11. I continue to believe that we must all work to create a world where we defuse the hate that fuels these attacks. I urge each and every Australian not to look to other members of our community to carry any blame, particularly those born in other nations who have chosen to make Australia their home. They came here because of our reputation as a tolerant, peace-loving society that welcomes people of all races and religious beliefs. It is a diverse, multicultural and open society and I want it to stay that way and I hope that all members of this parliament would want that. Tolerance and respect for multiculturalism is at the heart of being Australian. It is at the heart of our philosophy of a fair go. As I said, we believe in a fair go for all regardless of colour, sex, religion or race and that fundamental principle has to bring us together, not divide us. All Queenslanders, wherever they are, should direct their energies towards doing whatever they can to assist in the healing process, whether it is saying a prayer for those slain or injured or comforting colleagues or family members distressed by what they have seen or heard in the aftermath of the bombings.

Now is also a time for standing tall and showing the cowards responsible for these attacks that we will not be intimidated. We must face terrorism with the same qualities of courage, resolve, initiative and determination of those who have gone before us and who have faced and defeated similar challenges. Many of our countrymen and women who were murdered, maimed and traumatised were celebrating the very essence of what it is to be Australian and we must respond to terrorism in the Australian way. There they were, in one of this country's favourite overseas destinations, marking the end of the football season, seeking the surfer's ultimate wave, celebrating weddings, engagements, birthdays and other rites of passage, or simply celebrating

friendships. They were living the free and easy lifestyle that goes hand in hand with being Australian, enjoying the opportunity to explore the world, to engage with other cultures and make new friends. We must not forfeit this freedom by becoming hostage to the sinister elements who do not understand it or tolerate it.

As the Brisbane Anglican Archbishop Philip Aspinall told a memorial service that I attended with my family last Sunday, acts of atrocity and terror such as the Bali bombings and September 11 are the work of people who feel that they have nothing to lose. We must work together to try to eliminate the causes of terrorism. We must try to improve education and living standards around the world to narrow the gap between the haves and the have-nots. Even in our time of grief, we must be strong and continue to live our lives to the fullest. There could be no better tribute to those who were murdered in Bali. It is also one of the clearest ways that we can demonstrate to the terrorists that they cannot and will not win.

At the end of this condolence motion today, I know that we will have a minute's silence. In that minute's silence, I hope that all members think about the victims from Bali, the victims from September 11, and even indeed that they should reflect in this minute on the victims of the senseless shootings yesterday at Monash University in Melbourne. If we think about them, all of those things highlight what a very ugly world in which we live. But it also means that we should cherish the things that are important to us: the ideals that make us Australian—the tolerance, the fair go, a commitment to multiculturalism, the freedoms, the spirit that was being reflected by those enjoying Bali until the tragedy. That is what being an Australian means and that is why it is so important that we do not turn on one another—that we actually come together, that we bind together as Australians, that we use one another's strengths to grow and improve the world in which we live. Yes, those people who committed this atrocity should be brought to justice, but we should not let this destroy the spirit of what it means to be Australian.

Today and the past 10 days since the bombings have been sad days and the service in Canberra on Thursday will be a sad service. But what we need to do out of this sadness is to not only share, as I said, what being Australian is all about but also to think of the future. We have to tackle the causes of terror head-on and the only way that we can do that is by lifting the standards of living around the world so that we take away the breeding ground for terrorism. That is a hard thing to say, it is a hard thing to do, but if we are serious about destroying terrorism, then we have to lift the living standards of the world.

Mr HORAN (Toowoomba South—NPA) (Leader of the Opposition) (9.57 a.m.): It is my sad duty to second the condolence motion moved by the Premier that provided such genuine and sincere sympathies to so many people affected by this tragedy and also provided such grateful thanks to all of those who have helped throughout this tragedy. I would like to thank the Premier for providing those of us on the opposition side the opportunity to join with him and his colleagues to speak to this condolence motion in this parliament.

It is very difficult for us here in this wonderful, peaceful land in which we live to contemplate the horrors of what happened on that Saturday night in Bali—a place that so many young Australians have almost made a home away from home. Bali is a place for sporting clubs, for young Australians, and for families who return there year after year for holidays with friends from their own communities. It is a place that people love for its surf, for its peacefulness, for the beauty and elegance of its people, and it is a place in which people were able to enjoy themselves feeling that it was one of the peaceful and happy places of the world. All of that was shattered on that horrible night and we have lost so many of our wonderful young Australians, our friends, our mates and, for many people, their family members.

Many of our own children have visited Bali for surfing, for the weddings of their friends or for holidays. This tragic event just seems so close that it has shattered so many people in our community and society. Our young people's world has been shattered. To some extent, we all hope their confidence has been shattered only temporarily. I refer to all those young sportspeople who looked forward to that end of season trip and to the two teams that won premierships. The close members of the Coogee Rugby League Club, the Forbes Rugby Union Club, the Southport Sharks, the Sturt Football Club from Adelaide and the Kingsly Football Club from Perth were typical of young people, their supporters, club committee organisers and helpers who did so much to entertain us, who enjoyed their year of sport and who then looked forward to their end of season break. I do not think I will ever forget the bewildered look on one of the young daughters of Craig Salvatore as their big, courageous dad took them to the airport. I always admired him as a courageous player. To think that now those little girls have lost their mother is just one of the many tragic stories to come out of that terrible night of terror. Their world was shattered. Our world

has been shattered. The world of the Balinese people has been shattered, but it is time for us to be strong.

This was a despicable, barbaric and vile act. We all abhor extremists of any particular religion or group in the world. What they do is evil. We must always remember that the world is made up of so many good people and we must strive, as the Premier said, to see that good prevails over evil. When we look around our communities and see the wonderful, happy gatherings at swimming carnivals and barbecues and at the beautiful life we have, we need to remember the wonderful words of the Premier today that if we can try to help the rest of the world reach that peace, that family spirit that we in Australia have, that is the one thing we should endeavour to do out of this horrible experience. As leaders, we all must urge the Indonesian government to rid its shores of these evil extremists. People all over the world, ourselves included, must ensure that we are vigilant and alert and that we do everything we possibly can to protect the innocent and the good from these evil acts. We have seen the world pretty well remove the threat of hijacking that occurred in such a profuse way about 10 years ago. By pulling together, by cooperating and by realising what we face, it will be possible for us to dramatically reduce the amount of terrorism and, hopefully, remove it from the world all together.

Thanks and gratitude go to so many people—the many heroes on the night, people who suddenly went from a world of happiness and enjoyment to one of horror, heat, fire and blast; those people who helped others out, who comforted amidst those terrible scenes, who carried the dead to the hospital and the morgue; those who suffered in pain in the hospital but with courage cared about what was happening to others; and those hospital workers, the Balinese people and the Australian and overseas doctors, nurses and everybody who helped on that night. If something marvellous did come out of this episode of terror, it was how within two days Australia was able to bring home our injured to our own hospitals, shores and homes. Grateful thanks go to all involved in that process—all the emergency services workers, volunteers and helpers.

The wounds of the victims are quite incredible. The combination of blast and burns means that the treatment required is just so extensive. We must be so proud and grateful for the burns units at the major hospitals throughout Australia, including at our own Royal Brisbane Hospital, and for the care, attention and love given by those health professionals. Thanks to all those involved in the difficult task of forensic services. To all the volunteers in Bali, to those back home who have given blood, counselling or support of any kind, we all are truly grateful and provide them with thanks. We are a young, close and proud nation.

For the size of our population, we have excelled and achieved in areas of democracy, education, sport, culture and friendship. We are a world leader. But perhaps the thing that we excel the most in is our unique and special Australian mateship. This terrible event has just pulled Australia together like I do not think any of us have ever seen. If there is some solace for the grieving families, it is that as a nation we have come together to support each other in the way we always have, but maybe in an even greater way. I know that those young, exuberant Australians who were killed or injured would want us to hold and cherish forever this very special Australian mateship. There is nothing else like it in the world. When we travel around, we do not experience that mateship as we know it here. It has been forged for centuries in our land. It is something they would like to see us hold and cherish. They would like to see us remain a united land. Both our Premier today and our Prime Minister in recent days talked about holding on to the fact that we are an open, close and generous community. That is the greatness of Australia, and it reflects on our truly great Australian mateship.

May we all as members of parliament who represent all the people of Queensland do everything we can as proud Australians to help the grieving families, the burnt and injured, the children, the young traumatised survivors and all those who suffered or helped or were involved in this trauma. To each and every one of these people, our Australian family, please know that we all are here for you. We are with you. Please feel safe and feel comforted at home here in Australia. You and your loved ones are in our prayers and in our hearts forever.

Mr LAWLOR (Southport—ALP) (10.06 a.m.): It gives me no pleasure to participate in this condolence motion, but it is something I must do. On 4 October I was a guest at the annual presentation night of the Southport Australian Rules Football Club, the Southport Sharks. I am the patron of the club and it was an enjoyable night, a celebration of another successful year. Although the senior A-grade side were beaten in the grand final, the Reserve grade team, a young team which was the future of the club, won the grand final. They were underdogs, but they won the game quite convincingly. Overall, it was a satisfactory year for this most successful Australian Rules football club. Everyone, but especially the players, were in good spirits. Many

present were looking forward to the end of season trip to Bali with the youthful enthusiasm you would expect from a team of mates. They were not to know that the trip they were so looking forward to would change their lives forever.

There were many heroes and tales of courage on the night of the tragedy in Kuta. That has been well documented in the media. The images and stories that have come out of Bali have touched all of us and we battle to deal with overwhelming feelings of horror, anger and sympathy; but there are also many unsung heroes. Bob Leslie was the tour organiser. Bob regrouped the boys and organised hospital care as best he could. Bob was assisted by Luke Devine, the brother of the injured Adam Devine. Luke arranged flights and liaised with the Indonesian government for a speedy return to Australia. Bob was in constant contact with the CEO of the Sharks, Paul Wyatt, and the director, Bob Langford, who together with the President Doctor, Alan Mackenzie, kept the parents and friends of the boys informed. Through the support and comfort they offered, to some extent at least they alleviated the worry and suffering. Of course, that support and comfort continues.

Many of us here have children who are travelling or living overseas and they always are in the forefront of our minds. When an incident like this occurs, it brings home to us the fact that although we would like to we cannot protect them from the random acts of terrorism we have witnessed. Although we would like to have them near us during these dangerous times, we cannot shackle the adventurous spirit of young Australians. These Sharks players epitomised that adventurous spirit. Bill Hardy, who was 20, is still unaccounted for. Those injured were Ryan Venville, 20, Dale Robinson, 18, James Miles, 22, Mitchell Ryan, 20, Jake Ryan, 21, Adam Devine, 21, and Jayson Pate, 21.

We must also remember the other victims from the Gold Coast region. They include four people who lost their lives—Robert Thwaites, Jared Gane, Julie Stevenson and David Kent. Shane Walsh-Till is still unaccounted for. Other injured were Jodie Cearns, Glen Cosman, Glen Forster, Andrew Csabi and Ben Tullipan. We must also remember the people from many other nations who have suffered through this tragedy, and particularly the gentle and peace-loving Balinese people. No group has yet been identified as the perpetrators of this outrage, but let us not be too hasty to blame any particular religious group for this atrocity, because our experience of Northern Ireland, Israel, Palestine, New York and Oklahoma City should teach us one thing, and that is that no religion has exclusive rights on the extremists and religious fringe dwellers who distort the message of their respective gods and thereby attempt to justify atrocities such as we have witnessed in Bali.

On Sunday I attended a memorial service at the Church of Christ, and the support for the injured and the families of those directly affected was overwhelming. The sadness and sorrow following the events of 12 October has touched the hearts of every Australian. Many of the injured have long and difficult struggles ahead of them. To them and to their families and to the families of those who have lost their lives we can only offer our sympathy, comfort and support during the difficult weeks, months and years ahead.

Mr QUINN (Robina—Lib) (10.11 a.m.): I join with the Premier and Leader of the Opposition—indeed all honourable members—in expressing our sympathies to the families of all those affected by the terrible outrage in Bali on 12 October. This tragedy was felt across Australia and, indeed, across the world, with another 22 countries being directly affected. We have experienced the same terror, pain and sorrow that shocked the world on September 11 last year. This time, that terror struck Australia on its own doorstep. Our geographical position no longer means that we are isolated from the troubles of the world. Distance cannot protect us from those who wish to destroy our values and our way of life.

There can be no excuse for this cowardly, despicable act of murder, which resulted in the loss of so many lives—so many of them young people simply experiencing the exhilaration of life as only young people can, and indeed have a right to expect. In response, we must steely resolve to do all we can to track down those responsible and bring them to justice. Those who have suffered would expect no less of us. We must make sure that we provide the best of care for those injured during the incident and we must make sure that we strengthen our nation against those who would seek to repeat this foul act. They cannot be allowed to diminish our spirit, tolerance and openness. Our institutions that support democracy and freedom help us to make this the lucky country, but they also necessitate our constant vigilance against those who would cause such wilful destruction.

It is timely to also acknowledge the extreme bravery and selflessness displayed by those Australians who risked their lives to save others in the carnage. In this one wicked moment the

mateship that is typical of the Australian character was again evident for others to admire. Our military and emergency services deserve praise for their rapid professional response, which lifted flagging spirits and undoubtedly saved many lives. They carried out the biggest peace-time medical airlift in this nation's history.

For those who have lost loved ones, I say we must join together in grieving and recognise that we as Australians should stand united in this time of sorrow. I cannot conceive the anguish being felt by those who have loved ones still missing. I pray that their minds will be put at ease in the days to come. It is important to remember that family and friends are the foundations of any nation. As such, an event like this reminds us all just how much we should cherish our own family and friends. It is essential that at this time we stand together, embrace the families of Australians and console them for the losses they have suffered.

Mr BRISKEY (Cleveland—ALP) (10.14 a.m.): On September 11 last year, members of this House passed a condolence notion for the victims of the attacks on the World Trade Centre that had occurred only a few short hours earlier. Those attacks have changed the world forever and opened our eyes to the destruction of terrorism and the importance of fighting this evil to prevent further attacks on our freedom.

Ten days ago, terrorism knocked on our own back door and recklessly and tragically took the lives of many young Australians who were enjoying a pastime thousands of Australians embark on each year—a holiday in Bali. I express my deepest sympathy to the families and other loved ones of the Australians who lost their lives or who are still unaccounted for. My heart and that of every honourable member goes out to all of them. Words cannot take away the pain and anguish these families and their friends currently face. The best we can offer is our support during what must be an extremely trying time.

One aspect of this tragic event which never ceases to amaze me is the great Australian spirit—the way our nation unites in times of trouble and need and offers assistance, even those who are in need themselves. The sentiment of this statement is best reflected by the young Australian victim of the Bali bombing who insisted that his mate receive medical treatment before he did despite the fact that he was suffering burns to more than 50 per cent of his body. That young Australian man is a victim of terrorism but he is also a hero.

In the wake of these tragic events, it is important that we do not lose these attributes that make all Australians a special breed. Now more than ever before there is a need to continue to work together to achieve a truly multicultural society. Unfortunately, there will be those in the community who make the assumption that the terrorist attacks both in the United States and in Bali are related to the Islamic faith and condemn followers of Islam. The truth is that the terrorist attacks are the work of murderers, not the work of any particular race, religion or nationality. As the Premier's parliamentary secretary, I urge the community to refrain from casting aspersions on any section of the community and to continue to show our Aussie spirit and unite in the fight against this evil, which threatens to undermine what we have always taken for granted—our freedom of choice, our democracy and our harmonious multicultural society.

Mr FLYNN (Lockyer—ONP) (10.17 a.m.): I rise in support of this sad motion of condolence. There is not a member in this chamber who would not understand something of the agony being experienced by those left behind and the trauma of the survivors and their families. Life is so very precious. We must appreciate every moment, not knowing where or when it will leave us. In that regard, we know that these young exuberant people, many of them sons and daughters of Australia, were in a lovely place living life, as it should be, to the fullest and joyfully. For the lives of these youngsters to be so tragically and suddenly ended makes a mockery not only of the value of life itself but also of the causes of those responsible.

We have a responsibility as a nation to express our sadness on behalf of those involved and to provide necessary assistance to permit movement towards closure. Let us look at supporting those who are grieving but also let us look upon the future, allowing all nations to build positively for that future. Bali's future will be a place for the Balinese people to live and a place for Australians to visit. This future will only be picked up and rebuilt if we talk in the positive about their efforts to rebuild and not in the negative.

Let us begin to heal and not dwell too long on the negative. Life is about hope and the future. We should learn from the past and build for a better future. This will allow the lives of our departed young to continue to have meaning, as they always will for their loved ones but also for us as Australians. We recognise the necessity to move decisively to deal with this new terrible form of warfare and we must also appreciate that nowhere in the civilised world will this style of action be incorporated into any rules of combat engagement. We are under threat and we must

respond together. Let us, though, not conduct our daily business in a negative frame; if we do, we risk becoming immersed in misery, unable to move forward. The future is about life, not death, and this must be so for the lives of those taken from us not to have been in vain.

I must say that the one thing that the Premier said this morning with which I would disagree in the nicest way is when he said, 'What an ugly world we live in.' I think we live in a beautiful world; there are just some ugly parts of it. I love being alive and I look, in the main, for my sustenance upon the beautiful parts. For that reason, those who died have not died in vain because they carry our hope for a better future.

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (10.20 a.m.): I wish to join with my colleagues in this parliament today in the motion of condolence. I want to pay particular tribute to the men and women of the Queensland Police Service who have been very much involved in this.

Obviously, when the news hit Queensland of what happened in Bali, naturally the police felt that they had a role to play. I think one of the saddest jobs that any police officer has to perform is to identify bodies. The Queensland Police Service has offered—an offer which has been accepted by the federal authorities—to initially send four police officers to Bali to help in the identification of bodies. This must be a horrendous job for them; so much so that we have insisted on leaving them there for a very short period of time and replacing them with other police officers. I believe this should bring home to us the very difficult role that the men and women of the emergency services face on a daily basis. It must be an horrendous job. That is the reason why, at every opportunity, we should provide professionalism and give our men and women who perform these tasks all the professional support we can.

To the families and friends of those people who have lost their lives or who have been seriously injured, I join in this motion of condolence with the other speakers in this parliament today. In particular, I think the bravery of the men and women of the Queensland Police Service should be recognised. They have gone to Bali to do all they can to assist in this very sad task which confronts them.

Mr COPELAND (Cunningham—NPA) (10.22 a.m.): I rise with sadness to speak to the motion of condolence moved by the Premier and seconded by the Leader of the Opposition. Last Sunday morning, I received a phone call from one of my constituents. She, like so many other people, had awoken to the news of the tragedy in Bali. Her daughter was on holidays in Bali. She did not know where she was staying and she did not know what had happened to her. On Sunday, it was so difficult to get information on what happened that one can only imagine what those families were going through, and are still going through. At around 5 o'clock on Sunday evening she had a phone call from her daughter in which she announced that she was safe and well. I said, ‘Gee, that's great news.’ She said, ‘It's good news for us, but there is so much sad news for other families that are going to be faced with what we have been going through.’ On Monday morning, I discovered that my own cousin had narrowly escaped the tragedy. He lost a number of his own friends. A lot of his friends were also injured.

Australia is a small community. We know so many people. We are all touched in some way by what has happened in Bali. We look at the faces of the young people in the media. We look at their smiling, happy faces. We hear descriptions of them as young, generous, talented and always smiling. I know that if we had lost my cousin we would have described him in exactly the same way because that is so typical of the generation that was so badly affected in Bali last Saturday evening. They are young, they are talented and they are generous.

Young Australians have a history of travelling and experiencing and enjoying things right around the world. I have done it, and now, more than ever, many other young people are doing it. They experience the culture and the openness and they take that sense of adventure to every corner of the world. Anyone who has travelled knows that there are dangers involved, but this tragedy has brought those dangers so close to home and in such a devastating way that none of us could ever have imagined. We hope that that tragedy will not stifle the free and independent spirit that we have seen in Australian young people for such a long time.

We face a challenging world. There is a war going on where there is no front line, there is no easily identifiable enemy and there is no way of knowing where the next strike will be. We cannot let that war stifle the spirit of our young people. We must stay adventurous, we must continue to enjoy the freedoms that we hold so close to our own hearts and, most importantly, we must come together as a nation and proudly say that this tragedy will not deter us.

We pay tribute to everyone who has been involved in the massive operation to assist people affected by the bombing, including the emergency services, the police services, defence personnel, health workers, all government officers and the many people who volunteered immediately after the blast in what must have been the most difficult of circumstances. We can only imagine how it must have been for those people. Our hearts, our prayers and our deepest sympathies go out to all of the families and friends of those who lost their lives or were injured in Bali. For many there will be sadness still ahead. We lost too many Australians at Kuta Beach on 12 October. Our thoughts are also with those people from other nations who share in our grief, especially the Balinese people who will feel the effects of this tragedy for many years to come.

Hon. M. J. FOLEY (Yeerongpilly—ALP) (Minister for Employment, Training and Youth and Minister for the Arts) (10.25 a.m.): I join with other honourable members of this parliament in expressing my shock and grief and, indeed, the anger of the people I represent in this House at the tragic events which have befallen us. For Australian visitors, Bali was not only a place for rest and relaxation, but it was also a place where many engaged in contact with a very active arts community, a community inspired by the Hindu tradition.

I noted with profound admiration the way in which healing ceremonies have been conducted by the Hindu people of Bali. No doubt those ceremonies are helping to provide comfort to people who are suffering and are helping to provide the inspiration and insight that we, as a people, need in the face of this tragedy.

I was, as I believe were all Australians, deeply struck by the ceremonies on the beach which spoke to the sea and which brought together the people who had suffered so much from so many walks of life. I could not help but be reminded that it was so close to the 60th anniversary of the battle of El Alamein where many other Australians fell. The great Australian poet, Kenneth Slessor, in his poem *Beach Burial* made the point then, which was driven home to me when I saw those images of the ceremonies on the beach, when he made the observation—

Between the sob and clubbing of the gunfire
Someone, it seems, has time for this.

Just as the generation of my father who fought in North Africa suffered so much, so too this young generation is suffering much in the face of a more uncertain and, in many ways, a more deadly enemy. We are a people in need of healing. We are, nonetheless, resolute in the face of terror, determined to seek justice and determined, as the Premier so eloquently said, to attack the causes of terrorism and to promote the economic, social and cultural wellbeing of all people of goodwill.

Motion agreed to, honourable members standing in silence.

SITTING HOURS; ORDER OF BUSINESS

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (10.29 a.m.), by leave, without notice: I move—

That notwithstanding anything contained in the standing and sessional orders for this Thursday's sitting, the order of business shall be as follows—

9.30 a.m. to 1.00 p.m.—

prayers followed by government business;

2.30 to 3.30 p.m.—

government business;

3.30 p.m. to 4.30 p.m.—

Messages from the Governor
Matters of Privilege
Speaker's Statements
Motions of Condolence
Petitions
Notification and tabling of papers by The Clerk
Ministerial Papers
Ministerial Notices of Motion
Government Business Notices of Motion
Ministerial Statements
Any other Government Business
Personal Explanations
Reports
Notices of Motion
Private Members Bills
Debating of Committee Reports
Private Members' Statements

4.30 p.m. to 5.30 p.m.—
Question Time
5.30 p.m. to 6.00 p.m.—
Adjournment Debate
6.00 p.m.
Adjournment.

Motion agreed to.

SCRUTINY OF LEGISLATION COMMITTEE
Report

Mr PITT (Mulgrave—ALP) (10.30 a.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's *Alert Digest No. 9 of 2002*.

QUESTIONS WITHOUT NOTICE
Bushfires, Helicopter Use

Mr HORAN: (10.30 a.m.): I direct my question to the Premier and ask: following the devastating effect of bushfires on the Queensland-New South Wales border and the constant predictions that this bushfire season is likely to be one of the worst on record, will the government reconsider the decision not to have a helitanker based in Queensland for the bushfire season? Based on the success of the Elvis helitanker in the devastating eucalypt fires in New South Wales last year, would this not be a good investment in a modern firefighting tool that can protect property and lives and help firefighters who may possibly be caught in dangerous situations?

Mr BEATTIE: I thank the honourable member for his question. Can I say at the outset that I am concerned, like all members of this House, about the tragedy that has affected people in the Granite Belt area and in particular Lawrence Springborg, the local member and his electorate of Southern Downs. I have visited there in recent times, as has my cabinet, and recently visited Warwick with Lawrence. I know that the people in his electorate will be suffering greatly at this time. On behalf of all members of the House, I pass on our best wishes to them and also our condolences to the family of the lady who tragically lost her life. As I indicated earlier about the fire warden, we hope that he has a speedy recovery.

There are a couple of things I want to say before I come specifically to the Leader of the Opposition's point, and I know he will not mind this. During times of drought it is important that people be sensible about fire. There have been a couple of instances near Mackay where it has been alleged that fires have been started illegally. I ask Queenslanders to use their brains and be sensible. If you are involved in lighting fires for whatever reason—barbecues or whatever—please be smart about it. For those who are involved in any illegal activity—that is, starting fires illegally—they should clearly understand that they can go to jail for life or 14 years depending on the circumstances, and we will throw the book at them. The police will throw the book at them. No-one will be spared. We will throw the book at anyone who illegally starts a fire.

Let me come back specifically to the issue. Queensland has been participating in a project to develop a national aerial firefighting strategy. The project commenced as a result of concerns arising from the New South Wales bushfires in late 2001 and early 2002. The Deputy Prime Minister, the Hon. John Anderson, wrote to the New South Wales Premier offering assistance to coordinate the development of a joint proposal amongst the states and territories on cost-effective options for improving Australia's aerial firefighting capacity. The federal Department of Transport and Regional Services was given the responsibility for developing the proposal. In turn, the department contacted the Australian Fire Authorities Council to undertake detailed development and production. That has established a reference group comprising representatives of state and territory agencies. Queensland has participated in the development of the proposal as part of the reference group to ensure cost-effective outcomes for the state. The proposal has been put to the Commonwealth to provide funding for the leasing of additional resources to supplement existing base fleets operated by the states and territories during peak fire season activities. The Commonwealth through the Minister for Regional Services, Wilson Tuckey, has responded with an offer to fund half the direct cost of leasing three resources to a maximum of $5.5 million for the current fire season. The remaining 50 per cent of direct leasing costs plus the operating costs would need to be met by the states.

The offer from the Commonwealth will enable the leasing nationally of three Ericsson sky crane heavy lift helicopters. The limited use of aircraft is part of Queensland's firefighting strategy. Our focus on a proactive prevention and mitigation approach combined with well-equipped and increasingly better trained suppression forces means that the need for the use of this type of costly technology in Queensland is minimal. I am happy for the minister to provide the member opposite with more detail, because I know that this is an important issue for him and the state. Nationally there will be opportunities to enable the leasing of three Ericsson sky crane heavy lift helicopters.

Antiterrorism, Police Powers

Mr HORAN: I direct my question to the Premier. In light of the Bali tragedy, I refer to the moves by Australia's federal and state governments to review their respective security arrangements, and I thank the Premier for advising the parliament of the meeting that will be held this week. I also refer to the fact that Queensland is the only state where police do not have their own telephone and data transfer interception powers, and I ask: in light of the added security risks that now confront our state, will the Premier consider providing the Queensland Police Service with these powers as part of the negotiations that take place this week?

Mr BEATTIE: I thank the honourable member for his question and thank him for his cooperation on the motion before the House today in relation to condolences. As I indicated before—and I spoke to the Leader of the Opposition yesterday—he and I will be travelling with the Governor and possibly Mrs Arnison to Canberra on Thursday to represent the state at the memorial ceremony that will be held in Canberra. At the end of the service at 11.30 there will be a meeting of the Prime Minister and the premiers about antiterrorism measures. I indicated to the House earlier today that state cabinet yesterday approved the signing of the IGA—the intergovernmental agreement—between the states and territories and the Commonwealth to better deal with terrorism. It is designed to have a sharing of intelligence but to give the Commonwealth a particular role where it can coordinate a response to a terrorist act. This initially came together because of what happened on September 11. What that basically means in a nutshell is that for any federal issue the power can be used by the federal government in relation to phone tapping as part of the response that is needed. If a terrorist act is coordinated by the Commonwealth, it will have the appropriate means available to tap phones under federal government legislation.

I think that answers the Leader of the Opposition's question, but I want to make reference to a couple of other matters, and I have had discussions with the Police Minister about this on a couple of occasions. I tabled a news release from the Police Commissioner issued late last night after a release put out by the Police Minister himself earlier in the night. This relates to threats to facilities in this state. On Friday, 11 October the Australian federal government issued a raised level of alertness regarding possible threats to energy infrastructure which was part of a worldwide alert in relation to this issue. Subsequently, the Queensland police received information through the Australian Federal Police and on 13 October New South Wales police intercepted a vehicle containing three men of Middle Eastern appearance in the general vicinity of power stations in the Newcastle area. When spoken to by the New South Wales police, they indicated that they were en route to Brisbane to visit relatives for religious purposes. This information was communicated to the Queensland police and relayed to police stations throughout Queensland as part of a general raised level of alertness following the upgraded warnings. This information was also communicated to the management of power stations in Queensland.

A number of complaints have been received since 11 October 2002 in relation to power stations in Queensland. These included several bomb hoaxes and a separate claim by a person at Biloela who had allegedly seen three males acting suspiciously. All incidences concerning power stations have been fully investigated and none of the matters have been substantiated in any way. It is important to note that the information relating to the three men intercepted in New South Wales has not at any time established that they posed any actual threat to any energy infrastructure or other facility. I draw that to the attention of the House. Tragically, when things happen there are a tiny percentage of—and let me be really unkind—sick people in the community who use these tragic circumstances to get involved in stupid hoaxes. Because of what happened in Bali and because of what happened on September 11, the Queensland police cannot ignore them, nor can they be simply thrown in the bin. We have to take them seriously, but they are a waste of resources.

I again remind people who are involved in hoaxes: it is a criminal offence and you can go to jail for it. We want people to come forward with any appropriate information—and it will be taken seriously—but hoaxes as we have received are a waste of taxpayers' money. They cause unnecessary grief and hardship. I ask for that tiny per centage of people involved in it to stop.

Time expired.

Australian Magnesium Corporation

Mr PEARCE: I refer the Premier to the exciting future offered by the development of the Australian Magnesium Corporation project at Stanwell in the electorate of Fitzroy and the massive number of jobs it will create in central Queensland. Can the Premier give the parliament details of the announcement he made about AMC while leading the trade and investment mission to Europe recently?

Mr BEATTIE: I can. I thank the member for his question. I know that both he and the Minister for Public Works and Minister for Housing, Robert Schwarten, have been strong, strong supporters of this proposal, the Australian Magnesium Corporation. I make the point at the beginning—the honourable member knows this—that without the government's steadfast determination to support the launch of AMC it is likely that all of the jobs associated with the project would have been lost overseas. Because of the government's actions, Queensland is now a major player in the worldwide race to develop mass-selling superlight magnesium engine blocks—that is value adding. It is a Smart State approach with Smart State technology.

While I was leading the Queensland trade and investment mission to Germany, AMC unveiled an engine block made from a high-temperature magnesium alloy. It was specially developed with Australia's Cooperative Research Centre for Cast Metals Manufacturing. This is a sensational development that is great news for Queensland's Smart State credentials and has the potential for massive job creation. The specialty alloy has been used to make a prototype three-cylinder engine which has been installed in a Volkswagen Lupo for display at a trade exhibition at one of the world's foremost engine development conferences in Aachen, Germany.

The engine weighs just 14 kilograms. It is not only much lighter than conventional cast iron engines but also 25 per cent lighter than the comparative aluminium block currently in commercial use. I had the opportunity of picking up the engine. It is amazing that it is just 14 kilograms. I congratulate Australian Magnesium Corporation Limited and CAST for developing this alloy, which could be worth an enormous amount in income from engine sales. It is early days, but this is a very exciting development.

The development of this alloy is further proof that the giant $1.3 billion AMC plant at Stanwell near Rockhampton will be not just a major new factory but also the start of a whole new industry for Queensland—a whole new Smart State industry. When production begins in late 2004, about 350 people will be permanently employed there. The state government will continue to do everything it can to use this project as a catalyst to develop a value adding light metals industry with the potential to create a minimum of around 2,000 direct jobs and a further 5,000 indirect jobs. I know that the Minister for State Development will continue to drive this on behalf of the government with all the energy needed.

This plant will be the largest producer of magnesium metal in the world, with the capacity to produce 97,000 tonnes of magnesium annually and capable of being expanded to lift output to 360,000 tonnes a year. The Ford Motor Company has given the project a great vote of confidence by contracting to take about 50 per cent of annual production from the first stage of the plant for 10 years. All leading car manufacturers are involved in developing magnesium components.

This is one of the most exciting projects in Queensland. I was delighted to be part of this announcement, as was Tom Barton. I made the announcement in Germany and Tom made it here in Queensland.

Time expired.

Water Shortages

Mr JOHNSON: My question is directed to the Honourable the Premier. As his counterpart in New South Wales, Bob Carr, said recently, the best way to fix the drought is rain, so let us hope that it comes. I refer to the catastrophic water shortages being experienced in many rural and regional Queensland towns as the current drought worsens with a long, hot summer, which is already with us. In some instances these water shortages are so bad that the residents in

townships such as Coominya, adjacent to the Wivenhoe Dam, have to truck in drinking water. Does the government have a strategy to address these critical water shortages? If so, what is it?

Mr BEATTIE: This is a very important question and I thank the Deputy Leader of the Opposition for it. We are doing a number of things. Water reform, which is something we are pursuing as a government, is fundamentally important. There are many facets to it, which makes it difficult for me to respond in three minutes.

We are an arid continent. We have to protect our river systems, we have to build water storage facilities—we are doing that in Bundaberg, for example—but we also have to conserve water. We have to make better use of water. That means, for example, that in the cities we have to educate people to use water better. I understand that we are one of the greatest consumers of water anywhere in Australia. Clearly, we have to use our brains to make better use of water. There is a WAMP process going on in relation to river systems. In essence, we need to make sure we have better systems in place to use the water we have got, to preserve water and to ensure we do not end up with a problem with salinity.

Let me deal with the broader issue about droughts. The Queensland government provides a range of assistance measures to assist farming families in drought affected areas. The government has a dedicated drought policy, formulated in 1992, which stood the state in good stead during the devastating drought of the 1990s. Primary producers have access to freight subsidies on fodder and water, on stock returning from agistment and on stock purchased for restocking. We have the Drought Relief Assistance Scheme, Feedlink, extension officers, DPI farm financial counsellors, certain site permits in relation to DPI Forestry, the Rural Adjustment Authority, an exceptional circumstances interest subsidy, the Small Business Emergency Assistance Scheme, drought crop loans, drought restocking loans, FarmBis, the Primary Industries Productivity Enhancement Scheme, land rent deferrals and a stock route fee variation.

The honourable member will remember that at a recent community cabinet meeting we launched the new stock routes. It was the first time they had been upgraded for years. We enhanced a lot of that. There are also measures related to Queensland Transport and Main Roads. I seek leave to incorporate in *Hansard* the material I have referred to in order to assist the Deputy Leader of the Opposition. There is a lot more material here than I can deal with.

Leave granted.

The Queensland Government provides of assistance measures to assist farming families in drought affected areas.

The Government has dedicated drought policy formulated 1992 and it stood the State in good stead during the devastating drought of the 1990s.

Primary producers have the access to freight subsidies on fodder and water, stock returning from agistment and on stock purchased for restocking.

In addition, concessional loans are available for cropping and re-stocking in the immediate wake of drought.

The Government has a number of senior extension officers responsible for providing drought recovery and rural adjustment advice to clients.

Also Government farm financial counsellors give producers assistance analysing their financial position and helping to develop and evaluate options for borrowing, purchasing and other management decisions."

The Queensland Government also offers hardship relief for lessees in the form of rent or instalments deferred for a 12-month period with interest and reduction or waiver of stock route agistment fees and electricity tariff relief.

Drought Relief Assistance Scheme

The Queensland Government Drought Relief Assistance Scheme provides subsidy assistance to primary producers in drought declared areas or with IDP declarations.

Subsidies are available for the transport costs of fodder, stock drinking water, livestock returning from agistment and restocking post-drought.

In addition, the Department of Primary Industries (DPI) has been responsible for developing a number of programs and decision support tools that have been successful in improving the ability of producers to manage climate variability and be better prepared for drought. These programs include:

- the establishment of the Queensland Centre for Climate Applications (QCCA) to improve long-range climate forecasts. The joint DPI/NRM QCCA conducts research on long range seasonal and climate forecasting and issues climate outlooks;
- 'Managing for Climate' Workshops that train producers to better interpret and utilise weather and climate forecasts; and
- the development of tools to assist producers incorporate climate information into their management process, such as Australian Rainman, Whopper Cropper Aussie Grass, Regional Commodity Forecasting Service and DroughtPlan.

Feedlink

FeedLink helps livestock owners to access information from suppliers of stock feed. FeedLink facilitates trade between producers and suppliers who wish to contact each other via email.

Extension Officers
Extension Officers are responsible for providing drought, drought recovery and rural adjustment advice to clients. This includes advice on available assistance, and information on drought and rural adjustment issues, including management strategies to prepare for drought. This advice also assists in the adoption of DPI drought related research.

DPI Farm Financial Counsellors
DPI Farm Financial Counsellors provide financial and other analyses to help producers understand their financial position, identify and assess the impact of options and develop strategies and plans to reduce financial problems and manage risk.

DPI Forestry—Apiary Site Permits
Apiarists applying for permits on DPI Forestry land in drought declared shires may be eligible to pay permit fees in annual instalments rather than up front payments.

Queensland Rural Adjustment Authority
The Queensland Rural Adjustment Authority (QRAA) administers State and Commonwealth funded assistance programs for primary producers and small businesses.

Exceptional Circumstances Interest Subsidy
This support is available to primary producers in Exceptional Circumstances (EC) declared areas.

Small Business Emergency Assistance Scheme
This loan scheme is designed to assist locally owned small businesses whose enterprise has been affected by severe drought or other significant events beyond normal risk management. Applicants must be located in, adjacent to or dependent on areas that have been granted EC (drought) Status by the Commonwealth Government.

Drought Crop Loans
To assist primary producers involved in the broadacre, grain and fodder industries to purchase seed, chemicals, fertiliser and fuel to enable the planting of a successful post-drought crop.

Drought Restocking Loans
To assist primary producers who have been affected by drought to gain access to concessional loans to cover restocking requirements post-drought.

FarmBis
This program provides assistance for activities such as skill development, farm business planning and advice, farm performance benchmarking, risk management and natural resource management. FarmBis grants are available for those who contribute to the management of production, business and financial, and/or value-adding activities within a farm business enterprise.

Primary Industry Productivity Enhancement Scheme
The objective of the Primary Industry Productivity Enhancement Scheme (PIPES) is to strengthen the economy of Queensland regions and to increase the capacity of primary producers to improve their sustainable production, protect the environment and achieve self reliance by providing targeted financial assistance. PIPES contain three separate programs Development, Land Care and First Start.

Department of Natural Resources and Mines
The Department of Natural Resources and Mines provides advice on measures to manage water supplies through drought. This may include a free desktop evaluation aimed at locating groundwater supplies.

Land Rent Deferrals
Lessees who are seeking hardship relief for the first time because of drought are required to meet the hardship criteria. Lessees who meet the hardship criteria will have their rent or instalments deferred for a twelve month period with interest.

Stock Route Fee Variation
The Rural Lands Protection Act 1985 has provision for the variation of stock route agistment fees to reflect seasonal conditions.

Education Queensland
Education Queensland, with the assistance of the Office of Rural Communities, provides assistance and family support for students enrolled in distance education.

Parent Liaison Officers provide assistance in liaison between parents and schools and other agencies, relating to education.

Queensland Transport
Queensland Transport provides assistance in the following areas:

waiving of farm vehicle inspection fees;

temporary cancellation of vehicle registration;

drought road train permits; and

increased vehicle height limit to 4.6m when transporting machine-baled hay.

Families who drive their children to school or connect with school bus runs and who are located in state drought declared areas or on individually declared properties may be eligible for assistance through Queensland Transport.

Main Roads
Producers wishing to graze stock on state controlled roads can contact their regional Main Roads office to apply for access.

Queensland Electricity Retailers—Electricity Tariff Relief
A customer who is a farmer in a drought declared area or whose property is individually drought declared under Queensland Government processes is eligible for the following forms of relief from electricity charges.

Tariff 68—Irrigation Pumping in Drought Declared Areas
A customer, who is a farmer in a drought declared area or whose property is individually drought declared, may transfer individually metered irrigation pumping loads to this tariff until the drought declaration is revoked.

Waiving of Fixed Charge Components of Electricity Charges
If a customer who is a farmer in a drought declared area or whose property is individually drought declared has no water to pump, the fixed components of the customer's electricity charges shall be waived. These fixed charge components include minimum payments, service fees, annual fixed charges under Tariff 66 and guarantee agreement shortfall charges.

Deferral of Payment
If a customer who is a farmer in a drought declared area or whose property is individually drought declared cites financial difficulties as a result of the drought, the customer is entitled to defer payment of the customer's electricity accounts relating to farm consumption.

Mr BEATTIE: The drought stricken local governments urban water supply assistance scheme provides 75 per cent subsidy assistance to drought affected local governments and Aboriginal and Torres Strait Islander councils to enable them to purchase and/or convey water to supplement water supply systems severely depleted by extreme drought conditions. Local government drought dedication is not a condition of assistance. It is 75 per cent subsidy assistance. I seek leave to incorporate in Hansard some other material relating to drought assistance.

Leave granted.

DROUGHT RELIEF ASSISTANCE SCHEME

Currently 43 shires and two part shires, and approximately 350 properties in a further 33 shires are officially drought declared under the current State process. The declared area represents approximately 26% of the land area of the State. The majority of these declarations are located in central and south-west Queensland, and the Darling Downs and Burnett regions.

In recognition of the declining seasonal conditions in many areas of the State my colleague, the Minister for Primary Industries and Rural Communities announced in Parliament on 6 March 2002 that the Government would continue the Drought Relief Assistance Scheme.

The Scheme provides graziers with subsidies for the freight costs incurred in the transport of fodder and water to drought declared properties.

The Scheme also provides freight subsidies at completion of the drought for the transport costs associated with returning livestock from agistment and the transport of animals purchased for restocking purposes.

The Queensland Government also provides assistance to drought affected graziers through land rent deferrals on leasehold (Crown) land.

Rent deferrals on leasehold (Crown) land are available to graziers in drought declared areas or whose properties are individually declared who meet the hardship criteria. Rents can be deferred for a period of twelve months with interest (currently 2%). Upon application, a further twelve month deferment can be granted, provided the criteria are met.

Eligibility for this assistance is contingent upon the lessee providing a letter from their main financier stating loan funds are not available for land rental payments.

In addition, the Queensland Government provides significant funding to specific programs for primary producers. For example, approximately $5m per annum is allocated to the FarmBis program, which provides training grants to assist with development of natural resource and risk management skills. In excess of $4m per annum is provided to the Queensland Centre for Climate Applications to assist primary industries better manage climate variability. The Government also funds 28 farm financial counsellors either wholly or in cost sharing arrangements with the Commonwealth or communities.

Mr BEATTIE: After the Deputy Leader of the Opposition has looked at all of that material, if there is anything else he wants he can come back to me, the Minister for Natural Resources or the Minister for Primary Industries and we will provide more information to him.

Time expired.

Investment Incentives

Ms LIDDY CLARK: My question is directed to the Premier. There are some in this House, both in the chamber and in the gallery, who take a great deal of interest in incentives offered by the state government aimed at attracting investment and jobs in this state. Has the Premier received endorsement or support for his government's efforts in this area?

Mr BEATTIE: I am happy to say that I have. I will be modest about this, but indeed I have. Not surprisingly, many companies we have assisted have been quick to publicly thank us for our job creation support. Only two weeks ago in London, when I held a reception to encourage investment in Queensland, Sir Richard Branson, to whom I presented an honorary Queensland ambassadorship, was quick to thank us for our efforts with Virgin Blue. Virgin Blue has created more than 1,300 jobs in Queensland and has enabled many people who previously could not afford air tickets to fly. It has brought thousands of tourists to Queensland.

The proponents of the AMC project I referred to earlier have been publicly fulsome in their praise of us. That, I suppose, is no surprise. They were obviously the ones that won. However, 10 days ago I was gobsmacked. I was taken aback with stunning support from, of all people, the Liberal Leader of New South Wales. Yes, the New South Wales Liberal Opposition Leader, John Brogden, was talking to a group of financial executives in Sydney and in short said that New South Wales needed to adopt the Queensland style of doing business to attract business and investment. Strike me dumb. I know that members opposite would like to do that, but there I was, I was lost for words.

Ms Bligh: Did you get a video of it?

Mr BEATTIE: It has never happened to me before and it will never happen again. It would be a very slow video. John Brogden even told a high-powered gathering that our lower payroll tax meant that it was simply cheaper to employ people in Queensland than it was in New South Wales. I know that the Treasurer and the Minister for State Development would be delighted to hear that. John Brogden said that the time for major project approval was 2.1 years in Queensland compared to 3.1 and 2.5 years in New South Wales and Victoria respectively. So we get things done quicker here.

But that was not all. The icing on the cake from this smart Liberal Opposition Leader was that he said that there were more reasons to do business in Queensland than there were in New South Wales. That is music to my ears. We have a smart Liberal Leader telling bankers in Sydney that New South Wales should adopt the Queensland way of doing business. That is a first. I am delighted to hear it. I hope that they take his advice. When I heard this information in Europe I was stunned. I thought that it was 1 April, but, of course, it was not. It is true. The smart New South Wales Liberals look to the Queensland Labor government for direction on economics. I have to say that that shows good judgment.

The sad thing is that some of John Brogden's opposition coalition members in this state do not. We should just remember where the knockers are from. I want to table a copy of the AAP story reporting what Mr Brogden said, because I think that it is important for the information of the House. I say to Bob Quinn, the Leader of the Liberal Party, to get on board. Brogden is all right. The member could find some inspiration from his interstate colleague. I urge him to hold a meeting with John Brogden as soon as possible.

Lockyer Valley Water Supply, Feasibility Reports

Mr FLYNN: I direct my question to the Minister for State Development. Since I was elected the member for Lockyer, I have had considerable interest and involvement in the supply of water—renewed or otherwise—to that area. Indeed, I was partially responsible for the set-up of the Upper Lockyer Water Catchment Users Forum, which now falls under the umbrella of the Lockyer Valley Water Users Forum, with whom the government negotiates. At a recent ministerial community conference, I asked the minister if he was prepared to supply a copy of the draft report into the feasibility studies, which was denied for various reasons. I ask the minister: will he explain his reasons for not supplying the report? Will he give an undertaking to so supply that report now?

Mr BARTON: I think that the member needs to understand just where we are with this process. This is the process whereby a range of studies look at the City to Soil proposal out of the member's electorate and the Darling Downs Vision 2000 proposal for pumping waste grey water from the south-east corner back to the Lockyer to assist people with their agricultural needs, and potentially up the range to the Darling Downs to provide people in that area with agricultural support as well.

The reports that the member asked me about at the ministerial forum of Monday morning of last week and to which he refers in the House now are reports that are owned at this point. They are draft reports. They are not available to the public yet. They have not been released yet. They are still in the process of being finalised. Those reports are available to the proponents. The proponent, City to Soil, from the Lockyer, has a copy of it. Certainly, my department has a copy of the draft and the SEQROC group of councils, which is the other stakeholder—

Mr FLYNN: I rise to a point of order. Would the minister say that I am a stakeholder in this issue as much as the government and should have a copy of the draft report to lend towards the argument?

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

Mr BARTON: They are draft reports that are not available in the public domain as yet. Draft reports are simply that. They are draft reports that are being worked through. When the drafts are prepared, of course, they go back to the proponents, the people who are actually paying for the reports, which is the state government via my department—we have put in something in the order of nearly $1 million into these studies at this point—the SEQROC group of councils, which has a direct interest and which has put in approximately $330,000 for this round of reports, and also the farming groups, the people who wish to access that water, City to Soil, from the member's electorate, and Darling Downs Vision 2000.

When the reports are finalised they will be made public and I will be perfectly happy for the member to be briefed at that point. But they are not public reports and he deserves no more special treatment than anybody else. He will receive the reports when they are finalised.

Terrorism, Threat Assessment

Mr ENGLISH: I direct a question to the Minister for Police and Corrective Services. As a former member of the Security Intelligence Branch and certainly an interested member of this House, can the minister inform the parliament of any complaints made to police with respect to suspected terrorist activities in Queensland?

Mr McGRADY: I thank the member for the question. It is a very sensible one and it gives me the opportunity to say a few words about recent events. The government and, of course, the Queensland Police Service view very seriously any complaints made with respect to suspected terrorist activities. Obviously, we are committed to remaining vigilant on this issue because, as Bali has shown, we need to remain alert to the possibility of terrorist acts in our region. I keep in very close and constant contact with the Commissioner of Police and as events such as Bali occur, we meet on a very regular basis. As late at last night, I sought and, in fact, was given an assurance by the commissioner that there had been no change to the current threat assessment of power facilities in our state.

As members will be aware, the federal government issued a warning to all states and territories on 11 October of possible threats to energy infrastructure as part of a worldwide alert in relation to this issue. This morning, the Premier outlined two instances where we received information regarding various activities. Today, I pay tribute to the very responsible attitude of the media, because on occasions such as this the media could present articles and create fear in the community. They have not done that. In my opinion, they have acted in a very responsible manner. In terms of the two issues that the Premier alluded to this morning, when the Queensland Police Service received this information, it immediately forwarded this, after it had investigated, to its federal colleagues. This happens all the time. It is important that, if people have any information at all that they feel could assist the police, they inform the police. The Premier also mentioned that on occasions such as this we get some people who will make frivolous complaints. At the same time, the police have a responsibility—and they accept this responsibility—to investigate them and pass all this information on to the their federal colleagues.

We are living in a very difficult time, but the message that I want to get through to the people of Queensland today is that I believe that we have a very professional Police Service and they are constantly checking any complaints or incidents that are reported to them. I am very impressed with the calibre of the Police Service. I think that they are doing an excellent job, particularly in regard to terrorist activities.

Bushfires, Granite Belt

Mr SPRINGBORG: My question is directed to the Premier and it relates to the bushfires south of Stanthorpe on the Granite Belt last Thursday and Friday and during the weekend. Firstly, I would like to pay tribute to the volunteers and professionals who were involved in making a sterling effort to fight those fires and also to the assistance of the government to date as well in trying to make the situation for those people much better. I had the opportunity last Friday to fly on the Queensland rescue helicopter over some of those areas. I was able to gain a greater appreciation of the tragedy on the ground, which included the loss of six houses and 11 other structures. A number of cars were burnt. There was significant damage to orchards as well. Also, there was damage to 30,000 hectares, or 75,000 acres, of country in Queensland. Whilst to date some significant assistance is starting to flow through to those people who were tragically touched by loss of property, an area which is causing great concern is the over $7 million of damage to the horticultural industry. By and large, those people do have overall property insurance; however, the

replanting of trees is not covered by insurance. It does not appear that the reconstruction of micro irrigation is covered, either.

Under the natural disaster assistance arrangements made available by the Queensland government and supported over a threshold by the Commonwealth government, will the Premier give an assurance to this House that those horticulturalists will be assisted to replant and reconstruct their enterprise and that this will be done with a minimum of administrative hurdles as the weeks go by?

Mr BEATTIE: I thank the member for the question and I know that he is very genuine in his concern. As I indicated before, I would be grateful if the member passed on the best wishes of all members to his constituents. One of the things to say before I go into the detail is that in this House we all should be full of admiration for the courage and dedication of that community. The firefighters and the whole community pulled together to fight the fires and to deal with the consequences. Many would know that Angelo Puglisi has been an institution in that area. Mary Puglisi was out providing support. They were all working. They are typical of the many families there who worked very hard. There are a number of details to answer the question. I suggest that the member for Southern Downs arranges an appointment with the Minister for Natural Resources, Stephen Robertson.

In relation to this issue, there are some possibilities. The department is currently looking at the rural water use efficiency scheme to see whether assistance can be provided. That normally provides subsidies for drip irrigation. The Minister for Natural Resources is having a look at it. I suggest to the member for Southern Downs that he have a discussion with the minister as soon as possible. Let us talk about the loss. In relation to the Granite Belt fires, the Department of Primary Industries has undertaken assessments of the damage in terms of agriculture. I have had a discussion with Henry Palaszczuk about this. At this stage only the cropping assessment has been done. A stock inspector from DPI will be in the region from today to examine stock losses and grazing infrastructure. In terms of horticulture, the losses are estimated at $6.5 million. This assessment does not take into account the damage to infrastructure such as trickle irrigation and pumps. Production losses are summarised in a number of ways in relation to wine grapes, stonefruit, raspberries, vegetables, hydroponic strawberries, et cetera. I will table a copy of that for the information of the House. The DPI has arranged for a farm financial counsellor to be based in the region. Under natural disaster relief arrangements, QRAA can provide concessional loans, four per cent over seven years, up to a cumulative total of $150,000. The loans are for up to $100,000 to carry on operations, to repair and/or re-establish infrastructure or to pay rents; or loans of up to $100,000 for restocking. QRAA can be contacted on 1800 623 946.

Damage to wine grape production alone is expected to be more than $4 million in lost cellar door sales. Mike Reynolds yesterday declared that natural disaster relief assistance will be available, which is additional to the state disaster relief assistance he made available on Friday. Natural disaster relief assistance is joint federal-state funding. It gives relief funding for eligible primary producers who may have lost crops or livestock during the bushfire crisis. The Minister for Emergency Services visited the area on the weekend and I thank him for that. Prior to the fire, the DPI was talking to those in the horticultural industry in the Granite Belt about developing an application for drought assistance from the federal government. The night before the fire started, DPI officers met with local fruit and vegetable growers to discuss possible exceptional circumstances assistance. Those discussions will continue. I will table some of that information for the information of the House. I ask the local member to work with the Minister for Natural Resources, the Minister for Primary Industries and obviously, and if necessary, the Minister for Emergency Services.

Mr SPEAKER: Before calling the member for Hervey Bay, I welcome to the public gallery students and teachers from the Westside Christian College in the electorate of Bundamba.

Capital Works Projects

Mr McNAMARA: I ask the Minister for Public Works and Minister for Housing: in line with the Beattie government's commitment to supporting local industry through the state purchasing policy, how have Queensland companies benefited from working on major capital works projects?

Mr SCHWARTEN: There is a classic project that demonstrates how our state purchasing policy is delivering real job outcomes to local people in the member's neighbouring electorate of Maryborough. I might congratulate the Minister for Corrective Services, the Hon. Tony McGrady, for recently hosting the Jailhouse ROC event that brought to completion the $94 million project

built by Walkers in the member's neighbouring area. It was very successful, but I do not know whether the member's mummy was there. No doubt, the pair of you would have cut a rug nicely doing the jail house rock!

Getting back to a more serious issue, that project delivered real outcomes for the people of Maryborough and Queensland. In fact, it has won a local content award, an award sponsored by the ISO, the Department of State Development and the Queensland Institute of Engineers. The fact is that about 10 per cent of the project was supplied locally. About 65 per cent of the jobs were sourced locally. About 92 per cent of the jobs were sourced within Queensland, and 99 per cent of the job was sourced within Australia. It just shows that, when governments choose to intervene in the market as we have, there are real outcomes at the local level.

I turn now to the biggest project in Queensland, the Suncorp Metway Stadium. It was interesting to read on the weekend that we were criticised for there not being enough of a focus on Queensland suppliers. I drag out some information that refutes that point.

Mr SPEAKER: Could the minister speak a bit closer to his microphone? There is a problem hearing the minister in Hansard.

Mr SCHWARTEN: It is the first time I have ever had any trouble with someone hearing me. I was once at a public function where somebody complained that they were in a position where they could hear me! The reality is that the main joint venture, a marriage between Watpac and Multiplex, involves Watpac, a wholly owned Queensland company. Abigroup has the infrastructure works at $17.3 million; John Goss projects, another Queensland company, is doing the electrical work; Sun Engineers is doing the roof structure; Wideform has the formwork contract, worth about $8.5 million; Beenleigh Steel is supplying the stadium steel framing; the substructure work is done by Shepherd Contracting; the ceilings and partitions are done by Northwest Commercial; and the hydraulics are being undertaken by Fairfield Plumbing. The seats are supplied by a Queensland company, Sebel, to the tune of $2.7 million. The pitch, which is the most important part for the players concerned, is supplied locally by Digit Landscaping at a cost of $1.6 million. The fact is that the Opposition Leader has complained about Suncorp Metway plenty of times, but Higgins Manufacturing in Toowoomba has picked up the specialised acoustic installation.

Borumba Dam

Miss ELISA ROBERTS: My question is directed to the Minister for Natural Resources and Minister for Mines. In light of the current drought conditions, are there any plans to bring forward the time frame for the raising of the Borumba Dam?

Mr ROBERTSON: During difficult times such as this, many people put forward ideas to either increase the height of dam walls or bring on new projects, and I am not unsympathetic to those calls. However, the reality is that bringing forward projects such as that undermines the water resource planning process under way in many catchments throughout Queensland, including the Mary River, which the member would have a keen interest in. However, in terms of meeting short-term demands, the raising of that dam wall would not necessarily provide any short-term benefit, because of the time lines involved in the construction of a project such as that.

What I am actively considering in concert with my department and SunWater is meeting the needs of irrigators along various sections of the Mary to see whether we can release additional water supplies to meet short-term demands, including the Lower Mary, which may or may not impact on the people the member is referring to. We are trying to introduce flexibility into the system where, through a combination of SunWater, my department and local governments, we release supplies down various sections of the Mary from Borumba and other storages in the catchment on the basis of, if you like, short-term lease arrangements. For example, in the Lower Mary catchment a water product has been available for either permanent purchase or short-term lease, which might meet the needs of irrigators during these tough times.

Over the last month or so I have met with irrigators' representatives, including during the Gympie community cabinet. We are processing the issues that they brought up during that community cabinet meeting. I am hopeful that in the next few weeks we will be in a position to announce what we can do to meet the needs of irrigators along certain sections. We will not be able to meet everyone's needs, but where we can meet needs we are certainly looking at ways to do so. I thank the honourable member for the question.

Distance Education

Mrs CHRISTINE SCOTT: I ask the Minister for Education: could she please inform the House what steps the government has taken to ensure that distance education students benefit from new technologies?

Ms BLIGH: As members know, the member for Charters Towers has a school of distance education in her electorate. She is very aware of the importance of such schools in the lives of remote children, as are other honourable members. I am very pleased to advise the House that last week I was able to attend the state conference of the Isolated Children's Parents Association and advise it that Queensland will be embarking over the next two years on what will be an Australian first in distance education.

Recently, I approved funds that will see all schools of distance education being able to teach home based students via terrestrial telephone by the end of 2004. This will benefit more than 1,000 children who rely on schools of distance education. In the Smart State, distance cannot be a barrier to sharing in the educational benefits of new technologies. Three schools will be converted by the end of 2003, that is, the schools will have their existing HF radio technology converted to terrestrial telephone technology and the remaining schools will all be completed by the end of 2004. This initiative will come at a cost of $1 million over the next two years and these funds are being dedicated from the funds announced in this year's budget to improve information and communication technologies for schools as part of our Education and Training Reforms for the Future. In my view, it was important to make sure that schools of distance education got a fair share of that cake, and this initiative will make sure that that happens.

The roll-out of this new technology follows a very successful trial of telephone technology at the school of distance education in Charleville. I encourage those members with a school of distance education in their electorate to find out more information about how the project was trialled in Charleville. I have been fortunate enough to sit in on classes of the school of distance education at Charleville. One of the most important things about telephone technology is that it allows children in schools of distance education to participate in a real class environment, that is, they can listen to other students rather than just have the one-on-one teacher-student relationship that HF radio restricts them to.

Importantly, telephone technology is a lot more reliable and not subject to the fall-outs and break-ups encountered with HF radio. HF radio has served our schools of distance education very well. It originated in the 1930s. However, it is time for us to take these schools into the 21st century. In the Year of the Outback, in my view, it has not come too soon. The Isolated Children's Parents Association was very enthusiastic about the initiative and described it as the beginning of an exciting new era for schools of distance education. This comes as no surprise, because what it really means is not only a big leap forward for these students; it will be of considerable assistance to their parents, most of whom are home tutors to these children. I look forward to rolling out this initiative and to seeing the difference it will make in the lives of these children.

Mr SPEAKER: Order! Before calling the member for Mirani, I welcome to the public gallery students and teachers from the Birkdale State School in the electorate of Cleveland.

Bushfires, Water Bombing

Mr MALONE: I refer the Minister for Emergency Services to the fact that most of the state is on the brink of the worst bushfire season in history, because of the drought and the possibility of a reduced wet season due to the El Nino effect. This morning I was pleased to hear the Premier signal a commitment to investigating the offer of having a helitanker operational in the state this year. But in light of the minister's refusal up to now to even consider this matter, I ask: can he give Queenslanders a guarantee that he will put in place some sort of airborne water bombing capability in the state as soon as possible and before we see more devastating fires such as we saw in the Granite Belt this year?

Mr REYNOLDS: I will reiterate some of the comments I have made publicly in relation to this matter over the past couple of weeks. I have noted with interest the comments made by the Leader of the Opposition and the opposition spokesman in this regard. Let me firstly dispel some of the mythology out there. The Queensland Fire and Rescue Service does take on board necessary aerial assistance if and when required. As the Premier said quite realistically to the parliament this morning, it has been assessed by the Fire Commissioner, Lee Johnson, that that would be of only minimal assistance in this state. We live in a state that has very different geography and topography from that of, say, New South Wales and Victoria.

I note on the record today that the federal government has never formally written to the Queensland government in regard to the helitanker being offered to Queensland. It wrote to my counterpart the Minister for Emergency Services in New South Wales, Bob Debus, in regard to a plan. The plan for the so-called Elvis helicopter to be placed in different parts of Australia was a plan really worked up by way of press release. A lot of us have done our best to cooperate with the federal government, even though four to five weeks ago a meeting of ministers for emergency services from the states, territories and New Zealand carried a motion indicating that the federal government had not been able to work up a national aerial response plan for Australia. A number of press releases have been issued by federal members seeking this equipment. The fact of the matter is that three helitankers will be placed somewhere in Australia. At this stage, there has been a decision to have two based in New South Wales and one based in Victoria. The federal government has indicated that the states will be up for a great proportion of the cost of leasing those and that the operational costs also will be met by state governments. I am informed by the Fire Commissioner that this will be of minimal assistance to Queensland.

We all have a very responsible role to play here—the shadow minister, the Opposition Leader and me as minister. I am receiving advice that it will have a minimal role to play. We are part of the national strategy in this regard and we will be having our say along with AFAC, the key firefighting organisation. Let me make it clear that there has not been an offer in a formal way. We continue to talk, but at this stage I am advised by the Fire Commissioner that this would have a minimal role to play in firefighting.

Ambulance Paramedics, Treatment of Bali Victims

Mr LAWLOR: My question is directed to the Minister for Emergency Services. Like all Australians, Queenslanders have been touched by the plight of the victims of the Bali bombing tragedy. Can the minister please inform the House of the work done by the Queensland Ambulance Service paramedics in assisting the bomb victims once they arrived on Queensland soil?

Mr REYNOLDS: I thank the member for Southport for that question. We have all been deeply saddened and shocked by the tragic loss of innocent lives in Bali. I would like to take this opportunity to pay a special tribute to the Queensland paramedics who met the injured Queenslanders returning home last week. A fleet of ambulances met a total of 11 patients who had been evacuated out of Bali. They arrived at the Brisbane airport in a Royal Flying Doctor Service plane and, later on Tuesday morning, a Hercules. Some were critically injured and unconscious; others so grateful to be back on safe soil that they gave our paramedics the thumbs up.

Like everyone, I was impressed with the performance of all our emergency service providers such as defence, health, ambulance, police and the many less recognised responders. In that list I include Qantas which, within just a few hours, announced plans to transfer medical teams and supplies to Bali and extra flights to evacuate the flood of holidaymakers seeking to return home. It is reassuring to know that we were prepared, equipped and resourced to handle a disaster of this magnitude. It is reassuring to know that our emergency services could have accommodated all of the injured being evacuated to Brisbane if Darwin or Perth had not been options and we were needed.

The Bali tragedy demonstrated that Australians will cope with any event, but I would like to place on record that we only maintained that characteristic by keeping these situations in perspective. No matter how good we are, or no matter how good we think we are, we can always be better prepared. That is part of our emergency management procedure—looking at what we have done, identifying if there are any shortfalls and making sure that we provide the very best as an organisation.

As Minister for Emergency Services, may I take this opportunity of congratulating all those paramedics who did such a fine job on the ground. I commend them on their professional and compassionate approach. Indeed, I feel privileged to be minister and to be part of this emergency services team.

Anti-Discrimination Commission, Resources

Mr QUINN: My question is directed to the Attorney-General. Given the events at Bali, coupled with the growing world unrest relating to Iraq, which could not have been anticipated in the recent State budget, and given that there is now a need to be extra vigilant in guarding

against intolerance in our own community, will the Attorney-General give a guarantee that funding and resources for the State's Anti-Discrimination Commission will now be increased so that the commission can boost its awareness and monitoring campaigns at an obvious time of need, and at a time when we must collectively as a parliament ensure that legitimate anger within our own community is not misdirected?

Mr WELFORD: I thank the honourable member for his question. The question is an important one and a timely one. The government is conscious of the need for the Anti-Discrimination Commission of Queensland to have adequate resources to perform its role. Its role will continue to be performed, as indeed it was after 11 September last year when there was some evidence—certainly from other States—that there was a heightened level of prejudice and discrimination practised against certain sectors of our community.

At this stage, I have received no reports that the commission has identified any untoward or unacceptable fallout arising from the incident in Bali, but I will certainly keep in close contact with the commission and undertake to ensure that the government continues to monitor the demands upon the commission to investigate or address any form of discrimination, whatever its cause or motive. Our government is a very strong supporter of the work of the commission. As indicated by at least one of the speakers in the condolence motion this morning, our government and our party unequivocally support the multicultural nature of our community and we abhor any discrimination on the grounds of race or religion under any circumstances.

It is for that reason that our government, as the first item of legislation in this term of office, introduced the anti-vilification provisions amending the Anti-Discrimination Act to create offences of vilification on the grounds of race or religion. We stand by the strong provisions of the Anti-Discrimination Act which give the Anti-Discrimination Commission the powers to take appropriate action should discrimination or vilification on any of those grounds occur in the weeks ahead. Our government will also ensure that this year and into the future the commission is adequately resourced to perform its task of protecting the rights and interests of all sectors of the Queensland community and ensuring that discrimination is widely understood to be totally unacceptable in our society.

Granite Belt Fire Victims, Assistance by Department of Families

Mr SHINE: I direct my question to the Minister for Families. Can the minister please inform the House of the support being provided by the Department of Families to the victims of the fires near Stanthorpe?

Ms SPENCE: I thank the member for the question. This morning we have heard the member for Southern Downs, the Premier and the Minister for Emergency Services speak about the tremendous volunteer effort that has been involved in fighting fires on the New South Wales-Queensland border in the last week. I am pleased to say that the Department of Families, which is part of the Queensland disaster management system, has been providing a range of community recovery services to that community in the last week. Last Friday, two officers of the Department of Families from our Toowoomba office, along with three Lifeline counsellors, established themselves in Stanthorpe and have been providing personal support, counselling, financial assistance, information, referrals and accommodation advice to people who are victims of the fires.

We have heard about the primary industry type loans that are available to individuals. Individuals are also eligible for a $150 immediate payment for a single person, or $750 for a family. These payments are non-means tested and are made to people who are victims of an emergency. As well, there are a number of means-tested grants available for the replacement of household furniture and repairs to dwellings.

I understand that the Red Cross coordinated emergency accommodation and food at the YMCA in Stanthorpe over the last week. Yesterday, the Warwick district disaster coordinating team organised a sausage sizzle lunch at which information was provided on recovery services and which was a thank you to the community for their great efforts in firefighting during the last week. Over 100 people attended that luncheon. I think that is testament to the fact that people need to get together and talk about these issues. They need to share information and accept counselling support. As well, all the mail services at Eukey, Ballandean, Glen Aplin and Wallangarra have been letterboxed with information about the services available from the Warwick disaster recovery team.

I would like to commend the officers from my department on their terrific efforts over the past week. I would also like to acknowledge the wonderful work being undertaken by other government agencies and our non-government agencies such as the Red Cross. I particularly commend Lifeline. Lifeline serves as a first point of call in times of crisis. It is the first point of contact to anyone wanting counselling as a result of the Bali disaster. Lifeline has been taking a number of calls from individuals over the last week.

I would like to pass on my condolences to the Glen Aplin family on the tragic loss of life that that family sustained. I also pass on my sympathy to those who were injured and to those who have had their property destroyed or damaged.

Drought

Mr ROWELL: I direct my question to the Minister for Primary Industries. I refer to the drought that has crippled large parts of this State. Will he now call an urgent drought summit to identify ways of mitigating the impact of the current and future droughts in Queensland, and will he now urgently overhaul the State's drought relief assistance scheme so that all rural industries and small businesses impacted by drought can access assistance?

Mr PALASZCZUK: I thank the member for the question because it gives me the opportunity to announce a further measure that this government is implementing to assist our drought-affected farmers. I am encouraging all drought-declared primary producers who have loans with the Queensland Rural Adjustment Authority to apply for relief on their repayments. QRAA has a loan portfolio of more than $122 million. While QRAA is able to provide finance to primary producers at a concessional rate with no fees or charges, it recognises the importance of supporting its borrowers particularly during drought.

Therefore, I am pleased to announce that QRAA is prepared to consider providing its drought-declared borrowers relief in the form of interest only repayment options. This will be subject to the authority conducting a review of an individual's position to determine financial hardship. This option offers farmers the capacity to reduce their repayments and commit those funds elsewhere while not increasing their debt. The average QRAA loan to farmers in drought-declared areas is $120,000. Therefore, the interest only repayment option would make approximately $1,000 available per month for the average QRAA borrower.

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

MATTERS OF PUBLIC INTEREST

Drought

Mr HORAN (Toowoomba South—NPA) (Leader of the Opposition) (11.30 a.m.): In the last 12 months the creeping menace of drought has enveloped the state to the point where, as of yesterday, 46 shires have been drought declared and there is every likelihood that the number will increase to more than 50 before Christmas. Make no mistake: this drought is now shaping up as a national disaster, with Queensland Treasury warning that it will wipe $500 million off the Queensland economy this year. The beef, sheep and wool, cropping, horticultural and sugar industries and even the honey industry are suffering enormous financial hardship. But the drought's impact is not confined just to farmers and graziers who depend so heavily on the vagaries of the Queensland climate. Its impact is also being felt by the workers whose jobs depend on those industries for their living and by the small businesses and communities in those droughted areas whose fortunes are inextricably linked to the fortunes of the farming community.

Nor is the drought's impact confined to the rural and regional areas of this state. Some of the hardest hit areas are those on the Queensland coast which have little reliance on the agricultural industries but, like everyone, have an absolute reliance on water. The Gold Coast is one such area—an area in the grip of one of its worst droughts on record and the victim of a chronic and very serious water shortage. While some of us in this House have been highlighting the impact of the current drought for some time and the threat to the state that it presents, the drought has suddenly gained national prominence as an issue by virtue of the recently launched Farmhand Appeal. This appeal has engaged national interest and has helped further the debate that our state and our nation has to have about the way we manage such national disasters and the way we plan for our future water needs. For that reason, I welcome the contribution that those who instigated the Farmhand Appeal have made as well as those media outlets who have promoted the issue.

The reality is that we live on the driest continent in the world. While that is almost a cliche, the reality that this drought has brought home is the need for government and the community to reassess the way we manage our water resources, the way we provide for our current and future water needs and even the way we think about water in this country. For starters, we have to start using water more carefully and more efficiently. The common current practice where we trap and use water only once in our cities and towns before discharging it into the ocean has to become a thing of the past. State, federal and local governments have to support projects like the proposal first developed by the Queensland Nationals' Waste Management Policy Committee to pipe renewed water from Brisbane to the Lockyer Valley and the Darling Downs for further use as irrigation water. State and local governments have to look at ways of conserving water in our towns and cities and of better utilising the enormous rainfall resource that falls on our roofs and streets. Agricultural, manufacturing and industrial users have to continue improving the efficiency of their water use.

Central to achieving that is for the state government to provide those users with genuine, compensatable water rights so that they can invest in what is often expensive infrastructure to better manage and get the most from their water allocation. But as well as implementing better water conservation practices and extracting more efficient use of our water resources, governments and the community have to address the issue of water supplies. With a growing population and the need for continued economic development, there will continue to be growing demands for reliable water supplies. While there has, in at least the last decade, been considerable political sensitivity associated with developing new water supplies, governments and political parties of today will neglect this need at the community's future folly. We all remember the vigorous debate about the Wolffdene dam and we are all now witnessing the impact of the Gold Coast's water shortages.

One of the major achievements of the former Queensland National-led state government and one of that government's major contributions to the development of this state—which perhaps now is only being fully realised—was the compilation of the state water infrastructure plan. That plan saw the compilation of every water need in this state, the audit of every proposed water supply and the prioritisation of those needs and supplies. The former Queensland National-led state government backed it with a commitment to provide $1 billion of public funding and a commitment to secure another $1 billion from the private sector. The plan was supported by the introduction of the water infrastructure development scheme, which provided financial support to private land-holders to develop their own on-farm water supplies to help mitigate the effect of drought on their business, their community and the state economy.

Unfortunately, the short-sightedness of the incoming Beattie Labor government was almost immediately demonstrated by its tragic cancellation of both those initiatives. There is now a need—more than ever—for the Beattie government to reconsider that decision, to reconsider its policy and to reconsider its future priorities. We all know how averse the Labor Party is to strategic policy making—an ugly and ultimately costly hangover from its failed and flawed plan to build the so-called Koala Road to the Gold Coast. But it is time the party got over it. It is time the government took some long-term strategic decisions in the best interests of Queensland and current and future generations of Queenslanders. Unless it does so, this Premier and his government will certainly be remembered in the annals of history as an administration that was only preoccupied with populist politicking and self-promotion rather than advancing the real interests of the state.

Water is a debate that we must have, and a debate that we must have soon. It holds the key to the future prosperity of Queensland and the future way of life of Queenslanders. The other issue which must be addressed immediately is the way in which governments and the community respond during times of drought, like those being suffered now—that is, the way in which government policy can assist Queenslanders and their families to survive the impact of drought, to mitigate its effects, to recover when the rains finally arrive and the shape and extent of the safety net that government provides to help those who need it through the drought. Sadly, these issues have been neglected by the Beattie Labor government and particularly by the Primary Industries Minister—a minister who does plenty of talking about the problem but nothing about fixing it.

There are two drought relief schemes that operate in this state—the state government's Drought Relief Assistance Scheme, which caters for one in 10- to 15-year events, and the exceptional circumstances scheme, which applies for one in 25-year drought events. Both are desperately in need of an overhaul. The state DRAS was destined for the scrap heap after the

current minister revived a decision of the Goss Labor government to abolish it by the year 2002. Thankfully, after sustained pressure from the Queensland Nationals, commonsense prevailed and the minister overturned his decision and maintained the scheme in its present form. The problem is that the DRAS is largely targeted at extensive livestock producers with the bulk of assistance on offer comprising freight subsidies for carting fodder, water and stock from agistment.

There are two other minor forms of assistance such as land rent deferral provisions and school bus assistance, but there is nothing of any significance for other industries or businesses affected by drought. Grain farmers, canefarmers, dairy, pig and poultry producers, fruit and vegetable producers and small business operators in drought declared areas get nothing under the DRAS. They cannot even get the same freight subsidies that their beef and wool producing colleagues can. They get nothing because this minister will not demand a fair deal for farmers from his cabinet mates. The Queensland Nationals have called on the Minister for Primary Industries to come out from under his desk and convene a summit with stakeholders affected by drought with a view to overhauling the state government's drought policy and the Drought Relief Assistance Scheme. While he has belatedly agreed to meet with horticultural producers to talk about the problem, he has not agreed to meet with anyone else and has given no commitment to fixing the problem.

If the Primary Industries Minister is at all fair dinkum and at all concerned about the plight and the futures of rural and regional communities, he should back the National Party's proposal. We will even convene the meeting for him if he likes. When it comes to the largely federally funded exceptional circumstances scheme, the minister's neglect and his callous disregard for the people whom he purports to represent has been exposed again. He has, along with ourselves and along with rural communities and industry groups, been a staunch critic of the existing EC scheme. There have been considerable problems with the application process, lengthy delays with the assessment process and criticism of the assistance available to producers within EC declared areas. In response to the problem, the federal Agriculture Minister has proposed an overhaul of the scheme to make it faster, more flexible and more compassionate through the provision of additional assistance over and above that already available in the form of business support grants of up to $60,000. The catch is that he needs the respective state governments' support to introduce the reforms because they are joint funders of the scheme, even though they contribute only four per cent to five per cent of the cost.

Not surprisingly, our own Minister for Primary Industries has abandoned his commitment to EC reform now that he might have to play a bigger and more cooperative role. It seems that he would continue to stand on the sidelines trying to make political mileage out of EC and droughted farmers' woes. It also seems that rather than make a reasonable contribution to the scheme by helping to fund the new business support grants—increasing the state's funding contribution to a modest 15 per cent—the minister would prefer to keep profiting from administering the existing EC scheme for the federal government.

With the drought biting this state harder by the day, it is time the member for Inala stopped playing political games from the comfortable confines of his Ann Street office. It is time he rolled up his sleeves and started work on trying to get a fair deal from his cabinet colleagues for our droughted farmers, small business operators and their families. It is time he put their interests first and supported the federal Agriculture Minister's proposed overhaul of the EC scheme. And it is time he supported our proposal, which is supported by rural industry, to call a summit of all Queensland stakeholders to review his government's drought policy and the Drought Relief Assistance Scheme.

Telstra

Mr BRISKEY (Cleveland—ALP) (11.40 a.m.): I bring to the attention of the House a matter which will come as a shock to many Queenslanders, particularly those who have school-age children and who also have access to the Internet at home. Recently I had cause to query Telstra BigPond, my Internet service provider, when I discovered that the quota of downloads from my Internet account had almost been reached just a few days into the billing month. Of course this came as a surprise. My four children spend quite a deal of time on the computer but have never even come close to the download quota available on my account. What is more, I knew that my children had been away during the days downloads were said to have occurred.

When I questioned Telstra BigPond about the incident, I was advised that downloads had been from a site called iMesh, a site which allows people to download music. My children had

access to this site after they had been referred to it by their many friends. I was further advised by Telstra that this particular site was a file sharing site. In plain speak, these programs allow any computer in the world to download files using my computer and my Telstra downloads. Even when you do not open the site, people are able to download songs from your computer and then Telstra charges you for this. I did not know this. Neither, of course, did my children. I think most Australians would not. So each time that I turned on my computer to check my emails I was allowing anyone anywhere in the world to link to my computer and download songs from it. Telstra reaps the benefits, and all without my knowledge.

I signed up as a new broadband cable user, paying a monthly amount for 1,000 megabytes of download. Within a week, almost 1,500 megabytes had been used, of which I would have used about 100. For each megabyte over the allocated 1,000, users are charged 14.9c. That is $74.50 extra income for Telstra, with the rest of the month still to go.

The result is that unsuspecting parents are paying substantial amounts in penalties to Telstra and other Internet service providers because someone on the other side of the world has downloaded music from their computers. If I had been too busy to check my account or had been away, the bill could easily have been $300 extra for the month—a nice little money spinner for Telstra.

The question that I have for Telstra and any other Internet service providers is: where is your duty of care to the customer? I have no doubt that Telstra receives calls about this all the time, and I suspect that there is a clause in the fine print which protects Telstra. Even if there is, surely Telstra has a duty to make its customers more aware of the dangers.

Telstra is clearly well aware of the capabilities of these file sharing programs and will be well aware that many of its customers have been trapped and continue to be trapped. So why is it not keen to inform customers? It all comes down to the bottom line. Telstra makes huge profits from this sort of activity. It is my belief that Telstra, and any other Internet service provider for that matter, has a duty to advise all new and existing customers about the existence of such sites and their capabilities.

This issue raises a series of questions. How many other parents are in the same boat—are unaware of sites such as iMesh and have been left in the dark by Telstra? How many customers are being affected by this? How many do not even know that they are paying for something that they do not receive? How much money has Telstra made out of unsuspecting consumers?

For the record, when I contacted Telstra I was told in no uncertain terms that it was not the responsibility of Telstra to warn its customers about this deceptive practice. Interestingly, Telstra is, however, happy to make money from its unsuspecting customers. Telstra, with its $3.7 billion in annual profits, has tried to con the public for some time that it undercharges consumers for its network. From what I can see, Telstra is wiping its hands clean of a duty to inform its customers about dodgy transactions, which begs the question: is this another example of the Howard government trying to fatten up Telstra for privatisation?

If Mr Howard and his mate Mr Costello get their way and Telstra becomes privately owned, we the consumers can look forward to more unscrupulous activity, because a privately owned Telstra would be a giant private monopoly too powerful for any government to effectively regulate. I will be writing to the federal Minister for Communications, Information Technology and the Arts, Senator Richard Alston, asking for Telstra and other Internet service providers to be made accountable to—

Time expired.

Schools, Mackay Electorate

Mr MULHERIN (Mackay—ALP) (11.46 a.m.): Mackay state schools are embracing the Smart State ethos with gusto and preparing students with a first-class education. I am continually amazed by the dedication and efforts shown by school communities in Mackay, reflected amply in the achievements of their students. A recent example of excellence is Mackay West State School, whose Tournament of Minds team was named the overall state primary school winners in the literature category at the state finals. The school is now fundraising busily to help send the group of seven year 6 and 7 students and their teacher, Mr Phillip Wilson—

Ms Jarratt: A great teacher.

Mr MULHERIN: As the member for Whitsunday says, he is a great teacher. The school is raising money to send the group to the national finals in Melbourne later this month. It will be terrific to see a Mackay team compete with the best of the best in Australia. The students involved are Glenn Christensen, Jessica Rogers, Sarah Stephan, Maggie Webster, Carly Cadogan, Sacha Wolfhart and Morgan Rosier, and I wish them the best of luck.

The Tournament of Minds has been cosponsored by the Commonwealth Bank and Education Queensland for eight years. It provides students with an opportunity to develop teamwork, problem solving skills and creativity. Those are the skills students will need in order to achieve throughout their lives, and that is why education is central to the government's Smart State vision.

The government has shown its commitment to preparing Mackay students to meet the challenge of the future through a substantial investment in the facilities at two local schools. It was a pleasure to recently welcome the Minister for Education, the Hon. Anna Bligh, to Mackay to officially open new facilities at Mackay State High School and Pioneer State High School. The minister also made time to visit the Mackay and District Special School, formerly known as Kewarra Special School, to witness first-hand the work that school does to cater for the needs of its students.

At Mackay State High School the minister inspected $3.3 million worth of new and refurbished facilities made possible through funding received under the Secondary Schools Renewal Program. Funds were used to refurbish several teaching and amenity blocks, upgrade the school's IT infrastructure and purchase furniture, computers and a file server. $2.2 million of the funds went towards the construction of a new information technology building with state-of-the-art video conferencing features, four technology learning areas, a 150-seat lecture theatre, class spaces and a staff room. It is a truly impressive building and, indicative of the high quality of the structure, it recently won project of the year in the Queensland Master Builders Association housing and construction awards for education facilities between $2 million and $5 million. I congratulate the Abigroup.

The minister also officially opened the Pioneer State High School Centre of Excellence in Technology, Maths and Science. The centre is one of eight in Queensland. It allows Pioneer High School teachers to offer more tailored professional development and training opportunities and to support gifted students as well as those who are struggling with technology, maths and science. These new facilities have greatly improved the learning environment at the two schools and enable both Mackay and Pioneer high schools to more closely provide for the needs of the students. These two initiatives are a boost to the Mackay region and are integral to helping schools in my electorate realise the Smart State vision. Mackay's schools are doing their bit to build a brighter future for our state's young people and I am proud that the government has been able to contribute to their success.

Like the state government, the Mackay community as a whole recognises education as a priority. I wish to place on record my admiration to the teachers and support staff in my electorate who are working so hard to improve the educational outcomes for students. I would also like to say that about all schools in the Mackay-Whitsunday region. They have great teachers and great support staff. Building a Smart State is not about developing the most intelligent children; it is about providing the best opportunities for all children to reach their potential, and Mackay is at the forefront.

Brisbane Valley Highway; Rural Road Funding

Mrs PRATT (Nanango—Ind) (11.50 a.m.): I rise to address the House on the government's policy on road safety following a reply that I received from the Minister for Transport in regard to black spots on the Brisbane Valley Highway. I am astounded by the minister's reply to a letter that I wrote to him on behalf of the Esk shire asking for the highway to be upgraded with passing lanes at several locations because of the number of fatal accidents that have occurred on that road. The minister replied to my letter on 7 October to inform me that Queensland Transport is 'running public awareness campaigns to draw attention to the dangers of speeding, driving while tired and drink-driving'. That was not what I asked. The minister went on to state, 'it is difficult to justify such a project' and further that 'the traffic volume on this road does not meet the assessment criteria for the installation of overtaking lanes'. Can the minister be serious? He should travel this road more often and see how few overtaking areas are available for people to possibly pass. Does the government know just how important a link this Brisbane Valley Highway is to not only the residents of the Burnett who constantly travel on this road but also the tourists

as it is an important link to inland route Highway 17, which is used as their main access road through the Burnett on their way to Bundaberg, Rockhampton and far-north Queensland?

I ask the minister: is there a number of families who must suffer before anything is done? The minister also advised in his letter that officers from Queensland Transport and Main Roads, police and the local community consultative committee met in Toowoomba on 19 September to find ways of improving road safety in the Esk shire. That was great, but what was the result? Still no passing lanes! The minister sums up his letter by saying that there is a possibility of obtaining funding from the Commonwealth's black spot program.

Why on just about every major issue that we talk about is the government intent on blaming the Commonwealth government for the lack of resources to fix Queensland's problems? Apart from other funds received from state taxes, what is the income generated by the GST, increased registration costs and income from speed cameras used for? The government denies consistently that speed cameras are revenue raisers. Why then does the government spend billions—and I mean billions—on creating three-lane and four-lane highways along the coast for safer travelling and then inundate those speed specific and supposedly safer motorways with speed cameras? Yet the government still claims that they are not revenue raising. Just what black hole does this revenue drop into? It is certainly not spent on the roads outside the coastal and urban areas that need upgrading or improving.

When will the government give back to rural Queensland some of the money that they raise through motoring income? More people are killed or seriously injured on rural roads than they are on city roads, and most of those killed are non-rural residents involved in major accidents while driving along country roads. If it were not for local governments upgrading shire roads in many of these areas, rural roads would be even more disgraceful than they are today.

The reason I am so angry is that I have constantly asked the Minister for Police for clarification about police staffing at Moore. The lack of a full-time police officer stationed at Moore is a well-known and continuing saga. The police resources in the region would not be so overstretched if postings occurred rapidly. Blackbutt police had to attend an accident at Harlin. It is ludicrous that Blackbutt police have to travel so far to attend an accident when Moore is only half the distance away. I call on that minister to stop passing the buck as well.

People in the bush are finding it hard enough to make ends meet, but they are faced with the impost of paying higher motor vehicle related costs with no visible road improvement expenditure in their areas. The government should be ashamed of itself for advocating that not enough people have lost their lives to justify the necessary work. What road safety awareness campaigns are people subjected to interstate to show them how to travel along western Queensland roads? When accidents occur, the minister refers to sections of the Brisbane Valley Highway as being built only a few years ago. If that is the case, obviously they were not built adequately at the time.

I challenge the minister to travel with me not only over that section but also over other sections of the road between Kilcoy and the Blackbutt Range that I have constantly brought to the attention of this government as being deathtraps. With the increase of traffic, including semitrailers, it is very common for people to not be able to overtake anywhere. If people are unlucky to get trapped behind a heavy transport vehicle—and believe me, it happens all the time—it is no wonder they take risks. They are forced to travel between 10 and 30 kilometres an hour over several kilometres. The number of serious accidents that are reported on that section of road bears witness to that. There are also many near misses that are not reported to police but talked about in the local community of Blackbutt, which is situated at the top of the range.

I call on the minister and the government to start putting back some of the vehicle related taxes that they take from the bush and to build better roads for all Queenslanders, or do we have to wait until the kill ratio is high enough to get some action? The Brisbane Valley road network at Esk needs addressing and so, too, does the section of road—

Time expired.

Sugar Industry

Mr RODGERS (Burdekin—ALP) (11.55 a.m.): The billion dollar sugar industry is the lifeblood of regions like the Burdekin and it is critical that the sugar industry is viable in the long term. The $150 million package proposed by the state and federal governments aims to guarantee the industry's future. International pressure on the Australian cane industry is immense and must be addressed. About 85 per cent of raw sugar in Queensland is sold on the world market, which

makes our industry vulnerable to those pressures. Queensland's share of the world trade has dropped from 22 per cent in 1993 to 15 per cent in 2001. The world market for raw sugar is oversupplied. Brazil has secured a major share of the world market. The long-term average price for sugar has been trending downwards. Industry earnings have dropped from $1.84 billion in 1994 to $996 million in 2000. American and European style subsidies will do more harm than good to the industry and to the economy, with regional communities bearing the full brunt of any collapse.

We must take action, and that is what the state and federal governments intend to do. That is why the Queensland government's $30 million component of the sugar industry package offers opportunities to assist farmers to meet the current challenges and those that lie ahead. The aim is to give farmers a hand. Both the state and federal governments recognise that the sugar industry is vital to the economies of Queensland and Australia. That is why we have worked together in a bipartisan way to develop this package. That is why I personally put forward the many and various options and proposals from local cane farmers to the Premier and relevant ministers. That is why I facilitated a number of meetings between farmers and ministers.

It is critical that the industry works together and that the industry is united. Unfortunately, the industry is not united. Some growers see diversification as the way to go forward while others see subsidies as their only hope. I will continue to make representations on behalf of the sugar industry and my community, but I am disappointed that some growers rejected the package. I am disappointed because I know that the sugar industry package is in the best interests of the sugar industry and our community.

I am angered that the Queensland Nationals are trying to use the plight of the sugar industry for their own political purpose. I am angered that the Queensland Nationals want to play politics and stir up the industry to oppose the package. The Queensland government has shown that it is prepared to be above politics and work for the betterment of the sugar industry. I commend the federal government for its bipartisan approach. The Queensland Nationals are not interested in solving the problems of the sugar industry. The Leader of the Opposition wants to criticise the package. He wants to play on the anxiety of the industry. I notice that he is not present in the House, but I ask the Leader of the Opposition: does he reject the joint federal-state sugar package? What is his position? He must tell the community. He must tell the sugar industry.

The sugar industry and the community need to get on with their future. They need to accept the package and work towards creating a viable future. All communities in regional areas are suffering right now with the downturn in the sugar industry and with the drought. It is not just the farmers who are suffering; ordinary people in those communities also suffer—businesspeople and others. These communities need assistance from federal and state governments and packages such as the one that is being offered to the sugar industry are vital for rural industries to progress.

I encourage the sugar industry to work with other people in the community—the businesspeople and the community groups—to help assist them to access funding and to help communities so that if there is a downturn in the industry in the future, no matter what industry it is, that they can look forward to having some sort of assistance for business as well as rural people on the land. In times like this, in the communities it shows that when there are problems within industry a lot of community organisations suffer because the input on them increases the workload. If governments, both state and federal, can also assist in that way, it would be good to see. I will be talking to ministers in the state and federal sphere so that when they are considering packages for industry they do not look at just one industry but at the community to see what they can do to assist the community and those organisations in the community that are suffering.

Racing Industry

Mr HOBBS (Warrego—NPA) (12.00 p.m.): Racing has been known as the sport of kings for generations. The Minister for Racing made the astounding statement last week when referring to Queensland racing that racing is no longer the sport of kings. What could have caused such a downgrade by the minister whose government has been in power and in charge of racing for 10 and a half years out of the last 13 and has been in government for the last four and a half years? If racing is not now the sport of kings, as the minister stated, clearly the Labor Party must shoulder the blame for that. Queensland racing has been lurching from crisis to crisis in the last 12 months and this situation can clearly be traced to the actions of this incompetent minister. Unfortunately, the minister has been unable to grasp the real issues of racing and has been nobbled by the very factions she wants to blame for the lack of unity in Queensland racing. The

minister is now more interested in denigrating racing identities and has been distracted from the main game—to adequately fund racing in Queensland. In fact the minister's actions over the last 12 months have been questionable, so questionable that a Crime and Misconduct Commission inquiry into these actions has been under way for some time. The minister is about to be interviewed on those matters by the Crime and Misconduct Commission.

I have raised those issues on numerous occasions in this parliament and I refer members to those statements. The main problem with Queensland racing is the fact that it is not adequately funded and that prize money is not adequate to attract owners, trainers and jockeys to remain or carry on their business in Queensland. The minister and the previous Labor administration have not just underfunded the racing portfolio; they have creamed off tens of millions of racing money from the sale of TAB and every year another $50 million in dividends from the TAB is still paid to the Queensland Treasury for the Labor Party to spend on its pet projects. The simple facts are that the TAB privatisation was a lousy deal for Queensland racing and that many predicted that Queensland racing would be seriously underfunded in five years. We have reached that prediction one year early. The government has not recognised that the funding crisis was government initiated and will need to be government rectified, in partnership of course with the industry.

So far, the government has expected the industry to bail itself out, and the only way it may get a temporary reprieve is to cannibalise some of the clubs and use the money to survive. The problem is that the industry will go through a similar exercise again in a few more years unless the real funding crisis is resolved. It must be remembered that country racing has already been substantially reduced in terms of its race meetings and that further reductions will only wipe it out. I always mention that one should not be afraid of a review, provided there is no hidden agenda, as a review can examine weaknesses and look for improvements. In this review of the racing program, it may be found that in some clusters around the state there are considerable numbers of race days and that adjustments may be necessary. This does not mean, however, that country racing per se should be the target for closure as is the strong indication from industry sources. It must be remembered that Queensland is a big state and that the distances between towns and therefore race clubs can be considerable. If the view is that racing will flourish if it is centred in larger rural centres and that the surrounding country clubs must be closed, those proponents are sadly misinformed. No-one would or should consider closing down provincial clubs such as Gold Coast, Caloundra or Toowoomba to boost metropolitan racing, and the same principle should apply to other regions.

The QTRB, now called Queensland Racing, has been placed in a very difficult position in terms of the controversial beginning that is now the subject of a CMC review. It has put an unnecessary cloud over the workings of the governance board. The minister must shoulder the blame for placing these board members in this position. The question now is how does the minister intend to select a member to replace George Pippos, who unfortunately has passed on. I must pay tribute to the work that George did. Clearly, the minister cannot be trusted to do this properly. The problems in the racing industry do not relate just to the thoroughbred racing board. I refer to a letter from Wayne Waltisbuhl of Queensland harness racing who says—

> It is without option that I regretfully advise you that I have lost complete confidence in the harness racing industry in this state. Having been involved in trotting for over 30 years, I have had enough of the blatant inconsistencies and ineptness of the stewards and management of this sport. Currently, I have over a dozen individual owners in racing and breeding of the Standardbred and they also have had a gutful. I have reported incidents within the industry which have caused—

Time expired.

Australia Post and Medicare, Funding

Mrs CROFT (Broadwater—ALP) (12.05 p.m.): I rise today to bring to the attention of the House an issue which is of growing importance in my electorate of Broadwater. As I go around my electorate people raise a variety of issues, but one that comes up again and again is the lack of respect our area seems to receive from the federal government. This manifests in many ways. The decision to ask for the NALSAS funding, which will affect hundreds of local primary school students, is a recent example. However, there are two other important issues which come up again and again—Australia Post and Medicare. These are two federal services which have a particular importance in my electorate, an electorate that has a high proportion of older residents.

Let us first look at Australia Post. Most Australians take for granted access to an affordable, efficient and reliable postal service. Indeed, many people take pride in the efforts of Australia

Post. It is a bit of an Australian icon. However, the Howard government takes a different view of Australia Post. When we look at it, it is an essential government service that deserves our support. When they look at it, all they see are dollar signs. That is why under the Howard government we have seen an unprecedented assault on Australia Post by the federal government with a view to bringing in a radical deregulation of the postal industry. This attack has taken a number of guises and the impact of various proposals would be disastrous for Australia Post. One estimate had job losses of up to 17,000 and 1,700 post office closures. So far, these attempts have been unsuccessful, but Australia Post has still suffered at the hands of the coalition government.

Since 1997 there has been a loss of 107 corporate post offices. The government has attempted to hide this by pointing to a slight increase in postal outlets such as licensed post offices and community mail outlets. However, despite this, the fact remains that these outlets usually have a limited range of services when compared to a corporate outlet. This means that local communities are missing out on a high quality service that they should be able to expect, because the federal government is obsessed with deregulation. A good example of a local community which has suffered is Biggera Waters. They lost their post office in December 1999 and this has impacted on the local residents.

During the last federal election the Labor candidate for Fadden, Mr Ray Merlehan, organised a petition to be tabled in the Senate regarding the closure of the Biggera Waters post office as well as other issues concerning postal services. The petition was signed by 2,235 people, clearly demonstrating that there is the support and need for the postal service in this area. After his defeat the petition was passed on to me and I raised the matter with Senator Ludwig. He was more than happy to support the Biggera Waters community and I am pleased to say that the petition has now been tabled in the Senate. I support the return of a post office to Biggera Waters.

Residents should be able to expect easy access to a local post office and all the services that it includes. I think that the success of the Biggera Waters Bendigo Community Bank clearly demonstrates that people in the area want local services and that they will support them if they are there. Biggera Waters is just one example. There are other local communities in my electorate also campaigning for increased postal services. This shows just how out of touch the federal government is with local communities. People do not want the government pursuing a radical deregulation agenda. Seventy thousand signatures on the Hands Off Aussie Post petition proves this. People want a government to support Australia Post not only in maintaining current services but also in expanding their services. I know that residents of the Broadwater electorate would love to see an extension of Australia Post services within their local area.

This brings me to my second issue—Medicare. Nowhere within the Broadwater electorate is there a Medicare office. The closest one is in Southport at Australia Fair. Residents want a Medicare office at our end of the Gold Coast. With my area having such a large proportion of older residents, many of them need access to a Medicare office on a fairly regular basis. At the moment this means having to trek all the way to Southport and back again. This is inconvenient enough in itself, but particularly so for all those residents who use public transport. Again, this is symptomatic of a federal government that is out of touch. The Howard government has no true commitment to Medicare or to a universal health care system. The federal government's lack of commitment to bulk-billing and incentives to attract GPs to areas of critical need is also an example of its negligence. The fact is that those in real need of health services are just not getting it. Instead, they are lining the emergency services wards for basic GP services. Many of my residents remember when the federal government tore the guts out of the public dental health system in 1996, leaving the state government to pick up the slack. Actions like this are not what the public wants. Rather than the government withdrawing and limiting services, many residents want to see an expansion of services. I want the federal government to show the northern Gold Coast the respect it is due. To start with, we want an expansion of postal services and a Medicare office.

Time expired.

Public Infrastructure, Gladstone

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (12.10 p.m.): I rise to speak on a matter that has been raised in this chamber previously and also in letters to relevant ministers, that is, the management of growth in the electorate of Gladstone. Members of my community have

highlighted examples of the pressures that have been experienced in terms of Gladstone's growth. Last month it was stated that the peak construction work force for the Comalco aluminium refinery will not be 1,600 but was revised up to 2,300 people. In addition, the proposed construction of Aldoga in the first or second quarter of next year will require a construction work force of at least double that number. Members of my community welcome the industrial development occurring in our region. For many businesses it has been a godsend. However, the impact of that development must be managed and managed by more than just words.

In response to requests for additional services, particularly in the area of housing but also emergency services, increased police numbers, improved health services rather than decreased health services, additional staff in the family services and training areas and assistance from State Development, I have been advised in numerous formats that the situation is being monitored and that appropriate action will be taken across government to ensure that these pressures are dealt with. That is not occurring.

I wish to cite one example, perhaps the most regular issue of concern brought to my office, and that is in the area of housing. In replying to a question on notice that I asked the Minister for Housing in September, he gave me the figures for funding from the federal government to the Queensland government for housing purchase and construction. In 2000-01 Queensland received $182.5 million; in 2001-02, $181.4 million; and in 2002-03, $180.6 million. I acknowledge that the amount of funding this state is receiving from the federal government is diminishing. However, in recognising that and in taking that issue into the federal arena, this does not reduce the onus on the state government to address the very real concerns and needs of the people of my electorate. Again, I cite the example of housing.

The Minister for Police was in the electorate last week and he gave a talk to Toolooa State High School students. In that speech he told the students that they need to be proud that they live in such a dynamic area. He said, 'Be proud of your town. Be proud of the area you come from. Gladstone is the dynamo of this state. Gladstone makes a massive contribution to our state.' He also stated that when he was chair of the port of Townsville he looked up to the work of the port of Gladstone because of its innovation and productivity.

I am asking the Queensland government to match its rhetoric with action. Long-term residents are leaving the area because they cannot get affordable housing. I acknowledge that the feds have reduced the funding. However, that does not reduce the onus on the state government to ensure that this very real need is addressed. We need affordable housing. We need additional units of housing to be constructed by Queensland Housing. I believe that it is a shared responsibility. However, action needs to be taken to ensure that planning is put in place, not talked about, and to ensure that houses are built in the short term, not in the long term.

Families are being moved out of their private rental because their houses are being renovated and either put on a long-term lease with the big companies coming to the area or relet with rents increased by sometimes $100 or $150 per week. Those families deserve to be appropriately accommodated. I am calling on the government—and not only in the area of housing but in particular in that area because it is the most recurrent problem—to take some action to construct houses, instead of just talking about and planning for it.

We do have a very dynamic and accepting community, but it is finding it more and more difficult to accept the problems in these areas it is being asked to bear. I look forward to some action being taken.

Daylight Saving

Mrs SMITH (Burleigh—ALP) (12.15 p.m.): Once again it is that time of the year, the approach of summer, when everybody gets hot under the collar and begins arguing about daylight saving, which starts in New South Wales this weekend. Since the referendum in 1992, at which daylight saving was soundly defeated, public opinion has shifted very little. The latest polling on the subject of daylight saving showed that support at the border of New South Wales and Queensland is at 67 per cent and falls steadily away as we move north, falling to 50 per cent in Ipswich and on the Sunshine Coast, and considerably lower the further north we go. A Queensland-wide survey in 1995 could show only a slight swing against daylight saving. A 1999 Gold Coast survey could only raise a two-thirds support figure amongst the local population. This represents no change from the 67 per cent yes vote in 1992. Very few people are concerned by this issue. Yes, it is true that the majority of Gold Coasters do want daylight saving, but they do

not rate it as important. Most people are sensibly more concerned about education, health and jobs.

Peter Beattie clearly said before the last election that there would be no move to daylight saving. Only the most determined self-deceiver could claim that Mr Beattie had no mandate for every promise he made prior to the 2001 election. Daylight saving is inappropriate for Queensland. It was a scheme originally designed by high-latitude nations to suit their gloriously mild summer days and strongly contrasting seasonal daylight variations. Queensland does not fall into this category. Queensland is situated between 30 and 10 degrees south and consequently has a hot, humid climate and limited seasonal daylight variation. Because of this, daylight saving would be of almost no benefit to the state overall and would actually impose hardship on large sections of it.

Before the pro daylight savers start, I would like to make it clear that I am not concerned with fading curtains and cows not giving milk, but I am concerned about small children in north and western Queensland catching school buses in the dark—but then I am a sucker for protecting small children and encouraging their education. Anyone who first discovered that north Queensland existed when they visited Townsville last month should check with my colleagues from the north as to how daylight saving would cause hardship in their areas. The truth is that the main concern about daylight saving in my electorate is for those who live or work or who have children who attend school across the border. Then there is significant disruption to people's way of life and it does cause a problem. Some businesses that deal with southern states report difficulties also. Many people have begun to lobby in favour of dividing Queensland into two zones, offering this as a solution to the problem. There is an argument to be made in favour of two time zones for Queensland. However, this would cause as many problems as it would solve. There is still a difficulty for people living at the border. It will simply be a different border than the one which causes the current difficulty.

I am afraid that dividing Queensland will serve to cause not only a time but also a psychological and emotional divide. One thing we do not need to encourage is an 'us and them' status between urban Queensland and country Queensland. This very Smart State has a great deal to be proud of. South-east Queensland is not part of New South Wales and we do not want to become part of it. We need to maintain our own identity. This is a state with a proud tradition. We need to increase unity, not discourage it. Over recent years, many businesses who are concerned with this issue have opted to shift their operating hours to line up with southern states. Last year, some Gold Coast businesses decided to give adjusted business hours an official trial and opened their doors an hour earlier during Australia's daylight saving months. I think this is a brilliant idea. For those for whom it is more convenient to operate on the same time zone as southern states it is an excellent solution. It has the support of this government. I would encourage all chambers of commerce to consider this as a possible solution to some of their difficulties with daylight saving.

I have no intention of downplaying the concerns of people on this issue. I know that to some people it does cause concern and frustration but, with the utmost respect for their feelings, I must maintain my position against daylight saving. I firmly believe it will not be in Queensland's best interests and that the majority of Queenslanders do not want it.

Water Supply, Lockyer Valley

Mr FLYNN (Lockyer—ONP) (12.21 p.m.): I rise today to speak on a matter that I consider to be of public importance—at least to the public in my electorate of Lockyer. As I was pointing out to the Minister for State Development this morning, but in a different vein, I have been involved in the issue of water supply, renewed or fresh, within the Lockyer since my election in February 2001. I have been involved with various bodies which are trying to develop protocols and seek funding in order to initiate procedures to supply water to the Lockyer and, if possible, beyond that to the Darling Downs.

One of these ventures was the issue of renewed water from the city of Brisbane. As members well know, the city of Brisbane has problems with the placement of its grey water into Moreton Bay as that water destroys the ecology. The council had to find another way of ridding itself of that water but still make it economically viable for the council and the purchasers whilst making it acceptable to the users. A number of bodies have been involved in the setting up of the project. The lead group for farmers in the Lockyer has been City to Soil, followed by Vision 2000 for the Darling Downs. The work that the organisations have done in expressing the will of the

farmers in the area is quite incredible. These people have put their money where their mouth is and have come up with an incredible amount of funds from farmers who are already under attack on various economic fronts.

I was one of the people responsible for setting up the Upper Lockyer Catchment Water Users Forum—not in opposition to City to Soil or Vision 2000 but as an alternative for those farmers who felt that they had difficulty in using renewed water and wanted to discuss alternatives. These people eventually realised that the government would not negotiate with several bodies. They agreed with the chairman of City to Soil, Mr Bernie Sutton, to come under an overall umbrella of the Lockyer Water Users Forum, which is the single negotiating body with the government today.

I do not want to play politics with the issue of water. Water is so terribly important, wherever it comes from—whether it be fresh, how we obtain it and how much it costs; whether it is renewed, where that comes from and how much it costs. It is clear that something has to be done in the short term until mother nature fixes the problem, as inevitably it will do one day. However, by that time most of the farmers in the Lockyer and on the Darling Downs will have bitten the dust because they cannot hold on. They cannot hold on because the political will does not seem to be there across-the-board, whether it be at local government, state government or federal government level.

I am going to point the finger principally at the federal government on this issue because it was significantly involved in the first round of funding for the feasibility studies into renewed water. The federal government supplied something in the order of $500,000 to produce a report, but that report had bells and whistles on it. It was not feasible that we would be able to afford to supply water in the manner that that report suggested. A further $900,000 was required. The stakeholders were going to be the state government, the farmer lobby groups and the councils. The federal government was never involved, or even asked to be involved, in the supply of the further $900,000 required to complete further feasibility studies.

The Premier of Queensland was in contact with the Prime Minister. The Prime Minister told him that it was not within the scope of federal government funding for this strategy to supply further money. I asked the Premier to support an appeal to the federal government, and he did so. I then attended the Prime Minister's office in Sydney. I did not see the Prime Minister; however, he gave an undertaking—a shift from his original position—that should the feasibility studies prove to be positive he would look at funding the capital costs of supply of the water.

I take exception to the member for Toowoomba South suggesting that I told a falsehood in the paper and that I falsely claimed that I was responsible for a change in the federal government's view. I seek to table documents containing a number of speeches, questions without notice, questions on notice and press releases which will demonstrate that I will work with this Labor government if I feel that it is to the benefit of the Lockyer. I seek leave to table these documents to support that proposition.

Leave granted.

Buderim Street Party

Mr CUMMINS (Kawana—ALP) (12.25 p.m.): In rising to speak about the Buderim street party, I will say that I am proud to be part of the Beattie state Labor government that is committed to working to ensure that our society has a vibrant and positive focus. We are working to ensure that our communities are prepared to work hard and smart, and also play and party hard, and involve all members of our community, thus strengthening the very fabric of our society.

The evening of Saturday, 12 October 2002 will go down as one of the Sunshine Coast's biggest parties. Many volunteer organisations and individuals came together to give us the best Buderim street party ever. Virtually the entire central business district of the town was turned into a big-volume, big-crowd and colourful carnival. It extended from the Burnett Street roundabout to just past Woolies car park. This year we saw more music, entertainment and excitement. Early trepidation about the threatening weather evaporated with the previous day's rain as thousands of Buderim residents who ventured out were rewarded with a cool springtime evening. An event of this nature could only work where there is such a healthy community spirit. It is another reason why we all love Buderim and the Sunshine Coast.

On behalf of my constituents, I would like to thank all those involved in making the fourth Buderim street party an overwhelming success. I want to make special mention of the Buderim War Memorial Community Association. This is a totally voluntary association which has been

active in the town since 1945. That association has gained a reputation for having a highly successful model structure, elements of which are starting to be copied in other towns and regions across Australia. The association has a simple affiliation system where delegates from over 65 groups—having grown from 12 in 1992—come together on a monthly basis to create an element of cooperation seldom seen in other towns. The association is non-political and generally keeps out of divisive political issues. The core business is community facility ownership and management and information on the hall and the historical precinct. It also deals with the matter of land for extension. It also assists with the running of major events such as the street party each year, youth facilities, the concert band and welcoming new residents.

The Buderim War Memorial Community Association was formed in 1945 as a living memorial to our servicemen and women. The motto is 'Service to commemorate sacrifice', which means that we display the same spirit towards our fellow residents as that displayed by the men and women who started the association. In the past, people saw a need in Buderim and went about accomplishing what, at times, must have seemed impossible. It is no different today. The association's events take place alongside other regular events in the area. Each month, many representatives from the various affiliate groups meet to discuss issues directly involving Buderim. There is a great army of volunteers who work in the community and who offer friendship and encouragement to other volunteers as they work together.

Following the community event, we all unfortunately awoke to be shocked by the Bali tragedy. On behalf of Buderim residents and indeed all residents within my electorate on the Sunshine Coast, our thoughts and prayers are with all of those grieving the horrendous effects of those recent callous attacks. May eternal rest be granted to those who died and may they rest in peace. For those injured, we pray for a recovery with God's blessing.

While speaking of tragedies, I want to speak about the passing of Harry Langer. Harry will be sadly missed by his loving wife Rita, daughter Desley, sons Cliff, Kevin, Neville and Allan and Harry's brother, Fred, and their respective families. Harry was very well known in the Ipswich community and indeed right across the Queensland and Australian community. He was a regular at the Northern Suburbs Rugby League Club at Ipswich because that is where all his boys played football. As a junior and senior footballer there, I always remember Harry and the boys as being a very active part of the club and very successful footballers, with Rita and Desley always working in the tuckshop. When I started in the railways at 15 years of age it was always good to see a friendly face because Harry also worked in the workshops as a carriage builder and was a great friend of my family.

Mr DEPUTY SPEAKER (Mr McNamara): Order! The time for matters of public interest has expired.

APPROPRIATION BILL (No. 2)

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (12.31 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act authorising the Treasurer to pay amounts from the consolidated fund for departments for the financial year starting 1 July 2001.

Motion agreed to.

Mr DEPUTY SPEAKER read a message from His Excellency the Governor recommending the necessary appropriation.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Mackenroth, read a first time.

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (12.32 p.m.): I move—

That the bill be now read a second time.

I introduce a supplementary Appropriation Bill for departments as stated in the schedule attached to the bill. The Appropriation Bill (No. 2) 2002 provides supplementary appropriation for unforeseen expenditure incurred by departments in the 2001-02 financial year. For each

department the total amount mentioned in the schedule is appropriated for the department for application to its departmental outputs, equity adjustments and administered items for the 2001-02 financial year. I commend the bill to the House.

Debate, on motion of Mr Lingard, adjourned.

APPROPRIATION (PARLIAMENT) BILL (No. 2)

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (12.33 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act authorising the Treasurer to pay an amount from the consolidated fund for the Legislative Assembly and Parliamentary Service for the financial year starting 1 July 2001.

Motion agreed to.

Mr DEPUTY SPEAKER read a message from His Excellency the Governor recommending the necessary appropriation.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Mackenroth, read a first time.

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (12.34 p.m.): I move—

That the bill be now read a second time.

I introduce a supplementary Appropriation Bill for the Legislative Assembly and the Parliamentary Service for the financial year starting 1 July 2001. The bill is consistent with recent convention and ensures that the Legislative Assembly and Parliamentary Service's appropriation is separate from the supplementary Appropriation Bill for the other activities of government. The Appropriation (Parliament) Bill (No. 2) 2002 provides supplementary appropriation for unforeseen expenditure incurred by the Legislative Assembly and the Parliamentary Service in the 2001-02 financial year. I commend the bill to the House.

Debate, on motion of Mr Lingard, adjourned.

REVENUE LEGISLATION AMENDMENT BILL

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (12.36 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend acts administered by the Treasurer.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Mackenroth, read a first time.

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (12.36 p.m.): I move—

That the bill be now read a second time.

The Revenue Legislation Amendment Bill 2002 makes a number of amendments to the state's revenue and grant legislation. The amendments to the Duties Act 2001 clarify and improve the operation of the Duties Act 2001, provide new exemptions or benefits to taxpayers, simplify compliance and give legislative force to existing practices. The amendments to the Fuel Subsidy Act 1997 address operational issues. As noted, several amendments in the bill introduce new exemptions from duty or make changes that are beneficial to taxpayers. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

One of these relates to transfers of fund property involving custodians of public superannuation entities. The Superannuation Industry (Supervision) Act 1993 (Cwlth) provides that superannuation entities of a public nature are required to have a trustee approved by the Australian Prudential Regulation Authority (APRA).

In some cases, APRA may approve a trustee on the condition that all assets of the entity be held by a custodian on behalf of the members, instead of by the trustee. The reason for the imposition of these conditions is to ensure that there is stronger prudential supervision in this sector of the market where members are usually far-removed from the management of the entity. Where this condition is imposed, the trustee is required to transfer property to the custodian to comply with the conditions of its approval. However in some cases, the transfer of the assets will be liable to transfer duty.

To address this situation, the Duties Act 2001 will be amended to provide an exemption for transactions involving the transfer of fund property from a trustee of a public superannuation entity approved under the Superannuation Industry (Supervision) Act 1993 (Cwlth) to a custodian, and vice versa.

An exemption will also apply to transactions where the trustee contracts to purchase fund property but the property is transferred to the custodian. In these cases, instead of duty being charged on the contract and the transfer instrument, duty will now only apply to the contract. Conditions will apply to ensure the new exemptions are not used to avoid duty.

These arrangements are similar to exemptions currently provided for managed investment schemes.

Securitisation, which provides an increasingly common source of funding for the financial sector, involves the repackaging of illiquid receivables, such as home mortgages, other secured loans, unsecured loans and debts, into securities which are issued to the market.

The Duties Act 2001 currently provides for concessional duty treatment for transactions relating to the securitisation of mortgages of land, but not more broadly.

However, there are good reasons for extending the current concessional duty treatment to transactions relating to securitisation of financial asset receivables, such as loans and hire purchase agreements. In particular, similar transactions are duty free in New South Wales and Victoria, placing Queensland at a competitive disadvantage.

In accordance with this Government's commitment to maintaining Queensland's low tax status, the Duties Act 2001 is being amended to extend the existing scope of duty relief for securitisation transactions to those involving financial asset receivables. Additionally, the Duties Act 2001 is being amended to provide an exemption from the nominal transfer duty imposed on transfers of mortgages of land relating to a securitisation scheme to ensure consistency between the current concessions and the new concessions.

Currently transfer duty is imposed under the Duties Act 2001 on a trust acquisition in a public unit trust only if a majority trust acquisition is made in a land holding trust. A wholesale unit trust is an example of a land holding trust. For the purposes of determining whether a person has acquired a majority interest in a wholesale unit trust, the interest acquired by the person, and interests already held by the person and related persons, are aggregated.

Under the Duties Act 2001, certain persons are automatically considered to be related persons, as was previously the case under the Stamp Act 1894. However, under the Stamp Act 1894, an administrative arrangement reduced the circumstances in which a majority trust acquisition could be made in a wholesale unit trust. Under the arrangement, where units were acquired by another company within the fund manager's group on behalf of individual clients, such as policyholders, the units were treated as being held by those clients. The Duties Act 2001 is being amended to ensure this same benefit applies to majority acquisitions under the Duties Act 2001.

Another beneficial amendment relates to the duty concessions applying for the acquisition of a home and for a mortgage secured by the home, where certain conditions are satisfied.

One of these conditions is that the taxpayer must not dispose of the home prior to, or within one year of, occupation of the home. If this condition is not satisfied, duty is reassessed at the non-concessional rates.

This requirement can create an anomaly where the taxpayer gifts an interest in the home to their spouse and the parties own the property equally and use it as their home. Although the gift to the spouse is exempt from transfer duty, the initial acquisition of the property by the taxpayer is required to be reassessed because of the partial disposal. Similar arrangements apply for the mortgage duty concession.

To remove this anomaly, the Duties Act 2001 is being amended so that the home concession is not lost in these circumstances. To ensure that the integrity of the conditions of the concession are maintained, the Duties Act 2001 is also being be amended to continue the application of the eligibility conditions to the taxpayer as if there had been no transfer of the interest in the home.

It is important that taxation legislation operates effectively and does not give rise to opportunities for avoidance or to unintended consequences. Under the Duties Act 2001, the general transfer duty rates are applied to acquisitions of majority interests in land holding trusts and land rich corporations. For working out if a majority interest has been acquired, certain acquisitions and interests held by a person and related persons are aggregated.

As already mentioned, under the Duties Act 2001 certain persons are automatically considered to be related persons. The categories of related person are wide and, to balance this, the Commissioner has a discretion to not treat persons as related where satisfied that the interests acquired by the persons were acquired independently and not for a common purpose.

This discretion was intended to ensure that anomalies did not arise because of the adoption of the wide definition. It was not intended that the discretion apply to related bodies corporate as the relationship between those entities is clear and does not give rise to an anomaly.

The Duties Act 2001 is therefore being amended to ensure that the discretion is not available in relation to related bodies corporate. This will maintain the position that existed under the Stamp Act 1894.

Also, land rich duty and, transfer duty on a majority trust acquisition in a land holding trust, is assessed at the time that the particular majority acquisition is made. In determining whether a majority acquisition has been made, certain interests of related persons that were previously acquired may be taken into account. It is therefore

appropriate that, in exercising the discretion, the Commissioner take into account whether there is independence or a common purpose in relation to those interests at the time the interests were acquired, together with any intended common or dependent use of the interests in the future. Consequently, the Duties Act 2001 is being amended to impose an additional condition on the discretion that the interests must be used independently by the persons and not for a common purpose.

The Duties Act 2001 provides an exemption from transfer duty for transfers of property between members of a corporate group for the purpose of reorganising the group structure. Conditions must be satisfied before the exemption is available, including that the parties remain part of the same corporate group for three years following the transaction. If this condition is not satisfied, a reassessment will be made to impose duty on the transaction, except in limited circumstances. The requirement for continuing association ensures that the exemption cannot be used to minimise duty on the sale of assets outside the group.

As one object of many corporate reconstructions is to rationalise the group structure by eliminating unnecessary companies, the subsequent deregistration of either party to the transaction under the Corporations Act 2001 (Cwlth) will not result in loss of the exemption. Whilst this ensures Australian registered companies can claim relief if they transfer property and subsequently deregister, the same relief does not currently extend to processes in which a company, registered under the law of another country, may similarly cease to exist following the transfer of property. The Duties Act 2001 is being amended to ensure that there will be no reassessment of a corporate reconstruction transaction solely because a company ceases to exist after the transaction.

Also, the Duties Act 2001 provides that a reassessment will not be made to disallow the corporate reconstruction exemption if less than 5% of the value of the property of the company that leaves the corporate group within the three year period is dutiable property. However, this provision currently only relates to property which is directly held by the company leaving the group, and not to property in which the company has an indirect interest. This can give rise to anomalous outcomes, including where the company holds shares in a land rich company. The Duties Act 2001 is therefore being amended to ensure that, when determining whether a corporate reconstruction reassessment should be made, consideration is given to all of the property in which the company leaving the group has an interest.

When section 80A was inserted into the Stamp Act 1894, it was intended to prevent windfall gains by requiring taxpayers who receive a refund of stamp duty to reimburse those from whom amounts had been collected as stamp duty. For instance, as insurers recover the stamp duty costs from their customers as part of the insurance premium, any refund of that stamp duty to the insurer would result in a windfall gain if the benefit of the refund was not passed on to the customer.

This provision operates effectively where it is the Commissioner of State Revenue making the refund. However, there are some instances where it will be the State, and not the Commissioner, which is required to make the refund. The same refund requirements should apply regardless of the party required to make the refund and regardless of the reasons giving rise to the refund being made. The Duties Act 2001 is therefore being amended to ensure this is the case. The new arrangements will apply for all refunds of stamp duty that the State is required to, or may, make on or after the date of commencement of this Bill, regardless of when the overpayments occurred.

As I said earlier, another reason for amendments being made to the Duties Act 2001 is to simplify compliance with the Duties Act 2001.

At the moment, interest charges under a hire purchase agreement are not included when calculating hire duty. The commercial hirers' industry was concerned that the exclusion of interest from the hire duty calculation for hire purchase agreements would impose burdensome compliance requirements on its members at the cost of a small revenue benefit to hirers. The difficulty arises because, over the life of an agreement, the interest component varies. Therefore, significant system changes would be required to subtract the non-dutiable interest component from monthly charges for hire purchase agreements to allow for the calculation of the hire duty payable.

To meet the industry concern, the Duties Act 2001 is being amended to include interest charges in the calculation of hire duty for hire purchase agreements entered into after the amendment's commencement. Additionally, the commencement of the amendment will be delayed to allow industry sufficient time to implement the changes.

There are several amendments being made to clarify the operation of the Duties Act 2001.

One example relates to the duty treatment of statutory vestings of dutiable property. When a vesting of property is effected by statute, the statute often provides that the person in whom the property is vested is the successor in law of, and the same legal entity as, the person in whom the property was previously vested. Under the instruments based Stamp Act 1894, stamp duty was payable on the acquisition of a business, including where the acquisition was effected by legislation through the statutory vesting of the business assets in the acquirer. This was so despite the existence of a successor in law provision in the vesting statute. In comparison, under the transactions based Duties Act 2001, transfer duty is imposed on a transfer, or agreement for the transfer, of a Queensland business asset.

With the introduction of the Duties Act 2001, uncertainty has arisen as to whether a successor in law provision in legislation which effects a statutory vesting of property constitutes a transfer of property. The Duties Act 2001 is therefore being amended to clarify that this is the case.

Amendments are also being made to the lease transitional provisions, which detail how duty will be calculated during the period in which the Stamp Act 1894 and the Duties Act 2001 may both apply to transactions. These amendments will ensure that the provisions operate effectively.

Several of the amendments being made to the Duties Act 2001 give legislative effect to existing practices. An example relates to leases and deeds of grant under the Land Act 1962 and the Land Act 1994. Under the Duties Act 2001, duty is not imposed on a lease issued under the Land Act 1994 but transfer duty is generally imposed on a deed of grant issuing from a lease issued under the Land Act 1994, or its predecessor, the Land Act 1962.

The Department of Natural Resources and Mines currently collects duty in respect of instruments under the Land Act 1962 and Land Act 1994. Over time, a practice has developed under which duty is collected on the initial grant of a freeholding lease, rather than on the subsequent deed of grant issued. For the purposes of simplicity and

certainty for the Department of Natural Resources and Mines and leaseholders, the Duties Act 2001 is to be amended to recognise this practice. The effect of this amendment is merely to change the time when duty is collected.

Other amendments to the Duties Act 2001, make fine-tuning changes to improve the operation of the Act, including, to restore the previous Stamp Act 1894 thresholds for lease duty on occupancy rights, provide clear nexus rules for premium funding arrangements, improve arrangements for self assessors, narrow the exemption for grants of leases of land that are also exempt from lease duty to reflect the position under the Stamp Act 1894, provide further credit arrangements for leases and provide a duty credit on the exercise of an option to purchase dutiable property.

The balance of the amendments to the Duties Act 2001, provide clarification of the apportionment provision for business assets, the operation of two conditions for duty exemption for corporate reconstructions, the provisions which reduce the value of a partnership acquisition due to the partner's previous contribution to partnership property on formation of a partnership, the operation of the home concessions where multiple residences are acquired, the treatment of interests in managed investment schemes, the nexus for marketable securities for mortgage duty, the definition of 'de facto relationship instrument' and the definition of 'salary package' for exempt institutions.

The Government is also committed to ensuring that Queensland's fuel subsidy scheme under the Fuel Subsidy Act 1997 operates as effectively and efficiently as possible. To achieve this objective, the Act is being amended to ensure that the Commissioner of State Revenue can require the provision of information and documents, which is essential for determining whether subsidies have been properly paid. The Act will also require that notification be given to the Commissioner where a licensed bulk end user acquires another fuel storage site.

Mr Speaker, this Bill will keep Queensland's revenue and grant legislation up to date and operating efficiently and effectively for the community's benefit.

I commend the Bill to the House.

Debate, on motion of Mr Lingard, adjourned.

FINANCIAL SERVICES REFORM (CONSEQUENTIAL AMENDMENTS) BILL

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (12.38 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend various acts as a consequence of the Commonwealth enacting the Financial Services Reform Act 2001 (Cwlth), and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Welford, read a first time.

Second Reading

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (12.38 p.m.): I move—

That the bill be now read a second time.

This bill amends a number of Queensland acts affected by changes caused by the Commonwealth's new Financial Services Reform Act 2001. This Commonwealth act amended parts of the Corporations Act 2001 dealing with securities and the futures industry. In 1999 and 2000 concerns arose about the constitutional validity of the state based system of corporate regulation in Australia following decisions of the High Court in the cases of the Queen v. Hughes (2000) [17 ALR 155] and in Re Wakim; Ex parte McNally (1999) [163 ALR 270].

In 2001, all states and the Northern Territory referred power to the Commonwealth to overcome these concerns and to enable the Commonwealth to enact the Corporations Act 2001. Prior to this, the Commonwealth had been developing a package of reforms for the regulation of financial services. The introduction of these reforms was delayed pending finalisation of the referral of power to the Commonwealth and the enactment of the Corporations Act 2001.

The Financial Services Reform Act 2001 was enacted last year with the agreement of all states and the Northern Territory. It commenced on 11 March 2002 and reformed the regulation of financial services in Australia. It replaced chapters 7 and 8 of the Corporations Act 2001, which deal with securities and the futures industry, with a new chapter 7, which is titled 'Financial services and markets'.

The Financial Services Reform Act 2001 established a new regulatory environment for the provision of financial services. It introduced a single licensing system for financial sales and advice service providers, financial markets and clearing and settlement facilities. The act also covered a wide range of financial products such as shares and debentures, derivatives, managed investment products, general and life insurance products.

As a result of the Commonwealth amendments, it is necessary to make amendments to Queensland's acts to ensure consistency with the Commonwealth act. This bill makes changes to ensure this occurs. For instance, the term 'stock exchange' is replaced with 'financial market' and licensed dealers will become 'financial service licensees'.

The bill also inserts a limited regulation-making power into the Corporations (Ancillary Provisions) Act 2001. This provision will enable regulations to be made which specify how references in state acts, to terms and concepts in the Commonwealth's Corporations Act 2001 and the Australian Securities and Investments Act 2001, are to be construed. This provision recognises the Commonwealth will continue to amend the corporations legislation and that such amendments may affect Queensland acts. It will ensure action can be taken quickly to amend outdated references in state acts. Any regulations made under the provision will expire one year after they have been made.

The bill also makes other amendments, which are minor or technical and which are consequential upon other amendments to the Corporations Act 2001 and the Australian Securities and Investments Act 2001. For example, the bill removes an obsolete reference to the 'Australian Securities Commission' in the Business Names Act 1962. The amendments effected by the bill are largely technical and consequential. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

CRIMINAL PROCEEDS CONFISCATION BILL

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (12.43 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to provide for the confiscation of the proceeds of crime, and for other purposes.

Motion agreed to.

Mr DEPUTY SPEAKER (Mr McNamara) read a message from the Deputy Governor recommending the necessary appropriation.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Welford, read a first time.

Second Reading

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (12.44 p.m.): I move—

That the bill be now read a second time.

Today is a significant day in our government's ongoing commitment to tackle the causes and punish the perpetrators of serious crime. We are sending a clear message to the drug lords and organised crime bosses that 'crime doesn't pay'. This bill introduces a comprehensive new scheme for the civil confiscation of the proceeds of crime in Queensland and expands and strengthens the existing conviction based forfeiture scheme.

This represents a significant new initiative in the reform of the law relating to the forfeiture of the proceeds of crime in Queensland. It will give law enforcement agencies new and stronger powers to strip the ill-gotten gains from those involved in serious criminal activities. It is proposed this new civil confiscation scheme will commence on 1 January 2003, repealing the existing Crimes (Confiscation) Act 1989. The key objective of this legislation is to deprive organised criminals of property or assets gained through their criminal activities. It is designed to force them to justify the sources and legitimacy of their unexplained wealth.

The civil confiscation scheme will target serious crime related activities involving offences punishable by imprisonment of five years or more. It clears the way for forfeiture and proceeds assessment orders to be made by the Supreme Court before or without the need for a final criminal conviction. Under the scheme, when law enforcement agencies suspect a person is involved in, or profiting from, serious criminal activity, the state will be able to apply to the Supreme Court for an initial restraining order over all or specified assets and property of the person. This restraining order 'freezes' the assets for a maximum of 28 days. Within this time, the state must commence proceedings to apply for a forfeiture order or proceeds assessment order.

The test applied by the court in deciding whether to make a restraining order depends on whether the serious criminal activity involves specified profit related criminal activity. Firstly, if the serious criminal activity involves any of 16 kinds of specified serious criminal offences typically associated with organised crime (similar to that in the New South Wales Criminal Assets Recovery Act 1990), the state will need to satisfy the court that the applicant reasonably suspects the defendant has been involved in criminal activity relating to one of these offences within the last six years. The group of offences include murder, piracy, kidnapping for ransom, extortion, bribery, secret commissions, corruption, loss of revenue to the state, stealing, receiving, fraud or other dishonesty, conspiracy to defeat justice, money laundering, prostitution, gambling, child pornography, drug offences and trafficking in weapons. They are set out in schedule 2, part 1 of the bill.

Secondly, if the serious criminal activity involves any other indictable offences punishable by at least five years imprisonment, the court will apply a stricter test. This is because the offence may not by its nature involve organised crime or derive any material of financial benefit to the perpetrators. For example, an assault may not always mean that the person is a standover man deriving any profits from their crime. In these cases, the state will need to satisfy the court that the applicant reasonably suspects the defendant has been involved in the offence within the last six years and has derived proceeds from the offence.

The New South Wales Criminal Assets Recovery Act 1990 adopted a similar but more limited approach by applying its scheme only to drug trafficking and to certain other offences which are punishable by imprisonment for five years or more normally associated with organised crime. Queensland's scheme will provide greater flexibility to law enforcement agencies while ensuring there are adequate safeguards so honest Queenslanders have nothing to fear.

The scheme will also include a power for the Attorney-General to prescribe additional offences which may trigger the right to apply for restraining and forfeiture orders. This enables any changes in the criminal law or a particular type of crime being committed by organised criminals to be responded to urgently.

After the restraining order has been obtained, the new civil scheme will allow the Supreme Court to order the confiscation of a person's assets if the court finds it more probable than not that the person has engaged in serious criminal activity during the preceding six years. Once this fact is established the onus shifts to the person to show, again to the civil standard of proof, that any property was lawfully acquired. Lawfully acquired property is, of course, not liable to forfeiture or otherwise affected by the scheme. Any property shown to have been lawfully obtained or acquired may also be released from a restraining order.

Unlike the existing conviction based scheme, recovery action is not limited to the profits of a specific offence but applies to all proceeds accumulated by a person who has engaged in serious criminal behaviour during the previous six years. In this way, civil confiscation will be more effective in targeting the assets of those career criminals who make a living from organised crime and luxuriate in the profits of their serious criminal activity. In a scheme of this kind, our government recognises that it is essential to ensure that there are adequate safeguards to protect innocent people who might otherwise be adversely affected by its provisions. Under the bill a person can successfully exclude property from the operation of an order if he or she can show that the property was not illegally acquired.

Additionally the Supreme Court is empowered to provide for the relief from hardship for dependants of the person who will forfeit an interest in property under any forfeiture order. In such a case, the court may order that the dependant is entitled to be paid out of the proceeds of sale of the forfeited asset such amount considered necessary to avoid hardship to the dependant. However, the court is prohibited from making such an order in favour of the adult dependant of the suspected criminal, unless the court is satisfied that the dependant had no knowledge of criminal activities of the person. This ability for the court to relieve hardship for dependants of suspected criminals is an important safeguard to provide fairness and equity to innocent third parties.

The civil confiscation scheme under the bill will operate independently of, but parallel to, the conviction based scheme. While it is expected that law enforcement agencies will predominantly use the civil scheme once it commences, the conviction based scheme will continue to have relevance. The Crime and Misconduct Commission—CMC—will institute proceedings under the civil scheme on behalf of and in the name of the state of Queensland. A police officer will also be able to institute proceedings with the approval of the CMC.

The Director of Public Prosecutions—the DPP—will have carriage of legal proceedings under the civil scheme as solicitor on the record. The involvement of the DPP is intended to provide an important safeguard, providing an independent assessment of the basis on which legal action should proceed and ensuring that criminal prosecutions are not jeopardised or, indeed, overlooked where appropriate evidence exists. In addition, all proceedings will be conducted before a Supreme Court judge which will also ensure that proceedings will be supervised at the highest level and applications of sufficient gravity are appropriately considered.

Upon commencement of the civil scheme, it will capture serious crime related activity which occurred in the six years before the commencement of the legislation, that is, prior to its enactment.

Provided the statutory criteria are met, applications will be able to be made in relation to persons convicted of relevant offences during that period, and also potentially in relation to persons who have not been charged or who have yet to be convicted. The application of this law to serious criminal activity occurring prior to enactment is justified on the basis of the policy against 'unjust enrichment' and is consistent with the approach adopted when the NSW legislation was enacted.

The bill strengthens the conviction based scheme by expanding the range of offences attracting automatic forfeiture. Previously, automatic forfeiture only applied to serious drug offences. Criminals convicted of all serious offences punishable by five years imprisonment or more will now have the proceeds of their crime automatically forfeited six months after their conviction. More importantly, the automatic forfeiture regime is going to be tougher than ever before on people convicted of serious drug offences carrying penalties of 20 years imprisonment or more. For these serious drug offenders, property liable to forfeiture may be forfeited six months after conviction without the need to prove any nexus between the offence charged and the property forfeited. This means all of the restrained assets of these drug lords will be up for automatic forfeiture after six months, unless they can prove any of those assets were lawfully acquired.

The bill makes consequential amendments to the Crime and Misconduct Act 2001 and the Police Powers and Responsibilities Act 2000 to provide the investigation powers needed for the bill to function and to facilitate the involvement of the Crime and Misconduct Commission in the administration of the civil confiscation scheme. The bill also includes a schedule of minor and consequential amendments to the Crime and Misconduct Act 2001 to clarify matters that arose following the commencement of that act.

Our government is committed to building and maintaining a safe community where law abiding citizens can have confidence that criminals are not permitted to profit from or make a living out of the proceeds of their crimes. These laws will assist in that endeavour by stripping criminals of their ill-gotten gains and making it much harder for them to finance or maintain their nefarious activities. Our government is determined to ensure crime does not pay. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

AGRICULTURAL AND VETERINARY CHEMICALS LEGISLATION AMENDMENT BILL

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (12.55 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Agricultural Chemicals Distribution Control Act 1966 and the Chemical Usage (Agricultural and Veterinary) Control Act 1988.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Palaszczuk, read a first time.

Second Reading

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (12.56 p.m.): I move—

That the bill be now read a second time.

The Agricultural and Veterinary Chemicals Legislation Amendment Bill 2002 proposes amendments to two Primary Industries portfolio acts dealing with control of use of agricultural and veterinary chemicals. The first is the Agricultural Chemical Distribution Control Act 1966, or as I will refer to it from now on, the ACDC Act, which establishes a regulatory framework for licensing of aerial and ground distribution of agricultural chemicals. The second is the Chemical Usage (Agricultural and Veterinary) Control Act 1988, or as I shall refer to it from now on, the Chem Use Act. This is the principal legislation for ensuring that the use of agricultural or veterinary chemical products does not lead to the contamination of agricultural produce, livestock or animal products.

The main purpose of the bill is to give effect to recommendations made by an independent national competition policy review of agricultural and veterinary chemical legislation on behalf of Australian Commonwealth, state and territory governments. This review was an initiative of the Council of Australian Governments. All Australian states and territories have agreed to implement the recommendations made in the NCP review.

To meet this commitment, this bill amends licensing provisions of the ACDC Act and controls over the use of veterinary chemical products to treat animals under the Chem Use Act. The bill also makes a number of minor consequential amendments to the ACDC Act and the Chem Use Act as well as increasing penalties for offences under the Chem Use Act.

The amendments to the ACDC Act as a consequence expand the existing business licence requirement, which applies to aerial distribution contractors to require equivalent licence for a business undertaking ground distribution of herbicides. Accompanying this requirement there is an obligation on the business operator to maintain records of ground distribution of herbicides.

In line with the NCP recommendations, the mandatory insurance provisions of the legislation are to be repealed. It must be noted that the NCP review found no public net benefit in retaining insurance requirements. It is considered that the licensing and accreditation mechanisms of the legislation facilitate higher-level skills and application standards of operators, reducing the risk of off-target chemical trespass more effectively than compensation afforded under insurance arrangements.

Additional amendments to the ACDC Act will see the recognition of pest management licences as equivalent to commercial operator's licences. This initiative will avoid the need for pest control operators operating under the Pest Management Act 2001 to hold an additional licence simply because they are using a herbicide in a garden to carry out weed control in conjunction with routine pest control activities. In line with other government programs to increase business efficiency by reducing red tape, the bill also increases to three years the period for which a licence may be issued.

The amendment to the Chem Use Act is primarily to establish the mechanism to ensure harmonisation of controls over the use of veterinary chemicals across Australian jurisdictions in accordance with the NCP recommendations. Accordingly, the amendments incorporate the principles for controls over the use of veterinary chemicals, which were agreed to at a national level.

At this point, I seek leave to have the rest of my speech incorporated in *Hansard*.

Leave granted.

The Chem Use Act operates and supports the National Registration Scheme (NRS) legislation for agricultural and veterinary chemicals, which functions in a partnership between the State and Commonwealth governments.

The National Registration Scheme legislation serves to ensure that only agricultural or veterinary chemical products that meet standards of the National Registration Authority for Agricultural and Veterinary Chemicals (the NRA), are available for sale in Australia.

The Chem Use Act aims to ensure that people who use agricultural or veterinary chemicals products in Queensland use those chemical products in a safe and responsible manner.

The Chem Use Act supports the NRS by providing for the control of use of agricultural and veterinary chemical products that have the potential to lead to adverse consequences.

Agricultural and veterinary chemical products are approved and registered by the NRA.

Each product is required to be labelled with a specific approved label, which contains information critical to the safe and effective use of the product.

The label also contains instructions to ensure that the use of the product does not result in agricultural produce, including animal products, containing unacceptable levels of chemical residues, causing adverse environmental impacts or adversely affecting the welfare of an animal.

The amendments of the Chem Use Act introduce controls on the use of veterinary chemical products by veterinary surgeons.

The Bill first amends the Act to limit veterinary surgeons use of products that have not been registered for use by the NRA.

Secondly, the Bill also ensures that veterinary surgeons are required to follow restraint statements on product labels.

Thirdly, veterinary surgeons treating major trade or food producing animals, defined in the Bill as cattle, sheep, pigs and domestic fowls (chickens), must use registered products that have been approved for use on those particular types of animals.

The Bill does allow for exceptions in relations to the treatment of individual animals under the care of the veterinary surgeon.

The restrictions are necessary to ensure that effective controls over the use of veterinary chemicals, particularly antibiotics, are in place to address concerns about residues in food and fibre producing animals.

The use of antibiotics is of particular interest due to the high potential for the development of resistance in both animals and humans.

When treating animals, persons who are not veterinary surgeons, are required to use only registered veterinary chemicals products in accordance with instructions on the product label.

However, the Bill does enable registered veterinary chemical products to be used differently from label instructions and the use of unregistered chemical products under the instructions of a veterinary surgeon.

Misuse of chemical products has the potential to cause residues in food products.

The presence of unacceptable residues of chemicals may result in loss of markets not only to Queensland but also to Australia.

Queensland must be in a position to demonstrate to its trading partners that effective controls over the use of agricultural and veterinary chemicals exist.

Existing penalties in the legislation fail to act as an effective deterrent against the misuse of chemical products.

The short-term commercial gains to individuals achieved through the misuse of chemical products have often been greater than penalties imposed for the offence.

Accordingly, the amendments increase penalties for offences in the Chem Use Act to align the penalties with other legislation dealing with agricultural and veterinary chemicals.

The Bill sets the maximum penalties for misuse of an agricultural or veterinary chemical product at 600 penalty units, this equates to a maximum penalty of $45,000.

This level is intended to Act as a strong and effective deterrent to the misuse of chemical products.

Inappropriate chemical usage has the potential to lead to contaminated agricultural produce, stock and animal products.

The misuse of agricultural or veterinary chemicals poses potential risks to Australia's trade, the environment and the health and safety of human beings.

The Bill benefits industry, regulatory bodies and consumers by ensuring that the legislation can continue to control these risks.

The amendments ensure that the legislation can continue to effectively address chemical use practices and protect the health of users of chemical products, the public and the environment.

This Bill represents an ongoing commitment by the Government to protect Queensland's "clean safe" reputation and to meet increasing demands from Australian and international consumers for safe and ethically produced food products.

I commend the Bill to the House.

Debate, on motion of Mr Lingard, adjourned.

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

Mr DEPUTY SPEAKER (Mr Mickel): Order! I welcome to the public gallery the students, teachers and parents of John Paul College in the electorate of Springwood. They have a very fine teacher in the member for Mansfield's wife.

A government member: And a great member.

Mr DEPUTY SPEAKER: And a great member.

ARCHITECTS BILL
PROFESSIONAL ENGINEERS BILL
Remaining Stages; Cognate Debate

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (2.30 p.m.): I move—

That so much of the Standing and Sessional Orders be suspended to enable the Architects Bill and the Professional Engineers Bill to be treated as cognate Bills for their remaining stages

(a) one question being put in regard to the second readings;
(b) the consideration of the Bills together in Committee of the Whole House;
(c) one question being put for the Committee's report stage; and
(d) one question being put for the third readings and titles.

Motion agreed to.

Second Reading

Resumed from 1 August (see pp. 2498 and 2500).

Mr HOPPER (Darling Downs—NPA) (2.32 p.m.): I rise to speak on the Architects Bill 2002 and the Professional Engineers Bill 2002. I commend the decision to debate together these almost identical and in many ways inter-related bills. These bills arise out of obligations under national competition policy. The stated aims of the Architects Bill 2002 are to protect the public by ensuring architectural services of an architect are provided in a professional and competent way; to maintain public confidence in the standard of services provided by architects; and to uphold the standards of practice of architects. The aims of the Professional Engineers Bill 2002 run parallel to those of the Architects Bill. While the opposition is willing to support the general intent of the bills, we have significant concerns regarding the detail. Registration of architects and the practice of architecture were first regulated by the Architects Act 1928 and are currently regulated by the Architects Act 1985. Similarly, registration and the practice of professional engineers was originally regulated by the Engineers Act 1929 and currently by the Professional Engineers Act 1988. All relevant legislation since the 1928 and 1929 acts have provided for administration by a board of architects of Queensland and a board of professional engineers of Queensland constituted under these acts.

In accordance with the national competition policy's legislative review program, reviews of the current architects and professional engineers legislation were conducted. The reviews called for the current acts to be repealed and for new legislation to be adopted requiring all building professionals to be registered. The Architects Bill 2002 and Professional Engineers Bill 2002 provide for the creation of a board under each act and a framework under which the boards shall register architects and professional engineers and to some extent regulate their operation.

The national competition policy review reported that purchasers of architectural and professional engineering services found that information available on services was inconsistent and difficult to compare. The opposition is concerned that these bills serve only to create the appearance of competition for competition's sake. There is no clear, additional benefit for the community. I acknowledge the government's consultation process and I thank the minister for his briefings. My consultation with relevant peak body representatives revealed general comfort with the intent of the bills. However, lengthy discussions with the Subcontractors Association and others revealed concern regarding the potential wider effects of the bills. Particular concerns exist in relation to the need to provide for registration of architectural and professional engineering companies and limit the scale of work and number of workers each registered professional may supervise; the need to provide guarantees of board services within certain time frames; the need for boards to be structured in a way that truly serves the industry; the need to ensure strong and enforceable codes of practice to protect consumers; and the need to recognise the role of the Queensland Building Services Authority as a key body and include provision for inclusion.

The provision of architectural and engineering services by unqualified persons is potentially disastrous and even deadly. When trusting someone to design and construct a multi-storey building you will work in, a bridge you will drive or walk across, and your home that you and your family will live in, you want to be sure that the professionals responsible have the highest regard to safety concerns. There are those in this chamber who would remember the damage done to Opal House when a nearby building under construction collapsed. We all were aware of the safety doubts raised over the Goodwill Bridge, and one only has to log on to the Queensland Building Services Authority web site to read about the building nightmares home builders can face with collapsed decks, walls falling down and severely cracked brickwork.

The Architects Bill 2002 allows for the registration of architectural companies, requiring that directors of registered companies be qualified architects. In the interests of consumer protection, the title and use of the word 'architect' is restricted to persons registered under the bill. Similarly, the use of the words 'architectural services', 'architectural design services' or 'architectural design' cannot be used by a person who is not a registered architect. Of course, these restrictions do not set out to restrict the use of the word 'architect' or derivatives when used in another context, for example landscape architect, as long as there is no intent to mislead and that the descriptor reasonably identifies the expertise being offered. These restrictions are aimed at providing consumers with assurances that someone who claims to be an architect has certain qualifications. Similar restrictions regarding the use of the professional registered engineers are included in the Professional Engineers Bill.

The opposition feels that consumers should be able to identify registered architectural companies and registered professional engineering companies and know that the directors of

such companies are suitably qualified. Currently, the Architects Bill allows only for the registration of individual architects and the Professional Engineers Bill only for the registration of individual professional engineers. The opposition therefore intends to move amendments to provide for the registration of architectural and professional engineering companies. In the interests of public safety, all architectural and professional engineering work should be comprehensively supervised. To this end, the opposition is seeking amendments to prescribe not only that all such work be supervised by a company director or other suitably qualified people but that company directors and other supervising architects only be permitted to supervise a reasonable number of workers.

The bills are riddled with the phrase 'as soon as practicable' in relation to the boards providing services to their clients and in carrying out their investigative functions. It is important that the regulatory framework does not impact unduly on the architects or professional engineers' ability to service their clients. If they are so taken up with dealing with the board and have no guidelines for the time in which the board will fulfil various functions, their ability to service their clients would clearly be compromised. The opposition feels that it is only reasonable that architects and professional engineers have guarantees that certain functions such as issuing of certificates after approval and providing information about such decisions as refusal of registration or an investigation should be carried out within prescribed time frames.

The opposition has a number of amendments providing for set time frames within which the board must fulfil certain functions. To facilitate the prompt service delivery that we believe architects and professional engineers deserve from their boards, the opposition considers that the boards should be required to meet once every month rather than once every two months as the bill currently requires.

Further, the opposition believes that the provision in this bill for the registrations to fall due at the start of the financial year is an unreasonable impost on small business and does not make for good running of the boards or thorough scrutiny of each application of registration. The opposition will move amendments to the bills such that registration renewals will fall due on the anniversary of the date of the registration. This prevents the registration fees falling due at the same time as the myriad fees and charges levied on small business at the start of the financial year. A rolling registration calendar would give the boards the opportunity to give each application for renewal the attention it deserves.

Turning to votes, the opposition believes there is another significant weakness in the manner in which the bills prescribe that the boards will operate. Section 95(3) of each bill provides that if a member abstains from a vote that member is taken to have voted in the negative. If this clause intends to allow members of the boards to abstain from votes where they have a conflict of interest, it fails. This provision, as it is, gives members with a conflict of interest a de facto negative vote. They are able to have the appearance of propriety while, if it suits their interests, actually effecting a negative vote. The opposition believes that if a member were in a position where they should not participate in a vote they should be removed from the equation altogether.

In relation to the enforceable code of practice, each bill requires the relevant board to 'make a code of practice to provide guidance to ... appropriate professional conduct or practice'. The opposition is concerned that the boards are being asked to spend their time creating toothless tigers—codes that will be considered guiding but not binding. If we are to do more than go through the process for appearance's sake, the architects and professional engineers boards need strong and binding codes of practice to ensure the aim of these bills—to uphold the standards of practice for architects and professional engineers—will be achieved. To this end, we will be moving amendments to provide for binding and enforceable codes of practice.

In relation to the Queensland Building Services Authority, these bills must be extended beyond empty exercises in fulfilling the requirements of national competition policy. If we are going to go to the time and expense of this process, let us make it the best outcome we can. The failure of the bills to make a place for the Queensland Building Services Authority to advise on the making of the codes of practice is a major oversight. As the statutory authority created to regulate the building industry and ensure the maintenance of proper standards in the industry, it makes little sense not to include the QBSA in the process of creating codes of practice for architects and professional engineers who are, of course, essential cogs in the building industry.

The opposition supports the intent of these bills. However, concerns raised by stakeholders must be addressed in order to ensure that the boards really do serve the industries for which they are being created while protecting the interests of consumers. I ask the minister to seriously consider the opposition amendments to further the aims of the bills.

Ms BOYLE (Cairns—ALP) (2.42 p.m.): I am pleased to speak on this important legislation, which impacts on two very worthy professions—architects and engineers. I rise in support of the legislation and in particular wish to speak about the export opportunities arising from it. The continued registration of architects and engineers through the bills serves to uphold the high competency standards already existing within the architectural and engineering professions. Under the bills, in order to become registered, architects and engineers must demonstrate a fitness to practise and possess a sufficient level of proficiency in practice. This has an obvious benefit to practitioners, who are able to promote their services to both the domestic and international markets as being of the high standard required for continuing registration in Queensland.

For many architectural and professional engineering practices the export of their services has become a substantial part of their work. Without the continued statutory registration provided by this bill, Queensland architects and engineers would be restricted in their ability to export their services. According to the bill, registration will allow these professionals to be competitive on the world market. It was noted in the Productivity Commission report on architects legislation that competing countries such as the United Kingdom, the United States of America, Canada and European community members all have some form of registration. Without continued registration, Queensland architects would be at a disadvantage. This is particularly so in countries in our region such as Malaysia, Singapore, Brunei and Hong Kong, which themselves have registration requirements.

Similarly, the export of services has become a significant source of income for many engineering firms. According to the Association of Consulting Engineers Australia national issues paper for March 2002, engineering exports were worth $370 million in 1999-2000, which accounted for 53 per cent of all building and construction related exports. Engineering exports have grown at an average rate of 15 per cent per annum in the period from 1992-93 to 1999-2000. I have had experience with respect to this issue and am sure that the contribution of the high standards in the professions of both architecture and engineering in Cairns could significantly boost these figures.

About a year or so ago I visited Vietnam in company with a colleague from this parliament. We discovered in some of our visits with officials across the length and breadth of Vietnam that there is a great demand for professional services not offered by its citizens. In particular, it was calling for assistance with the design of tourism facilities and the design of infrastructure. It was strongly aware that these design imperatives needed to take account of the tropical climate of Vietnam. To this extent, while they said that frequently for major projects in Vietnam they see big firms from Sydney, Melbourne and Brisbane bidding for these opportunities, they would be interested to receive more expressions of interest from those with experience in tropical architecture and engineering—in conditions where there is high rainfall and the potential for cyclones. That creates an opportunity for professionals from cities such as Cairns to take advantage of.

I hope the strategies we have in Cairns through the Cairns Region Economic Development Corporation and also through Advance Cairns will optimise the chances of our professionals in Cairns becoming better exporters than they have been to date. Unfortunately, they suffer from the attitude that is commonly found in all sectors of Australian life in the big cities, and that is that professionals from the big cities are more experienced and better able to bid for jobs such as may arise in a country like Vietnam. In fact, that is not necessarily so, because the particular expertise that may be required, albeit on a climatic basis, may in fact be more available in Cairns than it is in Brisbane or in Sydney. Interestingly, the Royal Australian Institute of Architects is quoted in the Productivity Commission report as noting that several countries, particularly in Asia, not only require that architects be registered in their country of origin but also have the expectation that they will become registered in that country.

The bills also provide for increased flexibility in the delivery of architectural and engineering services through removal of the existing legislative requirements for the registration of architectural and engineering companies and engineering units. This increased flexibility should enhance export initiatives. Of course, continued registration of architects and professional engineers through the bills also serves to continue the reciprocal arrangements that exist between Australia and New Zealand through the Trans-Tasman Mutual Recognition Arrangement of 1996.

I am aware, through taking an interest in these bills, of the considerable efforts that were made by the department and by the minister's staff to consult with members of the profession. In fact, in the first drafts, profession members, particularly from the architecture profession, were not

satisfied with the directions and some of the details that it appeared were going to be part of this bill. The consultation, I am told, was energetic for several months between the department and members of the profession and there were some differences in perspective—necessarily, one might say, particularly between those in the private sector and those representing the government's interests and the public sector. I must compliment the minister on his role, and the role of his staff, in ensuring that the items that were in conflict were properly heard and considered and that through further consultation and deliberation all the matters were able to be settled with both the public and private sectors' interests in mind. I would like to think that a number of members of parliament, including myself, were able to participate in these discussions and can in a small way, therefore, take credit for the refinements contained within this bill.

I was pleased to take up the issues that were raised with me during the preparation of the bill by my local architects. I have long been a supporter of them and their profession. Had I been born with more artistic skills, or maybe more scientific capacity, I would have enjoyed, I am sure, the profession of architecture.

In Cairns, we have been fortunate for many years—particularly through the 1980s and the 1990s—to have architects of some considerable skill and initiative residing in the city. We have, through the rapid development of the late 1980s and the early 1990s, constructed numbers of buildings that still in their very style enhance the reputation of Cairns. One building that I particularly admire and enjoy from time to time is what is now known as the Cairns International Hotel. When first built it was called the Park Royal hotel. It is a beautiful hotel in which the very architecture, space and ambience are such that one cannot help but relax and enjoy oneself; yet at the same time, it captures truly the climate in which Cairns is placed, namely the tropics. It has about it a modern-world sense of Raffles.

There are many other buildings in Cairns of which I am proud, and a good number of these, I must say, are those in the public sector. Recently, for example, through our own Project Services architects we have made several significant contributions in Cairns. The first might sound modest but it is nonetheless significant. There had been in Spence Street a state government office building which was constructed some 25 years ago. It had in its exterior become—there is no other word for it—shabby. It was not contributing to the streetscape of Cairns; in fact, it was detracting from it. Thanks to the minister and his department, I am pleased to say that the Project Services staff were able to revamp the exterior of that building to the extent that it is now suited to the standards of today. It provides an awning as shelter as well as the colour and flair that we might expect of a building in the year 2002.

Mr Schwarten: Project Services has excellent architects in Cairns.

Ms BOYLE: That is correct. Project Services architects in Cairns are known for their excellent skills. They have participated, along with the private sector, in the design of a recently opened state government office building named William McCormack Place. It is an exciting building in a number of ways, including its energy efficiency. It is also a very pleasing building in its exterior. I am told by the staff, who have now been resident there for a couple of months, that it is also very workable. It is a building of light and space and functionality, whilst at the same time having some visual appeal.

Mr Schwarten: If it wasn't for you it wouldn't have been there.

Ms BOYLE: I think that statement might be a little strong, Minister, but I thank you for the funding that has been provided. I have no doubt it will remain a landmark building in the city of Cairns.

I must say that there have been private sector architects who have contributed to some of the fine public edifices that we have in the city of Cairns. The Cairns Base Hospital needed redevelopment. It took some time, but I am pleased to say that it was completed early this year. It is a set of old buildings situated on a very important site on the Esplanade in Cairns. There were many—and I must count myself amongst them—who doubted that any kind of architectural revamp could put together the new buildings that were part of the redevelopment and the refurbishment of the old buildings and have any kind of integrated precinct that would be functional for the important activities housed by a hospital as well as being visually appealing. My compliments to all of those who worked on the Cairns Base Hospital redevelopment. Those hard tasks were well accomplished.

I wish it were that I could tell honourable members that our architecture profession in Cairns is overloaded with work. That is not the case. It is important, therefore, that we sing their praises for the tremendous efforts that they have made at some distance from the major capital centres,

and that we as a government do what we can to facilitate the spread of their reputation, particularly in terms of export opportunities.

I would also like to make mention of engineers. Engineers were not people with whom I had regularly fraternised until about 10 years ago when I was elected as a councillor to the Cairns City Council. At that time, having practised as a psychologist for 25 years, I must say that it took me some time to understand the jargon that the engineering profession uses and to understand what were their objectives. It seemed to me that they were very focused on those ribbon roads, on the point A to B kind of thinking, and on the concrete of their profession. I daresay that those engineers who were present at the Cairns City Council in those days would similarly have critical remarks to make of me for my preoccupation, probably, with consultation and with the effects on the people who would use those important facilities.

Over the years I have learnt much more, of course, and have come to admire engineers, particularly those in local government. Those who were mainly my teachers and who are still working in Cairns, I am pleased to say, are John Hawkes and Brian Smyth, both of whom have made a very significant contribution to the civil engineering profession in Cairns. As honourable members would guess, laying roads in a tropical climate is not as simple as it might be in some other climates. In high rainfall areas the damage that can be done requires particular knowledge and expertise. We are fortunate indeed to have, while not absolutely perfect road networks, high quality road networks that serve us well.

Equally important is the subject of drainage for a city such as Cairns which is built on sand dunes and on refilled land. The engineering or drainage works for the protection of Cairns from flooding and from cyclones has been very important and well accomplished. I pay tribute to all those in local government and state government who have made that contribution.

It is my great pleasure to have this opportunity today to recognise the importance of the fine professions of architecture and engineering. I look forward to the members of those professions thriving not only in Queensland but also in the export of their services to countries around the world. This applies particularly to those countries which have similar climatic imperatives to those we have in Cairns. Continued high standards of practice in the architecture and engineering professions are an essential element in maintaining strong professions in Queensland with a capacity to add value both domestically and internationally. I am pleased to support this Bill.

Ms PHILLIPS (Thuringowa—ALP) (3.00 p.m.): I rise to support the Architects Bill and the Professional Engineers Bill. In particular, I wish to comment on the aspects of these bills that promote the health and safety interests of the community in relation to the practice of architecture and engineering. I will firstly make comments specifically relating to architects, and then engineers, and I will then make comments which apply to both professions.

I turn first of all to architects. Architects are involved in the design, construction and maintenance of the built environment. Architects are able to improve our environment and to add to the beauty of our streetscapes and our visual experience. I personally find great delight in beautiful structures, particularly when they become part of the environment in which they are built. But architects also must be sufficiently skilled in the practice of architecture to ensure that built facilities not only satisfy the level of amenity required in terms of providing adequate access, circulation space, fire egress, rest rooms, lighting and ventilation but also that the facility is designed to function in a safe manner in accordance with legislative criteria.

By way of example, building design in north Queensland is required to comply with the building code requirements for cyclone resistance. This is of special relevance to my electorate of Thuringowa. After we went through the devastating experience of Cyclone Althea in 1970, more strenuous requirements were included in the code. Similarly, the design of particular built facilities under the code requires the selection of building materials with appropriate fire resistance ratings. The provision of architectural services carries a risk to the health and safety of occupants where these services are not carried out by competent persons. It is not enough for architects to give free rein to their creative skill; the buildings they design must also be safe.

I turn now to professional engineers. The engineering profession encompasses a broad range of disciplines including civil, mining, electrical, aeronautical and mechanical engineering whereby engineers perform a wide range of functions. These functions have a considerable impact on the community, particularly in terms of health and safety. The consequences to the public of engineering failure are potentially catastrophic, as has been seen in events in recent years such as the implosion of the Royal Canberra Hospital, the HMAS *Westralia* fire, the Esso Longford gas explosion and the Israeli bridge failure. Due to the nature of the profession, defects

caused by inadequate engineering services may not be immediately evident and may not become apparent until some time after these services have been provided. It is therefore essential that professional engineering services are provided or supervised by adequately experienced and skilled persons who have expertise in the relevant area of engineering.

It was noted in the professional engineers national competition policy review that protection of the health and safety of the community was one of the primary policy objectives of the legislation and that continued regulation of the engineering profession was desirable and in the public interest. A primary objective of the Architects Bill and the Professional Engineers Bill is to protect the public by ensuring that architectural and professional engineering services are provided by registered individuals in a professional and competent way. I, too, am aware that there has been considerable consultation between the minister and representatives of both professions in the development of these bills. I passed on comments received from local professionals to the minister, who considered their concerns and has addressed them in the detail of the bills.

The bills seek to uphold standards of service by practitioners through an enhanced process for registration. To become registered, both architects and professional engineers will need to demonstrate both fitness to practice and the necessary qualifications for registration. The bills specify that each architect and professional engineer will be required to annually meet continuing competency requirements and demonstrate that they have sufficient proficiency in the practice of architecture or engineering in order to re-register. This serves as a mechanism to encourage high standards of service within the professions.

In addition to the requirement of registration, the bills prohibit the provision of architectural or professional engineering services by unregistered individuals unless the services are provided under the supervision of a person who is registered in the relevant area. By limiting the ability of unregistered individuals to practise and requiring the registration of competent architects and engineers who meet the requirements for registration, the general standard of practice of the professions will be improved. This will have a significant influence on promoting the health and safety of the community. I am very pleased to commend the bills to the House.

Mr LIVINGSTONE (Ipswich West—ALP) (3.05 p.m.): I rise in support of the Architects Bill and the Professional Engineers Bill and want to talk about the way the bills promote high standards of service for these professions. I congratulate the minister, his ministerial staff and all departmental staff who were involved in drafting these bills. They are certainly a credit to everyone involved with the entire consultation process, and I think all members here today should acknowledge that. These bills seek to uphold standards of service by practitioners through enhanced processes for the registration of architects and professional engineers. To become registered, these professionals will need to demonstrate both a fitness to practise and the necessary qualifications for registration. The required qualifications for registration will be established by regulation following recommendations from the relevant board about the standard of competency required of practitioners.

Accredited professional organisations will be responsible for assessing applications for registration against the established proficiency levels. This system will allow for the adoption of national standards for registration. It is anticipated that the Architects Accreditation Council of Australia and the Institute of Professional Engineers Australia will become accredited as assessment entities. The bills specify that, once registered, an architect or professional engineer will be required to annually meet continuing competency requirements and demonstrate that they have sufficient proficiency in the practice of architecture or engineering in order to re-register. It is anticipated that the continuing competency requirements will include such matters as the nature and extent of continuing professional development undertaken by the registered person.

In addition, the bills provide for each board to develop a code of practice which will provide guidance for architects and professional engineers as to appropriate conduct or practice. The code of practice must be approved by regulation before it becomes operational. The bills also provide that registers of architects and professional engineers will be available to the public to research a registered professional's disclosable registration and discipline history as a basis for informed decision making on the engagement of professional services. The introduction of this register has a secondary effect of providing a deterrent to registered architects and professional engineers from engaging in conduct which may later be determined as being unsatisfactory professional conduct in view of the fact that any adverse judgment may later appear on the register and become available for inspection. These measures will encourage high standards of service within the architectural and engineering professions. I commend the bills to the House.

Mr PURCELL (Bulimba—ALP) (3.08 p.m.): Today I rise in support of the Architects Bill and the Professional Engineers Bill and the positive aspects the bills will have for consumers of architectural and professional engineering services. I will firstly make comments specifically relating to architects and engineers and then make comments which apply to both professions. In relation to architects, the design of buildings may be undertaken by both architects and building designers. I used to be not a very big supporter of architects, but I have mellowed over the years. But there are benefits to consumers if they get an architect to design their premises or renovations.

Architects undergo specific training and experience requirements to become eligible for registration. Consumers should recognise that this helps to protect them. Architects are trained to come up with ideas that will make buildings more functional. It is important that consumers are fully informed prior to determining their preferred service provider if they want to get an architect to do some work for them. Architects also protect people from builders, subcontractors and other people who work on a job. The architect looks after the job, looks after the quality of workmanship and makes sure things get done on time and on budget.

I have got to know an architect in my area. John Cameron is a very experienced architect. People such as John will drive innovation and changes within the building industry, within dwellings and so forth. There are all sorts of things that are environmentally friendly, that will conserve energy and that will make buildings cooler without putting in airconditioning.

Mr Cummins: Well designed buildings.

Mr PURCELL: Well designed buildings, as the member for Kawana says. The Romans were doing it thousands of years ago. We need to look at how we can apply those principles to today's buildings.

There is the simple method of putting pipes into a concrete slab. If those pipes run out into an area in the yard that is kept watered or wet, cool air will be brought into the home. It is then channelled up through the house and will cool the home. Another idea is to have vents in the ceiling that only let hot air out when it reaches a certain temperature. That is to ensure hot air is not taken out in winter when people want it to stay there and keep the house warm, but hot air is taken out when it is hot and people want to vent it and get rid of it. These days people are not putting insulation bats on top of the ceiling, because it makes it nice and cool between the ceiling and roof. People really want things to be cool down where they live, so insulation is put underneath the roof so that the heat is not let in in the first place. Those are the sorts of things architects will do for people.

I do not think a good architect would design a building in Brisbane these days without putting a water tank on it. The water tank conserves water off the roof. It can be used for watering the yard and even for drinking. It makes a great cup of tea. I can see the minister nodding his head. He would realise that for a really good cup of tea you have to have good, clean rainwater.

Mr Schwarten: Out of a galvanised iron tank!

Mr PURCELL: That is right. It increases the flavour of the tea! These are the things an architect will assist in. This bill will protect architects from people misusing their names so that consumers can be misled by people who cannot do the job for them.

This bill provides that the words 'architect' and 'registered architect' are restricted for use by registered architects. The use of the words 'architectural services', 'architectural design services' and 'architectural design' is also reserved for registered architects. The reservation of these terms to architects will avoid confusion on the part of consumers as to the training and qualifications of the person providing the services. The bill contains significant penalties for a person who breaches these provisions.

I wanted to include a lot more terms in the bill. I was persuaded by the minister not to. I recently came across an architectural landscaper who designed landscaping and so forth for people. I wanted to register that term so that only a registered architect could use that term and consumers could not be misled. The goose I had an experience with would not know his left hand from his right hand. He did some work for one of my constituents. He built a structural wall out of stone and compo. He did not know the difference between compo, concrete and cement. He had no foundations in the wall, so there was nothing designed to hold the wall into the ground. It would just fall over with a bit of weight behind it. The gardens were not too bad, I suppose, but if the wall fell over the gardens were going to fall over with it.

The minister persuaded me that even if we had an act as thick as that book of terms on the table, we still would not cover all of the derivatives that describe architects and what they do and we would still let others in the gate. People need to realise that these terms relate to architects who are registered and they can rely on them. It is a case of buyer beware when consumers deal with anybody else who uses the word 'architect' or other derivatives in their title.

It is understood that this bill will not have any significant impact on the activities of building designers licensed under the Queensland Building Services Authority Act 1991 in the supply of building design services to consumers. The minister might like to comment on just what it will do for designers. There are an enormous amount of people now who are designers. They are people who have a program and can design things and lead people through the design. But that is a totally different animal from an architect. I think the minister needs to explain that so that we know exactly what we are talking about.

Professional engineers are people I have had a lot to do with over the years. I have changed my mind again, I suppose. One mellows with years. I could talk about tunnel vision and blinkers and things like that. I must have been unlucky in my previous life. I have run into a lot of them who could not chew gum and walk at the same time and who could not think further than the gate we would be outside from time to time. They just could not make things work. They could not talk to people. We still have to protect them because they do design our bridges, roads and a lot of infrastructure we need. I will say that we should not let them run jobs. We should let them do what they do well.

Mr Schwarten: Architects should do that, do you reckon?

Mr PURCELL: Yes. Probably a good chippie would do it better than the lot of them. The engineering profession comprises a wide variety of disciplines and has a substantial impact on the community at large. It is important to note that the consumers of professional engineering services are not limited to the initial purchasers of these services. In many cases engineering services are provided to a commercial purchaser. The consumer may be a person ultimately affected by the quality of these services. An example is the design of footings for a house. We would not have to go too far to explain to people what can happen to a house if the footings are badly designed. There are biblical terms about construction—that one must build one's house on great foundations and on rocks. The impacts also extend to health and safety considerations, not just for consumers but also for the public at large. This is particularly the case for large buildings, bridges, roads, transport systems and other public infrastructure.

As reported in the national competition policy review of the existing Professional Engineers Act, even where a consumer is directly contracting with an engineer the consumer may experience difficulty in determining the relative skills of different engineers offering the service. This concern arises due to the technical nature of services provided and the time lapse that often occurs between the provision of the service and the emergence of potential problems.

As we know, if something is badly designed, after a period it may not withstand what it was supposed to be built to withstand, such as cyclones and earthquakes. Engineers have to take note of those things when they are designing those structures. The continued registration of professional engineers, as provided by the bill, provides a means of differentiating between those persons who have achieved competency in the various categories of professional engineering. To gain registration, an engineer will have to demonstrate a fitness to practise and possess a sufficient level of proficiency in the areas of engineering for which the registration is sought. That means that engineers have to be able to design what they say they can design without the structure falling down and having problems.

I return to architects and professional engineers. Consumers are protected by this bill in that if a person who is not an architect holds themself out to be an architect or falsely offers to provide architectural services by or under the supervision of an architect, the consumer is under no compulsion to provide payment or any other consideration for the performance of those architectural services. Similar provisions apply to engineers. That is a fairly large disincentive for people to make themselves out to be what they are not or to hoodwink consumers into thinking that they can provide services that they cannot provide.

The yearly registration process is enhanced under the bills. As architects and professional engineers re-register each year, they will be required to meet continuing competency requirements that will demonstrate that they have maintained competency in their professional practice. In addition, all registered architects and professional engineers will be required to comply with a code of practice made by the relevant board and approved through regulation. The bills

also broaden the disciplinary provisions to allow the discipline of an architect or professional engineer who has been guilty of unsatisfactory professional conduct. These measures should further enhance consumer protection.

If these bills give the professions the right to discipline their fellow engineers or architects, those provisions will probably have to be revisited after a period just to see if they are working, because we know from time to time that professions tend to look after their own. Need I mention the legal profession—not too many of them get disciplined or sorted out from time to time when they should. I support the bill.

Ms BARRY (Aspley—ALP) (3.22 p.m.): I always feel humbled to speak after the member for Bulimba has spoken, because he has such expertise in housing. However, I agree with him when he said that homes should be built on strong foundations. Whilst, unlike him, I cannot quote Scripture, I can do my bit by rising to support the Architects Bill and the Professional Engineers Bill.

Mr Schwarten: Give me a stone. Build on stone; don't build on sand.

Ms BARRY: I thank the minister. I have learned two things today.

Mr Schwarten: That's the biblical reference.

Ms BARRY: I thank the minister. Now I feel terrible that both the member for Bulimba and the minister can quote Scripture and I cannot.

In an electorate such as Aspley where many people use the services of architects and professional engineers, as their state MP can I say that it has been a real eye-opener to come face to face with home builders for whom their dream home has become a nightmare. Any legislation that provides for greater public confidence in the building industry is one to be supported and commended.

In particular, I wish to comment on those aspects of the bills that eliminate the requirements in the current legislation for the registration of companies. As noted by the Minister for Public Works and Minister for Housing in his second reading speech, due to the similarities in the state based legislation across Australia the Queensland Architects Act 1985 and other state and territory legislation were the subject of a national competition policy review carried out by the Commonwealth Productivity Commission. The outcome of the national competition policy review was to support the continued regulation of the profession and to seek the elimination of anti-competitive elements that cannot be justified on public interest grounds.

The Productivity Commission's primary recommendation was to deregulate the practice of architecture around Australia. The commission's secondary recommendation included a recommendation that only individual persons and not companies be required to be registered if the registration of architects was to continue. The commission found that inconsistencies between jurisdictions regarding company ownership and registration requirements generate unnecessary additional costs. Therefore the Architects Bill adopts the Productivity Commission's recommendation that only individual architects be registered.

For consistency, a similar approach has been adopted in the Professional Engineers Bill. The end result of the national competition policy process is that the Architects Bill and the Professional Engineers Bill have both eliminated all corporate registration requirements. Under the new bills, only individual architects and professional engineers will be registered. However, the bill contains provisions requiring offices to be staffed with registered persons and other measures to enhance consumer protection in dealing with architects and engineers.

The bills ensure that architectural and engineering services are provided in a competent and professional way by promoting the philosophy that only individuals as opposed to organisations are registered. After all, it is the individuals who are required to establish their suitability for registration and who are to be responsible for the delivery of professional services and who ought to be, in the case of poor work, subject to disciplinary action if the standard of service falls below the defined standard. This will lead to ensuring that service is commensurate with national and international standards of practice. Whilst only individuals are to be registered, that does not preclude each board from maintaining a list of the organisations that offer architectural and engineering services or, indeed, making that list available to the public as a public interest activity.

The bill retains a strong and competitive registration scheme for architects and professional engineers whilst removing business registration and business ownership requirements that have not been justified as being in the public interest. The bill places emphasis on the responsibility of individual architects and engineers to provide services and removes the red tape associated with

company registration requirements. I note that the Queensland Chapter of the Royal Australian Institute of Architects and the Institute of Engineers Australia—Queensland Division have expressed support for the bill. I congratulate the minister and his staff on all their work and I commend the bill to the House.

Mr CUMMINS (Kawana—ALP) (3.26 p.m.): As we know, NCP—or national competition policy—was in retrospect an economic rationalist idea that went rabid. Now, national competition policy is about as popular as that other dysfunctional NCP, the National Country Party. But in accordance with the national competition policy's legislative review program, which requires amendment or repeal of all legislation that restricts competition, a review of the Professional Engineers Act 1988 was undertaken. The outcome of that review was support for the continued regulation of the profession with the elimination of anti-competitive elements that cannot be justified on public interest grounds. This review identified a preferred approach for the continued regulation of professional engineers as being a means of coregulation—that is, joint administration by the engineering profession and a statutory governing body.

The Professional Engineers Bill provides for the registration of engineers, but the bill does not set out to regulate the practice of engineering except to the extent necessary to ensure that professional engineering services are provided only by registered engineers. In order to become registered, an applicant engineer must demonstrate a fitness to practise and possess a sufficient level of proficiency in the areas of engineering, such as electrical, mechanical or civil for which he or she may be seeking registration.

I am very proud of my brother, Brady Cummins, who in fact is an aeronautical engineer. Probably close to 20 years ago—not long after I had finished learning my trade as an electrician—I, like other members, did not have a lot of confidence in some engineers. Some people used to think that engineering was purely out of a book and that they, without experience, could tell someone in a trade or similar field what they thought would be a way to do something when, in fact, people can gain a lot more from experience of how things work in practice as opposed to purely in theory.

As with the existing and all previous legislation, the bill provides that it be administered by a board of professional engineers of Queensland. The required levels of proficiency for registration will be established by regulation following the recommendations from the board. Accredited professional organisations will be responsible for assessing applications for registration against the established proficiency levels. Following a successful assessment and a demonstration of a fitness to practice, the board will register the applicant. In effect, the state will set standards for registration, professional associations will assess applications for registration against these set standards, and the board will register those applicants who have been assessed as meeting the standards and have otherwise demonstrated a fitness to practice.

The aim of this bill is to ensure that only competent persons provide professional engineering services. This I believe will afford a public level of health and safety protection while enhancing and promoting overseas business opportunities in every possible way. The Institute of Engineers Australia, Queensland Division, has expressed support for this bill. Again, in accordance with obligations under the national competition policy and in view of the fact that legislation governing architects exists across Australia, a review of the architects legislation was undertaken by the Commonwealth Productivity Commission. In broad terms, the Productivity Commission made a primary recommendation for all architects legislation to be repealed and an alternative recommendation for the adoption of certain principles in legislative enactments in individual jurisdictions which require building practitioners to be registered.

The Architects Bill 2002 provides for the registration of architects. This bill does not set out to regulate the practice of architecture, except in so far as it is necessary to do so for the purpose of providing registration. In order to become registered, an applicant architect must demonstrate a fitness to practice and possess a sufficient level of proficiency in the practice of architecture. As with the existing and all previous legislation, the bill provides that it be administered by a board of architects of Queensland. The required levels of proficiency for registration will be established by regulation following the recommendations from the board. Accredited professional organisations will be responsible for assessing applications for registration against the established proficiency levels. Following a successful assessment and demonstration of a fitness to practice, the board will register applicants. In effect, the state will again set standards for registration.

Accredited professional associations will assess applications for registration against the set proficiency standards and the board will register those applicants who have been assessed as meeting the standards and have otherwise demonstrated a fitness to practice. I did raise with the

minister, the relevant departmental officers and the caucus advisory some concerns I had with the use of landscape architects and similar professions. Unfortunately, sometimes the Queensland public may need to be protected, for example, if they were to look up the phone book for a landscape architect. What is the difference between a landscape architect and a landscape gardener? They may not need any professional qualifications. It is disappointing, but as pointed out the title and the use of the word 'architect' is restricted to persons registered under the bill. The restriction on title, apart from being a normal part of professional regulation, allows the consumer of professional architectural services to know that a person using that title has a level of professional skill. Similarly on grounds of public interest and consumer protection, a person who is not an architect must not use the word 'architectural services', 'architectural design services' or 'architectural design' to describe any service provided by that person.

The aim of the bill is to ensure that architectural services provided by an architect are provided in a professional and a competent way commensurate with national and international standards of practice. This affords the public a level of health and safety protection while enhancing or promoting overseas business opportunities in every way possible. Again, the Queensland chapter of the Royal Institute of Architects has expressed support for the bill. In closing, I mention the immensely talented architects and professional engineers who have worked to ensure that the Sunshine Coast and indeed Queensland is a tastefully designed and properly constructed safe environment in which to live. I thank the minister and the various staff who addressed various issues of concern that I raised and I commend the bill to the House.

Mrs REILLY (Mudgeeraba—ALP) (3.35 p.m.): I am happy to rise in support of this legislation. In particular, I wish to confine my comments to the aspects of the bills that provide for membership of the proposed new board of architects and the board of professional engineers.

I note that each bill alters the composition of the relevant board. Currently, there are six members on each board, with three members nominated by the minister and appointed by the Governor in Council, one of whom is to be representative of a school of architecture or engineering. There is currently one member from the relevant professional association and two members elected by registered architects or professional engineers. I am pleased to note that under the bills the representation on each board has been broadened to include wider representation within relevant sectors of the community and persons with relevant expertise.

Representation on the boards will now include seven persons, with one academic representative, one professional association representative, one elected member, one lawyer with at least 10 years' experience in building and construction law, one person with at least 10 years' experience as a construction contractor, one person who is not a registered person and one professional person who lives and undertakes professional services predominantly in regional Queensland. This is a very important point because it includes and recognises the importance of regional Queensland and those areas.

I understand that the composition of the boards has been widened to include a broader community representation. I am most pleased that a professional member from a regional area of Queensland will serve on each board. It is particularly pleasing given that a significant number of architects and engineers practice outside the metropolitan area and indeed outside the south-east corner of the state. However, in the south-east corner of the state we are seeing rapid growth and continued development, so it is very important that there is a representative to put forward that region's views on that board.

This alteration to the structure of the board and the bills in general will serve to better protect the standards of architecture and engineering in Queensland. The bills provide a necessary update to legislation first introduced over 80 years ago. The bills reflect the Beattie government's commitment to protecting professional standards in these industries. They are supported by the peak industry bodies and therefore I am happy to commend the bills to the House.

Mr SHINE (Toowoomba North—ALP) (3.37 p.m.): The objects of the bill before the House are to protect the public by ensuring architectural services of an architect are provided in a professional and competent way; to maintain public confidence in the standard of services provided by architects; and to uphold the standards of practice of architects. The bill's objective is also to reform existing legislation to be consistent with national competition policy. In a way, what is before the House today represents a classic tension, if you like, between professional bodies and legislative moves to broaden the controlling bodies of professions to include wider community representation and to make professional bodies more accountable and competitive in the 21st century. Often change is resisted, and the architect and engineers professions are no exception

to that rule. Other professions such as the legal profession and others also have some difficulty in coming to terms with these moves.

In about May this year I was contacted by Ehrlich Layton Architects in Toowoomba. They were recent recipients of export awards via the Department of State Development. They carry out a lot of work in China and India and all in all are regarded very highly as being professional, competent and innovative architects. At that stage of the year, they were concerned about the trends of the review process that had been conducted by the Productivity Commission, which at that stage, they said, was recommending that the profession be totally deregulated, which would allow anyone to be able to provide architectural services. That was their fear. They stated that, following the release of the report of the commission, an intergovernmental working group was set up to examine the recommendations of that commission and the result of the review was that all recommendations of the Productivity Commission regarding deregulation were to be rejected. That was basically the background and the basis of the concerns that they had. As I said, they wrote to me and I provided to the minister a copy of the letter they sent me. I will return to that later.

The concerns they raised related, firstly, to architectural companies, as touched on by the honourable member for Darling Downs, the composition of the Board of Architects, the provisions in relation to discipline review processes and the assessment of competency for registration. I wish to touch on a couple of those issues and then ask the minister to respond to some queries with respect to the remaining two.

The first concern related to the registered architectural companies. The present system, that is, the system in operation prior to the anticipated passage of this bill, of registering architectural companies is that a single registered architect can form a company or a company can be formed where two-thirds of the directors are registered architects. The present review, which I have referred to, took place earlier this year and recommended the abolition of architectural companies because they do not take into account that other entities in the community can offer architectural services.

The architects who wrote to me argue that an architectural company with the majority of office-bearers as registered architects operating within a code of ethics delivering architectural services must be the best structure to deliver such services. However, they acknowledge that there is a push for the abolition of registered architectural companies to open up the delivery of architectural services to any group that has a registered architect in its employ. The architect does not have to be an office-bearer of the company.

The case was examined where, for example, a group of housewives or lawyers could form a company, hire an architect and offer architectural services. They suggested that that proposition would raise a great deal of concern, particularly as it might have regard to ethical standards. They were also concerned that this view was clearly a reference to building designers and engineering groups, which presently offer design and documentation services similar to architects. They argue that this logic is flawed in that building designers are not educated in the design/management of projects or contracts to the level of an architect. They have been given the title 'designer' by decree of the Building Services Authority to enable the description of the group for licence purposes. They argue that the test of capability is that an architect can perform all tasks within the architectural profession; a building designer can only perform limited tasks within the office of an architect and most of those would be under the supervision of a qualified architect controlling a project. Building designers and engineers do not offer architecture services, they offer limited design and documentation services relevant to small building design and engineering services.

To me, some of those concerns seem fairly legitimate. I am pleased to be able to read that the new legislation, although it does not apparently satisfy some within the profession in that the current act approves architectural companies, provides for no registration of companies at all and only for registration of individuals. That would certainly get over a situation where non-architects control a company, employ only one architect and provide architectural services. However, I concede that architects may not in their entirety be happy with this new situation in that they are prohibited from incorporating their practices. Most professions are able to do that, the law being a notable exception. The major advantage is that it enables those professionals to share their income with non-professionals, for example, their spouse. That has a great advantage in terms of the tax that they pay. They argue that they would like to continue to be in the same position as plumbers, builders and a lot of other people who provide services.

It may be that, after a period, a further review of that situation can take place, although it seems to me that in restricting the field to individuals only the minister has complied with their stated greatest fear, and that is that non-professionals or unethical persons may be providing architectural services.

Secondly, they were concerned about the Board of Architects. The current board is comprised of seven architects, as I understand it, and this bill will change that composition such that the new board will have seven members—four architects, three non-architects, with one of the architect members being from a regional area of Queensland. The architects who wrote to me were concerned that in certain instances the quorum provisions may provide for a situation where decisions are made by a group of people none of whom were architects. It seems to me that what is now proposed in the new bill gets over that concern.

The third concern related to disciplinary and review processes. I note that under the present act disciplinary proceedings are taken before an architects disciplinary panel, whereas under the new bill disciplinary proceedings are to be taken before the Queensland Building Tribunal. I know some architects have concerns about that; that it is being dealt with by a body from outside their profession; and that the Queensland Building Tribunal may not have, they might argue, sufficient expertise to deal with the problems peculiar to architects. I would certainly ask the minister to expand on that, because that has been a criticism raised by architects with respect to this matter.

Finally, I turn to the issue of competency. Under the current act, the board registers an architect who attains a prescribed professional qualification and who is otherwise of good character and reputation. The board assesses applications, and there are no requirements for any assessment of continuing competency. Under clause 10 of the bill, through the promulgation of regulations the board will set benchmark standards for registration and for continuing competence. The board will register architects who have been assessed as having achieved required standards and who are otherwise fit to practice. There is also protection for the public and for the profession in terms of prohibited practices within the act dealing with the description of activities of individuals.

As I said, I wrote to the minister. He wrote back to the effect that a number of comments were received by members of the architecture profession generally. He said that all comments were taken into account and that changes were made to the original draft of the bill. He further said—

> It is pleasing to me that the President of the Queensland Chapter of RAIA, on behalf of all RAIA members, has since expressed strong support for the bill in its current form which, as you would be aware, was introduced to parliament on 1 August 2002.

It is important that, in order to have a good working relationship between professions and government in the interests of the public, as far as possible there should be some unanimity in the approach to these problems.

Finally, I recently received an email from a person indicating that in Victoria the Architects Association was recently involved in an assessment of slips and falls—that is accidents suffered particularly by elderly people in their homes. The architectural profession in Victoria provided free inspections of people's homes to see what may have been wrong with their accommodation. This was undertaken in an effort to determine whether such accommodation was safe. Hopefully, the figures that have been supplied to me are correct. It appears to me that there would be a need for this sort of service in Queensland. The report states that almost 20 per cent of all homes inspected revealed trips and slips hazards. It is estimated that the cost of injuries caused by falls in Queensland has reached $750 million per year. That is twice as much as the figure involved in road injuries. As a result of our aging population, it is expected that this cost will increase to almost $1 billion by the year 2021 and to 1.5 billion by the year 2051. In Queensland, 292 deaths of persons aged 65 years and over were directly attributed to falls in the year 2000. In the financial year 2000-01, approximately 15,800 hospital admissions of persons aged 65 years and over in Queensland were directly attributable to falls.

The figures arrived at in the investigation in Victoria have now been translated to Queensland. It highlights the need for such an inquiry in Queensland. It is argued that such an inquiry could be set up by the Queensland government. However, there is a limited amount of funds available. I call upon the architects of Queensland to consider some pro bono work, such as the legal profession carries out, in order to undertake such a survey in Queensland. It may well be beneficial not only to the profession itself in the long run but also to the public—and particularly the elderly public—in Queensland.

The minister, when he is wearing his other hat, is Minister for Housing. He is instrumental in the provision of assistance to elderly people through the Home Assist Secure scheme, which is a marvellous and very popular scheme for the benefit of Queensland seniors. I commend the bill to the House. I believe it is a positive step in terms of the proper regulation of the architectural profession, bearing in mind the circumstances that now apply in the 21st century following upon national competition policy. It takes into account not only the profession but the interests of consumers.

Hon. K. W. HAYWARD (Kallangur—ALP) (3.54 p.m.): I rise in support of the Architects Bill and the Professional Engineers Bill and I would like to talk about the way the bills enhance the standard of service for those professions through the adoption of continuing competency requirements. In a statement that he has released, the minister has said that legislation passed by the parliament will better protect standards in architecture and engineering in Queensland. I believe all honourable members would welcome that because it is so important. The aim of these two bills is to protect professional standards by rejecting deregulation of the engineering and architectural professions.

To become registered, both architects and professional engineers will need to demonstrate both a fitness to practise and the necessary qualifications for registration. The policy objectives of the bill are fairly clear, and they are as follows—

(a) to protect the public by ensuring professional engineering services are provided by a registered professional engineer in a professional and competent way.

I think that is a general expectation that the community has. The second and third policy objectives read—

(b) to maintain public confidence in the standard of services provided by registered professional engineers; and

(c) to uphold the standards of practice of registered professional engineers.

I believe those policy objectives are self-explanatory. This is something that all people would expect from those who would pass themselves off as professional engineers or architects in our community.

The required qualifications for registration will be established by regulation following recommendations from the relevant board about the standard of competency required of practitioners. Accredited professional organisations will be responsible for assessing applications for registration against the established proficiency levels.

This system will allow for the adoption of national standards of registration. It is anticipated that the Architects Accreditation Council of Australia and the Institution of Professional Engineers, Australia will become accredited as assessment entities. Once registered, architects and professional engineers will be required on an annual basis to meet continuing competency requirements. This means that they will need to demonstrate that they have sufficient proficiency in the practice of architecture or engineering in order to re-register to practise those professions within our community.

The bills provide that continuing competency requirements will include such matters as the nature and extent of continuing professional development undertaken by the registered person. They will clearly have to demonstrate that in writing or in some other way. The assessors need to be convinced that continuing professional development has occurred. The question of the extent of professional practice is also important. The architect or engineer must demonstrate work undertaken in the recent past. This will indicate whether or not they are up to standard. Another competency requirement is research study or teaching relating to architecture or engineering undertaken by the person. I believe those are competency requirements which the general community would expect a professional engineer or architect would be able to meet.

I understand that the specific details of the continuing competency requirements will be established by regulation following consultation within the relevant professional bodies and the community generally. This is important. It demonstrates the commitment of the Minister in ensuring that when matters occur involving these professions, it is not just a matter of talking to the professional bodies; it is also about ensuring that the community generally understands the rigour and application of the competency requirements that are needed for each profession. However, it is likely that a self-assessment might be accepted on a yearly basis and a more rigorous independent assessment will be taken on a three or five-yearly basis.

I support that because it is realistic and ensures that the industry itself and the people who make up the industry—the people practising as professional engineers or architects—are able to be appropriately qualified. The self-assessment procedure would reduce many of the obvious

costs and take less time than a more rigorous independent assessment on a yearly basis. After all, people in these professions are operating in an environment where they have to make a living. In terms of this registration procedure, that needs to be understood. As I said, I congratulate the minister on not only providing that flexibility but also ensuring that a more rigorous independent assessment will be undertaken on a three- or five-yearly basis.

It is anticipated that appropriate consideration will be given to enable re-registration of professionals who leave the work force for things such as maternal or paternal care or those who travel outside of Australia. In the accountancy profession, which is where I came from, it is very common for people to qualify as an accountant and then travel overseas and practice in the UK or, in the member for Moggill's case, in the United States. The reality is that people who leave the local work force should have the opportunity to ensure that they are able to re-register when they return to Queensland. It is not anticipated that the continuing competency requirements will require every person achieving re-registration to have continuously worked full time in the architectural or engineering profession during the previous 12 months. Again, that is important because it provides flexibility. Flexibility is important to ensure that those who want to practice as professional engineers or architects have the opportunity to leave the profession for short periods of time and then return to it. It is a sensible approach in certain circumstances such as maternal or parental care and also if a person is engaged in some other occupation or undertaking for a short period or takes an extended holiday either overseas or within Australia.

What is important is that every person being re-registered as an architect or professional engineer has demonstrated not merely that they once had the competency to be registered but that they have maintained that competency through such things as professional practice, further study and attendance at professional development courses through which they have updated their knowledge of current professional practices. Such things are able to be recorded and can clearly be demonstrated as part of the assessment procedure.

The assessment of continuing competency will likely be carried out by the Architects Accreditation Council of Australia and the Institute of Professional Engineers Australia or other bodies which become accredited assessors under the act. So the possibility is there for other bodies to do that, but clearly it is anticipated that those two bodies that I just mentioned will carry out the accreditation procedure. This will underline the cooperation which the bills foster between the board representing the community interest and the professional bodies seeking to uphold professional standards within the architectural and engineering professions. I certainly welcome these bills. They are important. The introduction of continuing competency requirements should enhance and facilitate the maintenance of high standards of service within both the architectural and engineering professions.

Mrs SMITH (Burleigh—ALP) (4.04 p.m.): I rise in support of the Architects Bill and the Professional Engineers Bill. In particular, I want to comment on the aspects of the bills that deal with issues under the national competition policy. As noted by the Minister for Public Works and Minister for Housing in his second reading speech, the existing Architects Act 1985 was the subject of a national competition policy review carried out by the Commonwealth Productivity Commission. A national review of state and territory legislation regulating architects was carried out rather than a state based review due to the similarity of legislation across Australia.

The Productivity Commission's report was reviewed by a working group of the states and territories and a draft response was prepared on behalf of all jurisdictions. The working group rejected the Productivity Commission's primary recommendation to deregulate the practice of architecture but recommended adoption of the commission's alternative approach which was primarily applicable to jurisdictions like Queensland which require all building practitioners to be registered. The alternative approach included such matters as winding back restrictions on ownership of practices, winding back restrictions on titles relating to architecture and promoting transparency and accountability of architects boards and disciplinary processes.

The working group provided practical advice on implementation issues, having regard to consistency of approach across all jurisdictions, and made recommendations allowing for standards to be set for the provision of architectural services to give protection to consumers while allowing for business opportunities to be pursued both in Australia and overseas. The working group recommended support for the continued regulation of the profession whilst removing anticompetitive measures not found to be in the public interest. The bill implements the working group's recommendations in the Queensland context.

The review of the Professional Engineers Act 1988 was conducted under the national competition policy legislation review program approved by Queensland Treasury. This program

requires the conduct of a public benefit test in relation to legislation that restricts competition and assessment of the net public benefit/detriment of the legislation and alternatives to that legislation. Presently, all professional engineers in Queensland are required to be registered. Assessment for registration is conducted by the Board of Professional Engineers of Queensland in accordance with requirements set out in the legislation. The NCP review concluded that there would be a net public benefit by the adoption of a co-regulatory regime under which engineers seeking registration in Queensland would be assessed by a professional association accredited by the Board of Professional Engineers of Queensland or a similar body.

The process envisaged in that report of the steering committee for the review was that professional associations would assess engineers under government approved criteria. This approach is adopted in the Professional Engineers Bill, as it is in the Architects Bill, whereby the qualifications and competency of applicants for registration will be assessed by an accredited assessment entity before being considered by the board. It is anticipated that utilising professional organisations to assess competency both for initial registration and on yearly re-registration will enhance the registration process and raise the level of assurance for engaging a registered professional engineer.

The bill adopts the review report's recommendation of retaining disciplinary processes within the government rather than leaving this to the private sector. This is a key point of departure from the industry based registration system favoured in other states and territories and enables disciplinary processes to be conducted by the Queensland Building Tribunal, an independent and accountable body. This process will provide greater assurance of the continuing competency of registered engineers. An example of the removal of anticompetitive measures resulting from the NCP process is that the Architects Bill and the Professional Engineers Bill have both eliminated all corporate registration requirements. Under the Architects Act 1985, the Board of Architects approves architectural companies. Similar provisions apply under the current Professional Engineers Act 1988. Under the new bills, only individual architects and professional engineers will be registered.

The bill contains provisions requiring offices to be staffed with registered persons and other measures to enhance consumer protection in dealing with architects and engineers. The architects NCP report highlighted the need for accessible and independent disciplinary processes and expansion of disciplinary action to include incompetent performance. Under both the architects and professional engineers bills, the already independent process under the Queensland legislation is enhanced by transfer of disciplinary processes to the Queensland Building Tribunal. The grounds for disciplinary action have been expanded to include unsatisfactory professional conduct, which includes conduct that demonstrates incompetence and which is broader than the current misconduct in a professional respect.

The specific assessment criteria for registration of architects and engineers and related matters, such as requirements for the adoption of a code of practice and continuing professional development, will be established by regulation. It is understood that any NCP implications arising from the regulations will be dealt with at this time. The result of the NCP reviews is that the bills retain a strong and competitive registration scheme for architects and professional engineers whilst removing business registration and other requirements which have not been justified as being in the public interest. I commend the bill to the House.

Mrs MILLER (Bundamba—ALP) (4.10 p.m.): It is with great pleasure that I rise in support of the Architects Bill 2002. This bill results from the outcome of a national competition policy review, where there was clear support for continued regulation of the profession. The bill provides for architects to be registered. A person who wishes to be registered must apply to be registered as an architect and must clearly demonstrate that they are fit to practise and that they have a sufficient level of proficiency in architectural practice. Architects will be administered by the Board of Architects Queensland. This has been the case since 1928. Regulations concerning the required levels of proficiency for registration will be developed as a result of recommendations from the board.

It is important that honourable members note that the title and use of the word 'architect' is restricted to persons registered under this bill. A person who is not an architect must not use the words 'architectural design', 'architectural services' and the like. This provides some consumer protection to members of the community.

The Royal Australian Institute of Architects supports the bill. Architects, in my view, have a unique role in our society. They bridge the gap between the world of art and the building industry. In my view, architecture is the ultimate artform. In the building sense, an architect-designed home

can make a real difference to how families function. In the early 1980s I had the pleasure of working with Noel Robinson and John Hocking, highly respected architects, on the Curragh mine development. The mine manager, Tom Kuzman, Barry Golding and I wanted to build a mining community that was second to none in Australia, and we did it.

The houses that were designed by the Robinson Hocking team were brilliant. They involved the coalminers and their wives and the families of the Blackwater community. They were not boring white or cream coloured but were painted colours such as browns, greens and yellows—the colours of the Blackwater community and local areas. We built two-storey houses, we built houses with connecting tunnels for our dog watch workers, and we built houses which had useable verandas and outdoor areas. This had never been done before in Blackwater. We all worked together for years on this project. The houses are timeless as their original design was so good.

In my own electorate I have the huge Springfield, Springfield Lakes and Brookwater developments. Houses are springing up everywhere. My only desire as local member is for more people to use the services of architects as it is my view that, with proper design, eventually the home owner will save money. A house in Ipswich that faces west will cost a fortune in cooling costs in the summer. Orientation is just so important, the clever use of lightweight materials is important and the placement of windows and doors is important. The motto of 'north, north, north' has forever been etched in my brain by the Robinson Hocking team, and to this day I thank them for opening my eyes to the architectural world.

I just wish that more people in my electorate would seek the services of architects instead of choosing a housing design out of a newspaper advertisement. It may be an easy option, but in the end it may be a costly mistake when the costs of heating and cooling in the Ipswich area are taken into account. Housing estates that have not had architects involved also have a bland feel to them and can be dated easily. We can all point to the seventies estates, the nineties estates, the Mediterranean estates and the Queenslander estates. Good architecture is timeless, and that is what I want to see in my new suburbs. I commend the bill to the House.

Mr FENLON (Greenslopes—ALP) (4.14 p.m.): I rise with pleasure to speak in relation to the Professional Engineers Bill 2002 and the Architects Bill 2002 and to express my support of them. I have had some involvement in the drafting process of these bills via a particular constituent who has had a very passionate interest in the bills as one of those architects who primarily practises from home due to family circumstances. She occupies a place as one of those categories of architects working in various combinations out there in the field. I indicate how grateful that particular constituent and her colleagues are for the process that has been put in place by the minister in relation to the Architects Bill, because many of the concerns they raised in the course of those discussions have been accommodated. Issues that might have been problematic in their view have been addressed. I understand that the professionals involved in this process are generally very happy with the process they participated in.

I will touch on a couple of matters I was privy to in discussions and which I hope have been satisfied through this process. One is the desire for a national registry. I note that the genesis of this particular piece of legislation was national competition policy and relevant legislation. This piece of legislation is born out of a desire to create some uniformity in regulation across the country.

One of the elements the architects desired is a form of national registry. I am informed that a national registry of sorts will be established by way of an administrative process rather than a direct legislative process. Indeed, it will be important to have access to something like this for architects who work in south-east Queensland, and particularly those who work close to the New South Wales border. They may have clients on both sides of the border and be subject to regulation on both sides of the border.

It is important also to have this uniformity which might coincide with the nationwide standard for building codes. It is important that consumers have equivalent access to those who will be implementing those standards at the primary site of design for our structures throughout Queensland and Australia. I trust that those provisions will work effectively and that the concerns of the architects will be accommodated in that respect.

Another specific area of concern relates to the use of the word 'architect' in business names. The use of derivatives of 'architecture' within the name of a business is essentially to cease as a specific area of registration. I understand that is to allow for more multidisciplinary teams to be established within a professional company structure. There was previously a requirement for at

least two out of three directors of a company established as an architectural company, with 'architecture' in the name, to be registered architects. There is a move away from that degree of structured registration for businesses. This is an arrangement which will allow for companies to continue to use the word 'architect' in their name but with an emphasis upon ensuring that anyone who discharges those services is indeed a registered architect.

So there are some issues that arise from these bills. One of the main issues would be whether those businesses that have been established primarily as architectural companies, and who have built up goodwill as such, would have to change their status under the new regulation. It is not clear to me whether that might be the case, but it has been suggested that there may indeed be some implications there. I trust that this legislation will provide the latitude for multidisciplinary teams to work effectively and for those architectural services to be properly discharged in a very professional manner.

Finally, the other area of concern that has been raised with me is the issue that I believe is dealt with in the legislation, and that is derivative names in terms of architectural services rather than using the word specifically 'architect'—architectural design, et cetera—to which the minister referred in his second reading speech. This is important to ensure that there are no holes in the fabric of this legislation to ensure that people cannot masquerade in any way as providing these services. I trust that the desires of members of the profession have been fulfilled in that regard, because they certainly were concerned about it. The minister's comments in his second reading speech certainly indicate that he believes that those concerns have been addressed.

This is a very important piece of legislation. It literally lays the foundations of our society in the physical sense. So much of our trust in the buildings that we occupy and the health of our built environment rests on proper regulation. It is good to see that we are moving towards a more sound national standard—not that this area was falling apart in any way professionally. I am very pleased to say that the standard of architectural teaching, education and training throughout this country has been of an incredibly high standard and that it is renowned internationally as such. We are not really patching up what might have been the operations of a bunch of cowboys who were not working in a professional manner. It is very much to the contrary. But in introducing these bills, we have to ensure that we are very satisfied that in future those very high standards, that great professional record of our architects in particular and engineers in this country, are maintained. As such, I commend the bill to the House.

Mr REEVES (Mansfield—ALP) (4.23 p.m.): I rise to speak in support of the Architects Bill and the Professional Engineers Bill. In particular, I wish to comment on the aspects of the bills that provide for the registration requirements for the individual architects and professional engineers. In each bill, the time frames for the registration of architects and professional engineers are synchronised so that the registration occurs on a financial year basis. This enables yearly registration requirements to be dealt with in an orderly and efficient fashion with renewal notices being collated, issued and mailed at the same time. Registered persons anticipate renewal notices being issued at about the same time each year. Renewal registration at a set time each year is consistent with the registration practices of a range of other professionals under Queensland legislation.

The provisions of these bills have been drafted so as to provide flexibility to the board in the registration process while giving applicants for registration the assurance that the application will be dealt with in a timely manner in accordance with procedural fairness. However, if the legislation was to prescribe the exact time frames within which each registration activity was to take place, the board, in processing applications for registration, would be under considerable pressure to comply with those time frames. Also, if people could re-register at any time throughout the year, that would require the board to have additional resources available in order to meet the continued re-registration requirements.

It is pleasing to note that the philosophy of the bills is to place responsibility for administering the registration requirements with the relevant board, which is to act reasonably at all times. It is reasonable to anticipate that each board will comprise of responsible persons who have standing in their profession or calling and who have demonstrated their ability to ensure that the board carries out its functions in a responsible manner. I note that under clause 79 of each bill the board is to act independently, impartially and in the public interest in carrying out its functions.

The legislation empowers each board to act responsibly whilst avoiding the temptation of prescribing the board in how to carry out its functions in every particular case. This approach should serve the interests of applicants as well as the board in the registration process. Therefore,

the provisions of these bills with respect to the registration requirements and times frames are supported. I commend the bills to the House.

Mr NEIL ROBERTS (Nudgee—ALP) (4.26 p.m.): Architects and professional engineers have been regulated in Queensland from 1928 and 1929 respectively. One of the principal aims of the legislation has been to ensure that the public is protected by ensuring that only qualified and professional personnel can be registered to provide architectural and professional engineering services. Both pieces of legislation have been reviewed recently under national competition policy. In recent years, there has been a significant level of criticism of national competition policy, or particular elements of it. But in my view the process by which these two acts have been reviewed really demonstrates one of the positive elements of national competition policy, and that is that governments are required to scrutinise all legislation to test its relevance and also to remove any unnecessary provisions in which the cost to the community outweighs the benefits. With respect to regulation—whether that be for architects or professional engineers—there can be a tendency for the legislative requirements to be onerous and, in some respects, to become an albatross around our necks. So the reviews undertaken under national competition policy, particularly in reviewing the regulations for professions, are necessary and can provide more efficiencies in the regulation of those professions.

In the case of the Architects Bill, the review came up with a recommendation to remove all of the legislative coverage of the profession. To show that governments are not bound entirely by the recommendations that come out of national competition policy reviews, in this instance a working party changed the recommendation. In fact, the government has not accepted the recommendation to remove totally legislative coverage of architects. Legislative coverage will be retained for both architects and professional engineers through the provisions in these bills. Both bills provide for almost identical structures to regulate these professions.

As with the previous legislation, the intent of the bills is to give protection to consumers by ensuring that practitioners meet minimum standards. The bills provide for the registration of architects and professional engineers and applicants must demonstrate their fitness to practise against standards that will be set by regulation under the various acts. The provisions of the legislation will be administered by a board of architects and a board of professional engineers. The legislation also contains provisions that ensure that the use of the professional titles associated with each profession is restricted to appropriately registered people.

The bills also provide for powers of investigation, the conduct of disciplinary procedures and penalties for those who breach the provisions of the act. Thankfully, both professions have had a good record in terms of the complaints of people who act unprofessionally and the standards of people acting within those professions. In the 2000-01 financial year, only eight complaints were received against architects, with four of those being dismissed. There were an additional 14 complaints received against persons who were not registered as architects. To put that into perspective, as at 30 June 2001, 2,199 people were registered as architects in Queensland.

With respect to professional engineers, again in the year 2000-01 only 28 complaints were lodged against engineers as opposed to 54 in 1999-2000. Again, putting that into perspective, as at 30 June 2001, there were 4,419 registered professional engineers in Queensland. Recent statistics show that there has been an average of around 230 new registrations each year. Additionally, the professional engineering board investigated 162 cases of businesses offering to provide professional engineering services without registration. Upon investigation, it was found that the majority of those were not in fact offering professional engineering services.

Over the past year or so, the architects board has in fact been working with the *Yellow Pages* business directory to address this problem. It has been quite successful, according to their annual report. This is an initiative that the professional engineers might also consider undertaking, because it would seem that many of the breaches or what might be possible breaches of the act are in fact the terminology that companies are using in the advertising rather than the actual services they provide. Both bills put in place mechanisms which protect the public and will ensure the professionalism of architects and engineers. With those few words, I commend the bill to the House.

Mrs ATTWOOD (Mount Ommaney—ALP) (4.32 p.m.): The Architects Bill 2002 is a result of a review undertaken by the Commonwealth Productivity Commission in accordance with obligations under national competition policy. Broadly speaking, the commission made a primary recommendation for all architects legislation to be repealed and for an alternative recommendation to be adopted for certain principles in legislative enactments in individual jurisdictions which require building practitioners to be registered. A national working group with

representatives from every state and territory responded to the commission's recommendations and basically rejected the primary recommendation as not being in the best public interest. However, the group recommended that the alternative approach be adopted. The support of the national commission policy review of the continued regulation of the architectural profession, while eliminating some of the unfair competition aspects of operation, forms the background of this legislation. The Queensland chapter of the Royal Australian Institute of Architects has expressed support of this legislation which aims to increase public protection in their dealings with their profession. It ensures that architectural services provided by an architect are provided in a professional and competent way in line with national and international standards of practice. The bill does not attempt to regulate the practice of architecture; however, it does provide for the registration of architects which requires the applicant to demonstrate a fitness to practise and possess a sufficient level of proficiency in the practice of architecture. Consumer protection, while enhancing overseas business opportunities, are highlights of this legislation. I commend the bill to the House.

Mr STRONG (Burnett—ALP) (4.34 p.m.): I take this opportunity to speak for a few minutes on this bill more from a consumer's and a tradesman's point of view. One thing in this bill that I do agree with is having engineers and architects assessed by their peers and having registration that seems to conform with the rest of the building industry in the matter that subcontractors more or less have a gold card, are registered in some ways and have an opportunity to carry their history with them. Builders encounter the same situation where they have a builder's licence and have the facility to carry their history with them. At least with the architects and engineers now, whoever is on the registration is accountable. They will carry their history with them, too. Whether that is a good or bad thing, from my perspective that is a good thing.

This legislation will give consumers a better understanding of who they are dealing with and what should be their expectations. It will give a level of conformity from the initial idea to the fix-out in terms of who they are dealing with and whoever is looking after their business is registered and is named on the forms. I take this opportunity to refer to a few of the major projects in the Burnett region that have created some challenges for architects and engineers. For instance, the Bundaberg port marina has involved vast development. The engineers and architects had to deal with some acid sulphate problems that were quite difficult to manage, but the facility has come up extremely well. Another project is the Bargara streetscape where the architects have dealt with the problem of creating board walks and barbecues on a rocky shoreline at a small beach with sometimes rather extreme weather conditions.

Further, the architects of the new Childers Palace Hotel, the site of the backpackers tragedy, were engaged to maintain the heritage of the building and create something of substance to forever hold a place for the memories of the people who perished there. The engineers had problems with creating an open space area at the top of the building and creating a large office facility downstairs. This involved the placement of a 12 metre by four metre plate of glass—which is about the third largest plate of glass in Queensland, I am led to believe—in the top floor. They had quite a few engineering problems to get around. There was the actual slinging and positioning of the glass. The roof had to be constructed and sheeted so that it will facilitate the positioning of the glass at a later stage. They have done marvellously well. As well, they have taken into account disabled access at the back of the hotel. Of course, they have taken into account stringent fire controls on the building. The hotel has come up extremely well and there is an opening this Saturday involving the Premier. I commend the bill to the House.

Mr CHOI (Capalaba—ALP) (4.37 p.m.): It gives me great pleasure to rise this afternoon to speak on the Architects Bill and the Professional Engineers Bill not only as a member of this House but also as a professional engineer. Architects and engineers are major contributors to the wellbeing of society. In our urban infrastructure, no matter whether it be physical, economic or social, we need to go beyond the 'she'll be right, mate' mentality to pursue quality and value. Close enough is never good enough. The essential ingredients in a strong community focus that stands out in all reasoned developments is design. No longer are we satisfied with schematic solution. We seek and strive for quality which is inherent in good design. Design has a value and design pays dividends. Architects play a valuable role in this regard. Architects are trained to design not only functional buildings but buildings pleasing to our eyes. A cosmetic surgeon changes the face of an individual, whereas architects and engineers mould the look of a city. On the other hand, engineers ensure building concepts envisaged by architects can be fulfilled with minimal cost.

Of course, there are further disciplines in the engineering profession that affect our everyday lives other than construction engineering. Let us look at the wonderful institution we are in today. The lighting, the airconditioning, the drinking water, the PA system, the waste treatment and so on are part and parcel of this great building. Without architects and engineers, not only would this building not be here; we would also be meeting in darkness, in a hot sweat and speaking at the top of our voice because there was no PA system. We would be drinking unsafe water and would be kept busy looking for trees when nature called. I take this opportunity to thank the architects and engineers and Q-Build's technicians and workmen for making this House function like clockwork.

The bill has three objectives: to protect the public by ensuring that architectural and professional engineering services are provided in a professional and competent way, to maintain public confidence in the standard of services provided by professional architects and engineers, and to uphold the standards of practising architects and engineers. It is important to regulate these two professions, if not for aesthetic reasons then for health and safety reasons. If a surgeon operates on a patient and makes a mistake on the operating table, he will probably kill his patient. If he is allowed to continue to practice, he might kill 5, 10 or 20 patients before it is discovered that he is an incompetent surgeon. But if an engineer or an architect makes a mistake, that mistake could cost the lives of 5, 10 or even 100 people.

For a quick assessment of how valuable architects and engineers are we need only to ask ourselves how safe we would feel in an aircraft serviced by a non-qualified engineer. Ask ourselves how we would feel if the bolt holding on the turbines was manufactured in a Third World country by non-skilled engineers. Ask ourselves how we would feel if we were the occupants of a building designed not by engineers but by unqualified people. Ask an elderly person how he feels if he falls on the slippery floor in a building not designed by qualified architects.

Major changes made by this bill include changes to the composition of the membership of the board. This is a very sensible change. Sometimes we are very close to our profession, whether we are accountants, architects or doctors, and our opinion can be distorted by our pride in our profession. That is why surgeons are never allowed to operate on their next of kin and relatives—other than their mother-in-law. Sometimes we are too close to our own profession to have an objective view of the outcome. People outside the profession can at times add light from a very different perspective. But it has to be someone who also understands the industry.

I am trained as an engineer and I have worked with architects for the past 14 or 15 years. Even though we come from a similar profession, we have a different perspective. Phillip Johnson once said that architecture is the art of how to waste space. Architects know how to design beautiful buildings, but sometimes they are very expensive. As an engineer, I am very good at designing square boxes. They are very efficient and economical, but nobody wants to work or live in my designs. At times, we have to get a professional perspective from people in other professions. I applaud the minister for changing this part of the bill so that the board is comprised of people from different professions.

The second change is the requirement for benchmarking for continued competency by external agencies. This is to ensure continued professional development and education. Continued education and development is extremely important to the profession. In today's rapidly changing technological world it is no longer possible to rely on basic studies and on-the-job training to provide professional advice and services. Architects and engineers need regularly to update their knowledge and develop and refine their skills. That means undertaking ongoing and continuing professional development. Continuing professional development enables architects and engineers to maintain or increase this level of technical competence, to extend their range of engineering and architectural skills, to develop new areas of expertise and to promote confidence and pride in their work. It also allows the establishment of links between fellow professionals and increases their career opportunities. As far as the community is concerned, continued education for architects and engineers will allow more skilful and professional services from those two professions. With continuing education we can ensure that mistakes are minimised by the architectural and engineering professions.

Frank Lloyd Wright, a famous architect in the United States, once said that a doctor can bury his mistakes, but an architect can only advise his client to plant vines. We certainly want to avoid mistakes being made by architects and engineers. The only sure way to do so is to allow benchmarking and the continued education of the professions.

The third major change relates specifically to architects and provides restrictions on the use of the title 'architect' and derivatives such as 'architectural services'. Let me say at the outset that

building designers are offering valuable and significant contributions to the building industry. This bill is not trying to belittle the contribution by building designers. But having said that, architects have to go through five years of study plus one year of work experience prior to their graduation. In other words, they study for six years before they are entitled to a bachelor of architecture degree. They have a lot of responsibility. That is not to say that over time a building designer cannot acquire the same level of practical skills as an architect. However, the public cannot tell the difference. To avoid misleading the public, it is important that only qualified architects call themselves architects and qualified building designers call themselves building designers.

The fourth important change in this bill is that disciplinary action will be a function of the Queensland Building Tribunal rather than peers of the respective professions. I support this change, because it avoids the criticism of Caesar judging Caesar. It also ensures that the QBT also has sufficient sitting members suitably qualified to deal with matters regarding architects and engineers. Although building matters are related to architecture and engineering, they are at times very different.

Finally, I would like to take some time to inform members about a concern by the architecture and engineering profession. The Institute of Engineers has strongly backed the finding of a report released in Canberra recently that highlighted the urgency of addressing the drop in emphasis on mathematical and science studies in our secondary schools. Speaking at the launch of the report, *Rebuilding the Enabling Sciences*, the Institute of Engineers Australia chief executive said—

Engineering is the crucial link between science and the commercialisation of technology. If our students are not encouraged to acquire the necessary mathematical and science knowledge at school we cannot build the necessary base of engineering, science and technology graduates.

If Australia is to achieve a sustainable knowledge-based economy, children and teenagers must be given every opportunity to develop a keen interest in engineering, science and technology throughout their school life.

From the time children attend primary school they should be encouraged in imaginative ways to incorporate how engineering, science and technology can be a natural part of their innate need to explore and discover and learn.

Students need to be made aware that engineering is an exciting career and is a great way to be creative about what you do and make each day.

Queensland's economy and the Smart State's future hinges upon our ability to create additional wealth from our natural and human resources. It is indisputable that in order for us to be successful architects and engineers must play a central role in the process. Through the creativity and technical skills of architects and engineers we can create new products, maintain and enhance the country's infrastructure, promote the conservation of our natural resources through the efficient and clever use of those resources, and help protect the environment in order to sustain future life. Being a Smart State means that we have to actively promote science, maths, engineering and architecture. It is our state's future and the future of our nation. I commend the bill to the House.

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (4.50 p.m.), in reply: I thank all honourable members who have contributed to the debate, especially against that background of the screeching and yelling outside from all the architects and engineers. They are yelling out, 'What do we want?', 'Registration!', 'When do we want it?', 'Now!' They are blowing whistles and all the rest of it. Let me tell honourable members that that is exactly what the scenario would have been had we followed blindly down the path of no regulation, which is what the Productivity Commission was suggesting to us. I guess the fact that there are no architects and engineers out there blowing whistles and letting us know their views confirms that we have, in my view, consulted widely with the industry and have come up with what I think, and what others think, is the best legislation in Australia.

I congratulate the shadow minister on his very thorough analysis of the bill. I do not accept the amendments that he has foreshadowed, but I nevertheless accept his right to put them and I have no doubt that he will. May I say that I think there are two issues that the shadow minister has covered. The first is the issue of imposing time lines on the board which the board in turn must impose no registrants. The fact of the matter is that we either have a board that we appoint and that we trust, based on confidence, and which has the confidence of the government to regulate the industry, or we do not. Going down the path of prescription means that we have to say, 'Every seven days you have to do this,' or, 'You have to meet every so often.' I am satisfied that the parameters we have laid out for intelligent, honest people who will sit on that board are enough for them to provide the necessary governance for engineers and architects that is required. Accordingly, with due respect to the shadow minister, I will be opposing his proposed amendments which refer to time limits.

The second issue concerns the registration of companies. This is a matter on which we did consult widely with industry. I accept that there are people within the industry who would rather see us stay on the path of having only architects or engineers running those companies. The national competition policy is affronted by that. I think commonsense is also affronted by it. The reality is that in this modern world we do not necessarily expect that somebody who wants to invest in a company has to have the professional capacity to do so. I cannot see anything wrong with an accountant and a builder setting up a company and providing engineering services as part of other services they provide, as long as they have a registered person who can carry out the work. What we should concern ourselves with, and what the national competition policy is concerned with, is registering the individual; that is to say that we believe in the competence of those individuals. That can be tested through a process that is established through the board. It can be tested through the Queensland Building Tribunal if people have misbehaved or if a complaint has been made.

I am mindful of the time. I will answer any questions raised by the shadow minister, but he can take it as read that the government will oppose any amendments he moves in relation to time limits. I trust the shadow minister does not regard my attitude as being arrogant if I do not provide any further advice on the matter.

I thank all honourable members for their contributions. I think basically I could sit down now because honourable members have researched this matter and they understand exactly what is coming before us today. I doubt that I would make the debate any more meritorious, inclusive or informative by standing here and speaking for another 26 minutes.

However, a very important question was asked by the member for Bulimba which gets to the nub of one of the biggest hardships that we have had in this matter, and that is the defining line between building designers and architects. The world is round but it is not perfect. I believe that building designers and architects have the capacity to work together. It has already been proven that they can do that. A lot of architectural firms employ building designers. I believe there ought to be an alignment between the two professions so that a building designer can graduate to become an architect. We will not get that unless we have a national response. I believe we have more chance of finding feathers on a frog than we have of getting a national approach to this matter.

I believe that one of the reasons for that is that federally we lack a minister for architecture or a minister for building. Such a minister would give us a spearhead at a national level to drive this matter. With all the goodwill in the world—and we are looking at harmonisation of legislation—that is about as far as we are going to get. To answer the member for Bulimba's question I want to read the following article into the record—

I have been asked to comment on the suggestion that the Architects Bill will not have any significant impact on the activities of building designers licensed under the Queensland Building Services Authority Act 1991 in the supply of building design services to consumers.

The principal objective of the Architects Bill is to protect the public by ensuring that architectural services provided by an architect are provided in a professional and competent way. The Bill provides for the registration of individuals who have achieved and maintained a level of competency in the practice of architecture as set down by Regulation.

Only a person who is a registered architect may claim, or hold himself or herself out to be an architect or allow himself/herself to be held out as an architect. Only those persons who are registered as Architects may use the title "architect" or “registered architect" or the expressions "Architectural Services", "Architectural Design" and "Architectural Design Services", (or any other expression as may in the future be determined by regulation) in advertising or promoting a service provided to a client.

The Bill does not place any restrictions on building designers licensed under the Queensland Building Services Authority Act 1991 in performing services for the public within their relevant licence class. However, a building designer may not call himself/herself or hold himself/herself out to be an architect or registered architect or use the expression "Architectural Services, Architectural Design, Architectural Design Services" or any other words or expressions as may in the future be set down in regulation in providing, promoting or offering a service to a client or potential client.

The Bill does not prohibit licensed building designers from providing or offering to provide building design services to consumers.

I do not see any conflict between the provisions of the Bill and the services offered by building designers. Accordingly, it is neither appropriate nor necessary for any reference to be made to building designers in the Architects Bill.

Again I thank all who have participated in this historic debate and I commend the bill to the House.

Motion agreed to.

Committee

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) in charge of the bill.

Architects Bill

Clauses 1 to 11, as read, agreed to.

Clause 12—

Mr HOPPER (4.59 p.m.): I move amendment No. 1—

1. Clause 12—

At page 14, lines 16 and 17, 'as soon as practicable'—

omit, insert—

'within 2 months'.

Clause 12 states—

The board must consider each application for registration made under section 8 and either grant or refuse to grant the application as soon as practicable …

This amendment will change 'as soon as practicable' to 'within two months'. Even though the minister spoke earlier about his trust in boards, boards can get very busy. We are trying to impose this amendment with a time limit to protect those who are applying so that they can get an idea of the time lines and to make the board act within that time limit. That is the basis behind our amendments: to apply time limits, because 'as soon as practicable' has been used right throughout this bill. It will come up a heck of a lot. I would ask the minister for his comment on that.

Mr SCHWARTEN: As I stated before—and I will make this statement once only with regard to time limits—I think specifying a time on the board is not necessary. I think it runs contrary to the nature of having boards. Whether they are busy or not, they are put there for their competence to administer the act accordingly. I do not think prescribing any rules in terms of timeliness will be effective, because from time to time those boards will have to meet challenges in such instances as international registration where further information has to be gained. I am confident that the people we will appoint to these boards will have the capacity to administer the legislation appropriately.

Amendment negatived.

Clause 12, as read, agreed to.

Clause 13—

Mr HOPPER (5.01 p.m.): I move amendment No. 2—

2. Clause 13—

At page 14, lines 26 and 27, 'as soon as practicable'—

omit, insert—

'within 7 days after making the decision'.

Clause 13 states—

If the board decides to grant the application, it must as soon as practicable give the applicant a certificate of registration.

Again, this amendment amends 'as soon as practicable' to 'within seven days'.

Amendment negatived.

Clause 13, as read, agreed to.

Clause 14—

Mr HOPPER (5.02 p.m.): I move amendment No. 3—

3. Clause 14—

At page 15, lines 2 and 3, 'as soon as practicable'—

omit, insert—

'within 7 days after making the decision'.

Clause 14 states—

If the board decides to refuse to grant the application, it must as soon as practicable …

This amendment again amends 'as soon as practicable' to 'within seven days after making the decision'.

Amendment negatived.

Clause 14, as read, agreed to.

Mr LINGARD: The member for Darling Downs now wishes to put his amendments Nos 4 through to and including 10 en bloc. I ask the chamber and the minister's permission to do that. The reason for that is that all of these amendments refer to a time clause which the minister has given his comment on. But, in fairness to the member for Darling Downs, we wish to move amendment Nos 4 to 10 in block.

Clauses 15 to 24—

Mr HOPPER (5.04 p.m.): I move amendment Nos 4 to 10—

4. Clause 15—

At page 15, line 10, 'a financial year'—

omit, insert—

'12 months'.

5. Clause 15—

At page 15, lines 11 and 12, 'during a registration period'—

omit.

6. Clause 20—

At page 17, line 18, 'as soon as practicable'—

omit, insert—

'within 42 days'.

7. Clause 21—

At page 18, lines 13 and 14, 'as soon as practicable'—

omit, insert—

'within 7 days after making the decision'.

8. Clause 22—

At page 18, lines 16 and 17, 'as soon as practicable'—

omit, insert—

'within 2 days after making the decision'.

9. Clause 24—

At page 19, line 20, 'as soon as practicable'—

omit, insert—

'within 42 days'.

10. Clause 24—

At page 19, after line 29—

insert—

'(c) the extent, if any, to which the applicant has failed to comply with the approved code of practice.'.

Amendments negatived.

Clauses 15 to 24, as read, agreed to.

Clause 25—

Mr HOPPER (5.05 p.m.): I move amendment No. 11—

11. Clause 25—

At page 20, line 10, 'as soon as practicable'—

omit, insert—

'within 7 days after making the decision'.

Amendment negatived.

Clause 25, as read, agreed to.

Clauses 26 and 27—

Mr HOPPER (5.05 p.m.): I move amendment Nos 12 to 16—

12. Clause 26—

At page 20, lines 17 and 18, 'as soon as practicable'—

omit, insert—

'within 7 days after making the decision'.

13. Clause 27—

At page 21, lines 5 and 6—

omit, insert—

'(3) The stated time must be at least 21 days, but not more than 30 days, after the requirement is made.'.

14. Clause 27—

At page 21, lines 7 and 8, 'or further extending the time'—

omit, insert—

'the time by not more than 14 days'.

15. Clause 27—

At page 21, lines 10 and 11—

omit.

16. Clause 27—

At page 21, lines 14 and 15, 'as soon as practicable'—

omit, insert—

'within 7 days'.

Amendments negatived.

Clauses 26 and 27, as read, agreed to.

Clause 28—

Mr HOPPER (5.07 p.m.): I move amendment No. 17—

17. Clause 28—

At page 21, lines 21 to 23—

omit, insert—

'(a) the board believes on reasonable grounds the architect—

(i) was registered because of a materially false or misleading representation or document; or

(ii) has failed to comply with the approved code of practice; or'.

Mr SCHWARTEN: We will be opposing the amendment on the basis that there is a misconception here of the philosophy of the act. Compliance with a code of conduct is a fitness of practice issue and falls under the disciplinary process. It is not for the board to decide a disciplinary process which goes to the Queensland Building Tribunal. Again, it is what I said earlier. The board receives a complaint and the independent umpire is the QBT.

Amendment negatived.

Clause 28, as read, agreed to.

Clauses 29 to 34, as read, agreed to.

Clause 35—

Mr HOPPER (5.08 p.m.): I move amendment No. 18—

18. Clause 35—

At page 23, line 24, 'as soon as practicable'—

omit, insert—

'within 7 days'.

Amendment negatived.

Clause 35, as read, agreed to.

Insertion of new clause—

Mr HOPPER (5.09 p.m.): I move amendment No. 19—

19. After clause 35—

At page 24, after line 6—

insert—

' PART 2A—REGISTERED ARCHITECTURAL COMPANIES

' 35AApplication for, or to renew, registration as registered architectural company

'(1) The board may register a company as a registered architectural company only if each director of the company is an architect.

'(2) An application for, or to renew, registration under subsection (1) must be—

(a) in the approved form; and

(b) accompanied by—

(i) satisfactory evidence showing that each director of the company is an architect; and
(ii) the fee prescribed under a regulation.

'(3) If the board decides to grant the application, the board must, within 7 days after making the decision, give the company a certificate of registration.

'(4) If the board decides to refuse to grant the application, the board must, within 7 days after making the decision, give the company an information notice for the decision.

'(5) If the board decides to register a company as a registered architectural company, or to renew a registration, the registration remains in force for the period—

(a) commencing on the day when the board makes the decision; and

(b) ending on the earlier of the following—

(i) the day that is 12 months after the day the decision is made;
(ii) the day the registration is renewed.

' 35BNotification of expiry of registration

'The board must give a registered architectural company notice of the expiry of the registration at least 3 months before the expiry.'.

Amendment negatived.

Clauses 36 to 43, as read, agreed to.

Clauses 44 to 92—

Mr HOPPER (5.12 p.m.): I move amendments Nos 20 to 30—

20. Clause 44—

At page 26, line 24, 'As soon as practicable'—

omit, insert—

'Within 7 days'.

21. Clause 44—

At page 27, after line 14—

insert—

'(3A) If the board decides not to give the person the notice, the board must, within 7 days after making the decision, advise the chief executive about the investigation.'.

22. Clause 59—

At page 31, line 23, 'As soon as practicable'—

omit, insert—

'Within 7 days'.

23. Clause 61—

At page 32, lines 8 and 9—

omit.

24. Clause 74—

At page 36, line 26, 'As soon as practicable'—

omit, insert—

'Within 7 days'.

25. Clause 74—

At page 37, line 2, after 'must'—

insert—

', within 7 days after making the decision,'.

26. Clause 74—

At page 37, line 6, after 'must'—

insert—

', within 7 days after making the decision,'.

27. Clause 75—

At page 37, line 25, 'As soon as practicable'—

omit, insert—

'Within 7 days'.

28. Clause 82—

At page 40, lines 9 and 10, ', or as an applicant would be eligible for registration'—

omit.

29. Clause 82—

At page 40, lines 14 and 15, ', or as an applicant would be eligible for registration'—

omit.

30. Clause 92—

At page 44, line 23, 'in every 2 months'—

omit, insert—

'each month'.

Amendments negatived.

Clauses 44 to 92, as read, agreed to.

Clauses 93 and 94, as read, agreed to.

Clause 95—

Mr HOPPER (5.12 p.m.): I move amendment No. 31—

31. Clause 95—

At page 45, lines 20 and 21—

omit, insert—

'(3) A member present at the meeting may abstain from voting.'.

If someone stays away from the meeting it is taken as a negative vote. That is why we have moved this amendment. All people have to do is stay away and their absence is classed as a negative vote. So a vote could quite easily be stacked by just staying away.

Mr SCHWARTEN: It is a point I have taken very seriously. The reality is that we want to put people on those boards who will take their responsibilities seriously. We do not want abstentions. Under the act there is a proscription for people who have a pecuniary interest. They must remove themselves from the meeting. I have consulted with *Horsley's Meetings*, the 4th edition, which is endorsed by the Chartered Institute of Company Secretaries in Australia. Section 14.10 states—

... persons who abstain from voting on a motion may be taken, as regards the practical effect, not to be in favour of it ...

I will go with that bit of advice. We want people on these boards to take their responsibilities seriously. I would certainly want them to be exercising their judgment and not abstaining.

Amendment negatived.

Clause 95, as read, agreed to.

Clause 96, as read, agreed to.

Clause 97—

Mr HOPPER (5.15 p.m.): I move amendment No. 32—

32. Clause 97—

At page 46, line 16, 'As soon as practicable'—

omit, insert—

'Within 30 days'.

Amendment negatived.

Clause 97, as read, agreed to.

Clauses 98 to 107, as read, agreed to.

Clause 108—

Mr HOPPER (5.15 p.m.): I move amendments Nos 33, 34 and 35—

33. Clause 108—

At page 52, line 6, 'guidance to'—

omit, insert—

'for minimum standards for'.

34. Clause 108—

At page 52, after line 15—

insert—

'(ba) the Queensland Building Services Authority established under the Queensland Building Services Authority Act 1991, section†5(1); and'.

35. Clause 108—

At page 52, line 22, '3 years'—

omit, insert—

'2 years'.

Amendments negatived.

Clause 108, as read, agreed to.

Clauses 109 to 111, as read, agreed to.

Clause 112—

Mr HOPPER (5.17 p.m.): I move amendment No. 36—

36. Clause 112—

At page 53, lines 25 and 26—

omit.

Amendment negatived.

Clause 112, as read, agreed to.

Clauses 113 to 115, as read, agreed to.

Insertion of new clause—

Mr HOPPER (5.17 p.m.): I move amendment No. 37—

37. After clause 115—

At page 55, after line 10—

insert—

' 115A Provision of architectural services by registered architectural company

'(1) A registered architectural company must not provide architectural services to someone unless the services are carried out under the supervision of an architect.

Maximum penalty—1 000 penalty units.

'(2) Subsection (3) applies if a director of a registered architectural company, or other person who is an architect, supervises architectural services provided by the company.

'(3) The company must ensure the director or other person only supervises the services the director or other person is reasonably capable of supervising, having regard to the nature of the services and the number of persons, other than architects, who are engaged in carrying out the services.

Maximum penalty—1 000 penalty units.'.

Amendment negatived.

Clauses 116 to 119, as read, agreed to.

Clause 120—

Mr HOPPER (5.18 p.m.): I move amendment Nos. 38 and 39—

38. Clause 120—

At page 56, after line 18—

insert—

'(c) a registered architectural company may only be represented by a director of the company.'.

39. Clause 120—

At page 56, line 19, after 'board'—

insert—

'or a registered architectural company'.

Amendments negatived.

Clause 120, as read, agreed to.

Clause 121—

Mr HOPPER (5.19 p.m.): I move amendment No. 40—

40. Clause 121—

At page 57, after line 19—

insert—

'(ca) a company whose application under section 35A is refused;'.

Amendment negatived.

Clause 121, as read, agreed to.

Clauses 122 to 137, as read, agreed to.

Clause 138—

Mr HOPPER (5.20 p.m.): I move amendment No. 41—

41. Clause 138—

At page 63, lines 14 to 18—

omit, insert—

'(2) The proceeding must start within 2 years after the commission of the offence.'.

Amendment negatived.

Clause 138, as read, agreed to.

Clauses 139 to 159, as read, agreed to.

Clause 160—

Mr HOPPER (5.21 p.m.): I move amendment No. 42—

42. Clause 160—

At page 71, lines 23 to 25—

omit, insert—

‘(1) This section applies to an approved architectural company.

‘(2) On the commencement, the company is taken to be a registered architectural company.

‘(3) The registration remains in force until 31 March 2004.’.

Amendment negatived.

Clause 160, as read, agreed to.

Clause 161—

Mr HOPPER (5.22 p.m.): I move amendments Nos 43 and 44—

43. Clause 161—

At page 71, line 27, after ‘architect’—

insert—

‘, or for approval as an approved architectural company,’.

44. Clause 161—

At page 71, after line 29—

insert—

‘(3) An application for approval as an approved architectural company is taken to be an application for registration as a registered architectural company.’.

Amendments negatived.

Clause 161, as read, agreed to.

Clauses 162 to 164, as read, agreed to.

Clause 165, as read, agreed to.

Clause 166, as read, agreed to.

Schedule 1, as read, agreed to.

Schedule 2—

Mr HOPPER (5.24 p.m.): I move amendments Nos 46, 47, 48, and 49—

46. Schedule 2—

At page 77, lines 5 and 6—

omit, insert—

‘ "certificate of registration" means—

(a) for an individual—a certificate of registration as an architect; or

(b) for a company—a certificate of registration as a registered architectural company.’.

47. Schedule 2—

At page 77, after line 7—

insert—

‘ "company" means a company registered under the Corporations Act.’.

48. Schedule 2—

At page 78, after line 21—

insert—

‘ "registered architectural company" means a company registered, under section 35A, as a registered architectural company.’.

49. Schedule 2, definition "unsatisfactory professional conduct"—

At page 79, after line 12—

insert—

‘(ba) conduct that contravenes the approved code of practice;’.

Amendments negatived.

Schedule 2, as read, agreed to.

Professional Engineers Bill

Clauses 1 to 10, as read, agreed to.

Clause 11, as read, agreed to.

Clause 12—

Mr HOPPER (5.25 p.m.): I move amendment No. 1—

1. Clause 12—

At page 14, lines 26 and 27, 'as soon as practicable'—

omit, insert—

'within 2 months'.

I know that the minister spoke about time limits before, but I just want to reinforce the fact that we strongly believe that time limits should be put in the bill and we will go through our amendments to this bill very quickly en bloc as well, if the minister agrees. Again, 'as soon as practicable' appears throughout this bill. We have put time limits in this bill and we strongly believe in that.

Amendment negatived.

Clause 12, as read, agreed to.

Clauses 13 to 22—

Mr HOPPER (5.26 p.m.): I move amendments Nos 2 to 8—

2. Clause 13—

At page 15, lines 8 and 9, 'as soon as practicable'—

omit, insert—

'within 7 days after making the decision'.

3. Clause 14—

At page 15, lines 18 and 19, 'as soon as practicable'—

omit, insert—

'within 7 days after making the decision'.

4. Clause 15—

At page 15, line 26, 'a financial year'—

omit, insert—

'12 months'.

5. Clause 15—

At page 15, lines 27 and 28, 'during a registration period'—

omit.

6. Clause 20—

At page 18, line 5, 'as soon as practicable'—

omit, insert—

'within 42 days'.

7. Clause 21—

At page 18, lines 27 and 28, 'as soon as practicable'—

omit, insert—

'within 7 days after making the decision'.

8. Clause 22—

At page 19, lines 2 and 3, 'as soon as practicable'—

omit, insert—

'within 2 days after making the decision'.

Amendments negatived.

Clauses 13 to 22, as read, agreed to.

Clause 23, as read, agreed to.

Clause 24—

Mr HOPPER (5.27 p.m.): I move amendments Nos 9 and 10—

9. Clause 24—

At page 20, line 3, 'as soon as practicable'—

omit, insert—

'within 42 days'.

10. Clause 24—

At page 20, after line 12—

insert—

‘(c) the extent, if any, to which the applicant has failed to comply with the approved code of practice.’.

Amendments negatived.

Clause 24, as read, agreed to.

Clauses 25 to 35—

Mr HOPPER (5.27 p.m.): I move amendments Nos 11 to 18—

11. Clause 25—

At page 20, line 26, ‘as soon as practicable’—

omit, insert—

‘within 7 days after making the decision’.

12. Clause 26—

At page 21, lines 2 and 3, ‘as soon as practicable’—

omit, insert—

‘within 7 days after making the decision’.

13. Clause 27—

At page 21, lines 19 and 20—

omit, insert—

‘(3) The stated time must be at least 21 days, but not more than 30 days, after the requirement is made.’.

14. Clause 27—

At page 21, lines 21 and 22, ‘or further extending the time’—

omit, insert—

‘the time by not more than 14 days’.

15. Clause 27—

At page 21, lines 24 and 25—

omit.

16. Clause 27—

At page 21, lines 28 and 29, ‘as soon as practicable’—

omit, insert—

‘within 7 days’.

17. Clause 28—

At page 22, lines 5 to 7—

omit, insert—

‘(a) the board believes on reasonable grounds the registered professional engineer—

(i) was registered because of a materially false or misleading representation or document; or

(ii) has failed to comply with the approved code of practice; or’.

18. Clause 35—

At page 24, line 18, ‘as soon as practicable’—

omit, insert—

‘within 7 days’.

Amendments negatived.

Clauses 25 to 35, as read, agreed to.

Insertion of new clause—

Mr HOPPER (5.30 p.m.): I move amendment No. 19—

19. After clause 35—

At page 24, after line 25—

insert—

‘ PART 2A—REGISTERED PROFESSIONAL ENGINEERING COMPANIES

‘ 35A Application for, or to renew, registration as registered professional engineering company

‘(1) The board may register a company as a registered professional engineering company only if each director of the company is a registered professional engineer.

‘(2) An application for, or to renew, registration under subsection (1) must be—

(a) in the approved form; and

(b) accompanied by—

(i) satisfactory evidence showing that each director of the company is a registered professional engineer; and

(ii) the fee prescribed under a regulation.

'(3) If the board decides to grant the application, the board must, within 7 days after making the decision, give the company a certificate of registration.

'(4) If the board decides to refuse to grant the application, the board must, within 7 days after making the decision, give the company an information notice for the decision.

'(5) If the board decides to register a company as a registered professional engineering company, or to renew a registration, the registration remains in force for the period—

(a) commencing on the day when the board makes the decision; and

(b) ending on the earlier of the following—

(i) the day that is 12 months after the day the decision is made;

(ii) the day the registration is renewed.

' 35B Notification of expiry of registration

'The board must give a registered professional engineering company notice of the expiry of the registration at least 3 months before the expiry.'.

Amendment negatived.

Clauses 36 to 43, as read, agreed to.

Clause 44—

Mr HOPPER (5.30 p.m.): I move amendments Nos 20 and 21—

20. Clause 44—

At page 27, line 25, 'As soon as practicable'—

omit, insert—

'Within 7 days'.

21. Clause 44—

At page 28, after line 16—

insert—

'(3A) If the board decides not to give the person the notice, the board must, within 7 days after making the decision, advise the chief executive about the investigation.'.

Amendments negatived.

Clause 44, as read, agreed to.

Clauses 45 to 58, as read, agreed to.

Clauses 59 to 89—

Mr HOPPER (5.31 p.m.): I move amendments Nos 22 to 29—

22. Clause 59—

At page 32, line 27, 'As soon as practicable'—

omit, insert—

'Within 7 days'.

23. Clause 61—

At page 33, lines 8 and 9—

omit.

24. Clause 74—

At page 38, line 3, 'As soon as practicable'—

omit, insert—

'Within 7 days'.

25. Clause 74—

At page 38, line 10, after 'must'—

insert—

', within 7 days after making the decision,'.

26. Clause 74—

At page 38, line 14, after 'must'—

insert—

', within 7 days after making the decision,'.

27. Clause 75—

At page 39, line 1, 'As soon as practicable'—

omit, insert—

'Within 7 days'.

28. Clause 82—

At page 41, lines 14 and 15, ', or as an applicant would be eligible for registration'—

omit.

29. Clause 82—

At page 41, lines 19 and 20, ', or as an applicant would be eligible for registration'—

omit.

Amendments negatived.

Clauses 59 to 89, as read, agreed to.

Clause 90—

Mr SCHWARTEN (5.32 p.m.): I move amendment No. 1—

1. Clause 90

At page 45, line 10, '82(5)'—

omit, insert—

'82(3)'.

Clause 90 of the bill incorrectly makes reference to section 82(5). The correct reference is to 82(3). The intent is for clause 90 to be operative in respect of any member of the board nominated by the minister. The reference in clause 90(1) to section 82(3) is therefore appropriate. The explanatory notes as previously provided to the bill are correctly worded as an explanation of the intent of clause 90 and no amendment to those notes is required.

Amendment agreed to.

Clause 90, as amended, agreed to.

Clause 91, as read, agreed to.

Clause 92—

Mr HOPPER (5.34 p.m.): I move amendment No. 30—

30. Clause 92—

At page 46, line 2, 'in every 2 months'—

omit, insert—

'each month'.

Amendment negatived.

Clause 92, as read, agreed to.

Clauses 93 and 94, as read, agreed to.

Clause 95—

Mr HOPPER (5.34 p.m.): I move amendment No. 31—

31. Clause 95—

At page 46, lines 27 and 28—

omit, insert—

'(3) A member present at the meeting may abstain from voting.'.

I know that I mentioned this issue to the minister with regard to the Architects Bill. I want to do the same with the Professional Engineers Bill. The clause provides that a member present at the meeting who abstains from voting is taken to have voted in the negative. We want 'a member at the meeting may abstain from voting'.

Amendment negatived.

Clause 95, as read, agreed to.

Clause 96, as read, agreed to.

Clauses 97 to 166—

Mr HOPPER (5.35 p.m.): I move amendments Nos 32 to 47—

32. Clause 97—

At page 47, line 24, 'As soon as practicable'—

omit, insert—

'Within 30 days'.

33. Clause 108—

At page 53, line 14, 'guidance to'—

omit, insert—

'for minimum standards for'.

34. Clause 108—

At page 53, after line 23—

insert—

'(ba) the Queensland Building Services Authority established under the Queensland Building Services Authority Act 1991, section 5(1); and'.

35. Clause 108—

At page 53, line 30, '3 years'—

omit, insert—

'2 years'.

36. Clause 112—

At page 54, lines 27 to 29—

omit.

37. After clause 116—

At page 56, after line 19—

insert—

' 116A Provision of professional engineering services by registered professional engineering company

'(1) A registered professional engineering company must not provide professional engineering services to someone unless the services are carried out under the supervision of a registered professional engineer.

Maximum penalty—1 000 penalty units.

'(2) Subsection (3) applies if a director of a registered professional engineering company, or other person who is a registered professional engineer, supervises professional engineering services provided by the company.

'(3) The company must ensure the director or other person only supervises the services the director or other person is reasonably capable of supervising, having regard to the nature of the services and the number of persons, other than registered professional engineers, who are engaged in carrying out the services.

Maximum penalty—1 000 penalty units.'.

38. Clause 121—

At page 58, after line 5—

insert—

'(c) a registered professional engineering company may only be represented by a director of the company.'.

39. Clause 121—

At page 58, line 6, after 'board'—

insert—

'or a registered professional engineering company'.

40. Clause 122—

At page 59, after line 4—

insert—

'(ca) a company whose application under section 35A is refused;'.

41. Clause 139—

At page 65, lines 5 to 9—

omit, insert—

'(2) The proceeding must start within 2 years after the commission of the offence.'.

42. Clause 146—

At page 68, lines 1 to 3—

omit.

43. Clause 162—

At page 73, lines 29 and 30 and page 74, lines 1 to 3—

omit, insert—

'(1) Subsection (2) applies to a registered professional engineering unit.

'(2) On the commencement, the registered professional engineering unit's registration under part 6 of the repealed Act ceases to have effect.

'(3) Subsection (4) applies to an entity that, immediately before the commencement, is registered as a registered professional engineering company under part 5 of the repealed Act.

'(4) On the commencement, the entity is taken to be a registered professional engineering company under this Act.

'(5) The registration of an entity mentioned in subsection (3) remains in force until 31 March 2004.'.

44. Clause 163—

At page 74, line 6, after 'engineer'—

insert—

'or a registered professional engineering company'.

45. Clause 165—

At page 74, line 18, 'company or'—

omit.

46. Clause 165—

At page 74, line 21, 'registered professional engineering company and'—

omit.

47. Clause 165—

At page 75, lines 1, 2, 5, 6, 8 and 9, 'company or'—

omit.

Mr SCHWARTEN: I omitted to thank a number of people who worked on this. I place on record my thanks to John Scrivens, Boyd Backhouse and Gary May from the Department of Public Works for their hard work. I also want to thank Peter Johnstone and John Lutteral from my office for their untiring work on this. It has not been easy and I thank them for the good job they have done.

Amendments negatived.

Clauses 97 to 166, as read, agreed to.

Schedule 1, as read, agreed to.

Schedule 2—

Mr HOPPER (5.35 p.m.): I move amendments Nos 48 to 51—

48. Schedule 2—

At page 78, lines 9 and 10—

omit, insert—

' "certificate of registration" means—

(a) for an individual—a certificate of registration as a registered professional engineer; or

(b) for a company—a certificate of registration as a registered professional engineering company.'.

49. Schedule 2—

At page 78, after line 11—

insert—

' "company" means a company registered under the Corporations Act.'.

50. Schedule 2—

At page 80, after line 14—

insert—

' "registered professional engineering company" means a company registered, under section 35A, as a registered professional engineering company.'.

51. Schedule 2, definition "unsatisfactory professional conduct"—

At page 81, after line 3—

insert—

'(ba) conduct that contravenes the approved code of practice;'.

Amendments negatived.

Schedule 2, as read, agreed to.

Architects Bill reported, without amendment.

Professional Engineers Bill reported, with an amendment.

Third Reading

Bills, on motion of Mr Schwarten, by leave, read a third time.

FAIR TRADING AND ANOTHER ACT AMENDMENT BILL

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (5.39 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Business Names Act 1962 and Fair Trading Act 1989.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Ms Rose, read a first time.

Second Reading

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (5.40 p.m.): I move—

That the bill be now read a second time.

The bill contains a number of amendments to legislation administered by the Department of Tourism, Racing and Fair Trading. Some amendments are part of the implementation of national competition policy reforms, while others implement recommendations of a Red Tape Reduction Task Force review of the business names registration process.

The Fair Trading Act 1989 contains particular provisions in relation to door-to-door selling where the contract is for goods and services costing $50 or more. The act will be amended to increase that amount to $75. It is considered this amendment will more accurately reflect the price of goods being offered door-to-door while ensuring services such as lawn mowing and house cleaning will not be subject to the door-to-door provisions.

The Fair Trading Act 1989 will also be amended to apply some of the door-to-door provisions to emergency repair contracts. The amendment will ensure contracts not currently provided for under the Domestic Building Contracts Act 2000 will be made subject to requirements to provide prescribed contracts, for traders to identify themselves and not engage in harassing or coercive behaviour. Emergency repair contracts will not be subjected to the 10-day cooling-off period.

The bill will also amend the Business Names Act 1962 to increase the penalty for failing to register a business name and to require proof of identification of the business proprietor. The current enforcement provisions for failing to register a business name are considered inadequate. The maximum penalty of $300 does not encourage businesses to comply with the act. It is proposed to increase the penalty to $3,000. The current registration process for business names does not require any proof of identification of the business proprietor. The proposed amendments will require proof of identification before registering a business name for an individual. This will bring greater rigour into the process, enhance security and increase the accuracy of the register and the public's confidence in the register.

In summary, the bill simplifies the regulation of Queensland businesses while continuing to actively safeguard and enhance the interests of consumers. The amendments are supported by government, industry and community stakeholders. I commend the bill to the House.

Debate, on motion of Mr Copeland, adjourned.

MINERAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (5.44 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Mineral Resources Act 1989, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Robertson, read a first time.

Second Reading

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (5.45 p.m.): I move—

That the bill be now read a second time.

The Mineral Resources and Other Legislation Amendment Bill 2002 proposes to amend the Mineral Resources Act 1989 and the Land and Resources Tribunal Act 1999 to implement the government's damage to roads policy, as it applies to the mining industry.

State and local government have held longstanding concerns about deficiencies in current arrangements for dealing with road damage from traffic generated by industry development activities. The government, led by the Departments of Main Roads and Local Government and Planning, and in consultation with industry, developed a policy to address these concerns. The damage to roads policy was endorsed by the government in December 1999. The policy requires the introduction of a combination of legislative and administrative arrangements that will subject relevant mining and petroleum industry development activities to road impact assessment processes comparable to similar processes for other industries as legislated by the Integrated Planning Act 1997.

In addition, the policy requires that regulatory arrangements be introduced that will enable developer contribution to roadworks to be obtained, where appropriate, for these mining industry development activities. The key mining related issue of concern to state and local governments was the absence of a system to regulate road haulage of mineral product won from mining projects that are not declared to be significant under the State Development and Public Works Organisation Act 1971.

The bill establishes processes involving activity triggers, notification, road impact assessment, compensation, and appeal rights to resolve disputes over road use directions and compensation. This will provide greater accountability and certainty for all stakeholders. The Land and Resources Tribunal will hear relevant appeals. However, we do not anticipate a large number of appeals because we expect the majority of future high-impact mining industry road haulage will be associated with mining projects that are declared to be significant under the State Development and Public Works Organisation Act.

The damage to roads policy as it relates to relevant petroleum industry activities will be implemented in the Petroleum and Gas (Production and Safety) Bill, which has entered the final stage of stakeholder consultation. All relevant parties have been consulted, including the Queensland Mining Council and the Local Government Association of Queensland, and these amendments have received broad support. I commend the bill to the House.

Debate, on motion of Copeland, adjourned.

INTEGRATED RESORT DEVELOPMENT AMENDMENT BILL

Hon. N. I. CUNNINGHAM (Bundaberg—ALP) (Minister for Local Government and Planning) (5.47 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Integrated Resort Development Act 1987.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mrs Nita Cunningham, read a first time.

Second Reading

Hon. N. I. CUNNINGHAM (Bundaberg—ALP) (Minister for Local Government and Planning) (5.48 p.m.): I move—

That the bill be now read a second time.

The state has a broad range of statutory and jurisdictional obligations with respect to promoting the planning and appropriate management of communities, including providing an environment conducive to sustainable and ongoing development. The Integrated Resort Development Act 1987 provides for the regulation and management of development in five existing integrated resorts throughout the state of Queensland. The legislation was intended to recognise the unique master planning needs of these integrated resorts, and to set the parameters for development assessment and the creation of group titled and building unit titled residential areas. That act includes, for example, the power that enabled approved schemes to be set up for those five resorts, and provisions that control and manage the existing and ongoing development of the resorts, including the subdivision of land.

The Integrated Resort Development Act sets out an accountable process whereby these schemes can be subsequently amended through approval by the Governor in Council. This allows flexibility for changes in the broad land use planning intentions for an integrated resort to occur in response to changing markets over time. The act establishes a process by which subdivision of land can occur within the resorts. This includes specifying the subdivision entitlement within the resort and noting that number on a schedule which is subsequently registered in the Titles Office. Once registered, there is no provision in the act to allow this schedule to be amended or replaced and all further subdivision must accord with the preceding schedule.

Recent experience in at least one resort has identified a problem whereby a number of large management lots have been created with zero or one entitlements, when the true intention for development greatly exceeds that number. Schedules have been registered in the Titles Office to that effect. As there is currently no statutory ability or flexibility in the act to replace those schedules, further development of these management lots cannot occur. Of particular concern is that this inability to replace schedules is delaying the further development of at least one major resort. In addition, a further technical problem has been identified in respect to the sequencing of major access roads and waterways, which is also constraining development.

The Integrated Resort Development Amendment Bill 2002 that I am now introducing seeks to address these technical problems and allow greater flexibility in the subdivision approval process. Specifically, the bill provides for the replacement of schedules that specify lot entitlements, and the ability to create additional 'primary thoroughfare' at the 'secondary lot' stage, as well as clarification of provisions for balance areas remaining after subdivision by building unit and group title plan. It is intended that the amendment to the Integrated Resort Development Act be supported by a complementary amendment to the approved scheme for any resort wanting to avail themselves of this increased flexibility. This complementary amendment will set the 'rules' for allocation and reallocation of entitlements spatially within any integrated resort.

The amendment to the act, as proposed, is generic, thereby ensuring development can proceed at any affected resort, while not adversely affecting any other resort operating under the act. Should similar issues arise in the other four resorts, they will be able to avail themselves of the new provisions through amendment to their particular approved schemes. The bill will commence on the day of royal assent.

The bill provides greater flexibility and clarity for the process of subdivision of land within existing integrated resorts under the Integrated Resort Development Act. The planning for these sites will continue to be undertaken through approved schemes for each integrated resort. The bill responds to operational experience with these resorts, particularly over recent years, and recognises that they can be large, complex developments which are progressively staged over many years and need to have a degree of flexibility to respond to market changes and pressures. I commend the bill to the House.

Debate, on motion of Mr Copeland, adjourned.

REVOCATION OF STATE FOREST AREAS

Notice of Motion

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Environment) (5.50 p.m.): I lay upon the table of the House a proposal under section 32 of the Nature Conservation Act 1992 and a brief explanation of the proposal.

I give notice that after the expiration of at least 14 sitting days as provided in the Nature Conservation Act 1992, I shall move—

(1) That this House requests the Governor in Council to make a revocation by regulation of dedicated protected areas under the Nature Conservation Act 1992 as follows—

(a) that part of Goodnight Scrub National Park described as Lot 1 on AP9886 and containing an area of about 55 hectares, and

(b) that part of Goodnight Scrub Resources Reserve described as Lot 2 on AP9887 and containing an area of about 425 hectares.

(2) That Mr Speaker forward a copy of this resolution to the Minister for Environment and the Clerk of the Parliament for submission to the Governor in Council.

The areas to be revoked are those parts of the Goodnight Scrub National Park and Goodnight Scrub Resources Reserve that are likely to be impacted by the proposed Burnett River Dam near

Biggenden. The proposed construction of the dam was authorised following an environmental assessment under the State Development and Public Works Organisation Act 1971 which was accredited under the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth. Detailed modelling investigations have identified the potentially impacted areas of the national park and resources reserve. The proposed Burnett River Dam will have a capacity of up to 300,000 megalitres and make controlled discharges of water for agricultural, commercial, domestic and environmental uses. The impact of the dam on the protected areas ranges from inundation at full supply to inundation in a one in 100-year flood. These impacts are considered inconsistent with the management principles of the protected area.

The proposed revocation will remove from the national park those areas that will be so impacted. Subsequently, other areas will be added to the national park to replace the areas impacted, thus allowing the dam to proceed while preserving and enhancing the integrity of the national park.

CHILD CARE BILL

Second Reading

Resumed from 22 August (see p. 3133).

Mr COPELAND (Cunningham—NPA) (5.52 p.m.): I rise to speak on the Child Care Bill 2002. High standards in child care have far-reaching benefits. The benefits to children are clear. Safe, enriching, happy environments both at home and in child care make for happy and successful children. Families need to know that, whatever form of care they choose, their children are safe and happy. Child care services need to be responsive to the needs of families to assist them in the challenge of balancing family and work.

As the needs of families change and child care services evolve to try and meet these changing needs, it is essential that child care legislation ensures quality child care in which the needs of the child and families are foremost, while providing a workable framework for child care providers.

The bill we are debating today establishes a licensing system for child care services and regulates the way child care services are conducted and sets standards for persons to conduct child care. The current legislation—the Child Care Act 1991—lacks the flexibility to deal with the changing nature of families' needs and the types of child care services and is inadequate to address anomalies that have become evident in the system.

The necessity for high standard child care provided by a well-qualified and quality child care industry has never been more important. With the trend for both parents to be engaged in full-time employment or study, there is an increasing demand for affordable, accessible and flexible child care which provides a safe, secure, educative environment in which children can be nurtured.

The Queensland government has the responsibility for the safety and wellbeing of all Queensland residents, but particularly for our children. As a consequence, the development of a regime for regulating child care services is an important priority of government. The need for regulation of child care services has been well documented in various studies and inquiries: for example, the Senate Employment, Education and Training Reference Committee inquiry into early childhood education in 1995 and the Economic Planning Advisory Commission Child Care Taskforce in 1996, whose findings note the benefits of protecting and educating children and of providing a baseline for quality care.

The Queensland Child Care Strategic Plan 2000-2005 identified key issues including: the growing number of parents working non-standard hours or undertaking shift work were not adequately catered for; families in different regions have different needs, particularly in regional and remote areas of the state; insufficient provision for the care of sick children and those with special needs and for emergency back-up care; insufficient services for catering to children from non-English speaking or indigenous backgrounds; and duplication, inflexibility and lack of coordination of regulatory mechanisms. Children need care throughout their whole childhood, up to 15 years.

Insufficient school-age care at school sites, affordability of services impacting on parents' ability to work or study, limited ability for parents and employers to have input into planning and decision making, and staff turnover and training and recruitment difficulties were also identified as a major issues.

The plan outlined a number of principles upon which Queensland child care policy should be based, and which I understand are reflected in the guiding principles in the Child Care Bill 2002. This bill moves away from the current rigid licensing framework based on set types of child care such as kindergarten, limited-hours care and long day care. Instead, objective criteria regarding the setting of care, home or centre based, the number and ages of children and the length of time in care will be used to determine standards and guidelines for each service which is licensed. These changes will mean that the child care services will be regulated on their actual circumstances rather than on the standard model that they most resemble.

Emerging forms of child care such as night-time services for shift workers, which fit none of the current established models, will be assessed against the same criteria as any other service. For the first time, school-age care will be part of the licensing framework and family day care services will be covered under the home based centres provisions in the bill. It is significant to note that child care and safety of children remain the fundamental considerations in the bill.

The bill builds on existing minimum standards of qualifications for staff, both in child care and in first aid. It addresses issues of staff numbers, transport and emergency care. The bill attempts to address the flexibility required in the provision of child care services but, in so doing, it may cause difficulties for the industry to maintain the affordability aspects of child care provision within the state.

Fortunately, large sums have been spent on the provision of child care over the years, including the non-means test child rebate. However, very little support has been provided to assist either homemakers or parents who took time out from full-time employment when their children were young. The latter group comprises what British sociologist Catherine Hakim calls 'the adaptive group' who structure their working lives around their family responsibilities. The adaptive group have many and varied reasons for their respective choices. However, one prominent and obvious reason is the affordability of child care.

It is interesting to note that the report from the National Centre for Social and Economic Modelling at Canberra University on the changing economic fortunes of Australian children between 1982 and 1995 concluded—

The losers during this period were children living in couple families where only one of the parents worked.

Further NETSEM research commissioned by the *Sydney Morning Herald* showed that between 1996 and 2001 a single income, two-child family on average weekly earnings gained 16 per cent in disposable income due to a huge 76 per cent increase in government assistance. Similarly, a dual earning family on the same income also gained. Their disposable income went up 14 per cent through a 54 per cent boost in government support.

While there is now a far more even playing field for women and parents, there is still more to be done before we can genuinely claim to offer the range of policies advocated by Catherine Hakim to enable all women to follow their work-lifestyle choices or preferences. An appropriate policy mix that may be looked at might include things like extended parental leave, including some paid leave, plus flexible work hours and other family-friendly work practices—an issue which the Beattie government had promised to address by proposing a family-friendly parliament. But underpinning these various family policy issues is the provision of affordable, flexible and quality child care.

In September this year the federal Minister for Children and Youth, Larry Anthony, announced a special think tank to boost the recruitment of childcare workers and fight the perception that they are simply babysitters. The think tank will be made up of 50 representatives of the child care industry, federal and state governments, government agencies and education and training providers. It will consider the pay and work conditions of staff, education and training issues, different licensing and regulatory systems for centres in different states, and the interaction of centres with the school and preschool system. The federal minister wants to ensure that childcare workers are recognised as an honourable profession with good career paths and, once trained, are retained within the industry with appropriate remuneration.

Queensland has a sound child care industry, but the issues and needs to be examined by the federal think tank are evident in our state as well. The shortage of staff is causing extreme difficulty for services to provide the quality of care that the broader community expects. Queensland stakeholders have taken an active role in the forming of this child care legislation. The exposure draft, which provoked protests about several relevant issues, was an effective exercise which has resulted in the changes which we see in this legislation. However, while their

collective contributions were acknowledged and many initial concerns addressed during the consultation process, concerns remain.

To assist me in gathering relevant information about the industry and to ascertain whether there was broad acceptance of the bill, I consulted with key stakeholders, including the Toowoomba and Regional Carers (Family Day Care), the Queensland Professional Child Care Centres Association, the Australian Early Childhood Association Inc., the Creche and Kindergarten Association of Queensland, the Queensland Council of Parents and Citizens Associations, the Queensland Professional Child Care Centres Association and the ABC Group. While the groups expressed general support for the legislation or recognised the need for modernised legislation, concerns remain. Groups are not unanimous on this issue, with the commercial sector objecting particularly strongly to some requirements and other groups feeling that perhaps they do not go far enough.

The Queensland Professional Child Care Centres Association Inc. is the peak private long day care child-care centre industry association in Queensland. It has a long and proud history of some 28 years in the industry. The QPCCCA supports approximately 25,000 families and looks after more than 35,000 children in 290 private long day child-care centres throughout the state. This association recognises that the 1991 Child Care Act and regulations have become dated and need to be modernised, yet the association presents an unarguable position that the new legislation must be practicable and workable. The association is concerned that certain aspects of the bill have not been fully assessed due to the fact that much of the detail is contained in the revised regulations, and of course the regulations are not available. I think it is important to put the QPCCCA's concerns on the record, and I will quote from it because it is a significant industry group representing a lot of people in the industry and it is important to address the concerns that it holds.

As outlined by the association, one of its primary concerns revolves around a provision in the bill to allow changes to staffing levels in centres at certain times of the day. Proposed section 63(1) states—

A license condition for a centre based service may provide for 1 or more periods during the day, totalling not more than 2 hours during the day, to be rest periods for the service for the purposes of this division.

The association understands—it has not been able to confirm because the regulations have not and cannot be released—that the regulations will contain a provision that will allow for a small variation in staff during the rest period. The association believes that this provision will not be achievable. I have been informed that since the 1970s it has been common practice of private long day child-care centres to staff rooms with one staff member during staff lunches at which time children are normally resting. This practice is reflected in the 1991 Child Care Act and regulations. With the requirement to increase staffing levels during this period and with some 700 centres suddenly requiring three more staff for five days per week, some of whom will want to work less than five days, the association contends that anywhere up to 4,000 additional staff could be required.

The dramatic increase in staffing levels that this new impost may create will mean that on the day of the legislation coming into effect many centres in Queensland may be in breach of the act. The association asserts that there are not enough staff willing to work just two hours per day in a child-care centre and therefore the legislation will be rendered impractical and unworkable. Staffing levels have been a concern relayed from various sectors of the industry. Trying to get qualified staff and staff who will remain in the industry is certainly an existing issue and will be an ongoing one. There have been transitional phases put into the legislation to try to cater for that, but it is going to be an ongoing concern and is reflected in not only the QPCCCA's position but also the position of many other people active in the industry.

Another concern raised by the QPCCCA pertains to the Building Act. During the consultation process the association was advised that existing centres that comply with current requirements would not be assessed against the new Building Act because the Building Act is based on the former requirements. There are in fact many new requirements including windows behind toilets, all fans below three and a half metres to be guarded, 53 millimetre step heights from outdoors to indoors and partitions between toilets. Proposed section 177(1) of the bill states—

A licence that, immediately before the commencement day, was in force under the repealed Act continues in force as if it had been issued under this Act.

This is apparently the basis on which the association has been assured that existing centres will not have to upgrade, but proposed section 28(2) states—

The chief executive must be satisfied that the child care centre is safe and suitable for use as a child care centre.

This provision is under the heading 'Division 4—Bases for making licensing decisions', which includes relicensing. However, proposed section 28(6) states—

For this Act, premises are suitable for use as a child care centre only if the premises comply with the Building Act requirements.

Further, proposed sections 143 and 45 say that an authorised officer may commence action leading to the revocation of a licence if that officer believes that a centre does not comply with the Building Act. Sections 28 and 143 seem to directly contradict the intent of section 177, and the association is confused as to which section applies in this instance. The QPCCCA believes that a section within division 4 should require the chief executive to relicense unaltered premises as a child-care centre if that centre was previously licensed under the repealed act. Without such a guarantee, the association believes it is at the mercy of a change of policy by the department or at the mercy of the interpretation of an individual authorised officer.

While proposed building standards for child-care centres were released with the original consultation documents, the association understands that no work has been done on these standards since October 2001. If the draft changes are introduced as amendments to the Building Act, most child-care centres could not be relicensed under section 28 of this bill, and the association is concerned about the status of its member centres. I think it is important to go through each of those items, because as a major industry group these are concerns held by that group and its members. The debate we are having in this House gives the opportunity to present their points of view and for the minister to respond and address some of those items of concern.

Other areas of concern which have been presented to me by various stakeholders include authorised officers and plain English in the legislation. Concern regarding conflict of interest issues has been raised in connection with the appointment of authorised officers. Proposed section 111 of the bill provides—

The chief executive may appoint a person as an authorised officer if the chief executive is satisfied that person is qualified for the appointment because the person has the necessary expertise or experience.

It is believed that clause enabled the industry to judge itself, which can create conflicts of interest and which is not an acceptable risk, particularly when dealing with the safety and security of children. Similarly, some licensees have expressed concerns regarding the wording of the legislation and the potential confusion which could emanate from its complex drafting, particularly as the *Queensland Legislation Handbook* states—

... plain English is based on the idea that laws should be as simple as possible so the ordinary person in the community can understand them. Further, the ordinary person is regarded as the ultimate user of the law rather than the bureaucrats and lawyers. A law that is easy to understand is less likely to result in dispute.

Consequently, the licensees are understandably perplexed that some areas of the bill are a little confusing. There are real concerns that there will be confusion in the implementation, both by licensees and by departmental officers who are out there implementing and interpreting the act.

The Creche and Kindergarten Association of Queensland, which operates a number of quality children's services, 11 of which are long day child-care centres, catering in total for the needs of 550 children each day, has lobbied for very strong enforcement measures to be employed by the government to ensure compliance within the industry. C&K would like to see the government introduce an enforcement and compliance regime which will examine issues such as licensing, staff qualifications and operational issues relating to emergency care, capacity, staffing ratios and transportation.

I will go through other issues which have been raised with me by various other interest groups and concerned individuals. They are in no particular order, but I will put them on the record so they can be addressed during this debate. One issue relates to departmental inspections of child-care centres. At the moment, centres are notified when departmental staff are visiting and are given some time to prepare for that visit. This means that centres can make full preparation for the visit and I guess get things in order rather than be visited out of the blue and assessed on a random basis. Random visits may provide a better way for the department to know just what happens in centres on a day-to-day basis.

I have mentioned already the problems of trained staff. It is a problem that will not go away. People are not staying in the sector. There is difficulty in getting trained staff. In many cases trained staff are moving onto further tertiary training or leaving for a better paying position in another industry. The existing problem may well be exacerbated by some of the requirements in the proposed legislation for extra staffing levels.

Affordability is a major concern for many people in accessing quality day care. An issue raised with the opposition is that some of the imposts placed on centres by the new legislation will increase the costs of running a child-care centre. Those costs obviously will have to be passed on to families. In many cases, the families who need quality, affordable child care will be the ones who are penalised by not being able to afford it. Any increased cost resulting from the legislation will have a detrimental effect on those families.

There have been concerns about excursions, about changes to the waiver system and about transportation—the numbers of children that can be transported at any one time under supervision. Concerns have been raised regarding home based carers and their ability to meet as a group—to come together as different carers and go through the very important task of socialising different groups of children in a playgroup-type activity or through other activities.

School P&Cs had major concerns with the exposure draft of the legislation, but those concerns have been addressed in the bill before the House. The P&Cs have expressed to me that they are happy with the legislation.

There are some people with questions regarding indigenous child care services and whether they have to comply with the new regulations. I ask the minister to clarify the position, just so the situation is quite clear to people in the community.

I move on to the report of the Scrutiny of Legislation Committee. That committee did raise a number of issues in its *Alert Digest No. 8 of 2002*. The minister has responded to acknowledge those issues. A number of the things the committee has raised are brought to the attention of the parliament. The committee refers certain questions to the parliament. I guess that is as much as the committee can do to make sure the parliament does actually examine the questions the committee has in regard to the legislation. The first question it raises is in relation to clauses 26 and 27, schedule 1. The *Alert Digest* states—

Does the legislation have sufficient regard to the rights and liberties of individuals?

The Commissioner for Children and Young People, when deciding whether to issue a suitability notice, may take into account not only previous convictions but also charges which did not result in a conviction. There is also no limit on the age of convictions which may be considered.

Obviously the safety of children is of the utmost concern when we are talking about day care and child care, but there must also be some acknowledgment that people's rights and responsibilities must be examined to make sure they are not adversely affected in some cases. The committee has referred to the parliament the question of whether the relevant provisions of the bill have sufficient regard to the rights and liberties of such persons as well as those of the children receiving child care and the community as a whole. I think it is a good question that we need to be conscious of, because we do not want to adversely affect people who may be caught up in that issue.

The committee has referred to clause 195 regarding the regulatory impact statement. The *Alert Digest* states—

Clause 195 states that the provisions of Part 5 of the *Statutory Instruments Act 1992*, dealing with regulatory impact statements (RISs), do not apply to the first regulation made under the bill. This exemption is subject to the Minister, whether before or after the enactment of the bill:

(a) (advising) the Legislative Assembly that consultation about the making of the regulation has been carried out that the Minister is satisfied was comparable to consultation under that part; and

(b) (tabling) in the Legislative Assembly a copy of the draft regulation in relation to which the consultation was carried out.

The minister did table a copy of the draft regulation which was subject to the statewide consultation process, but there have been significant changes to the legislation since the draft legislation was released. There are certainly concerns in the community—I think they are quite justifiable concerns—that there may be significant changes also to the regulations which have not been subject to a regulatory impact statement. I think it would have been a worthwhile process to go through to build confidence within the process and to make sure there is confidence in the legislation and the regulations, especially in those sectors of the industry that do feel concerned about the impact of the legislation. The *Alert Digest* states—

The committee notes that the RIS process was introduced into the *Statutory Instruments Act* specifically to ensure that executive government will consult and conduct cost benefit analyses prior to making significant subordinate legislation.

Some sectors of the industry have contended that this legislation will cause significant changes to the cost structure, especially of day care centres. I think a cost benefit analysis would have been

a worthwhile process also to make sure that the costs and benefits are weighed up. Obviously there will be benefits in terms of safety, but there will also be increases in costs. The committee goes on to refer to clauses 118 to 138 inclusive. It asks—

Does the legislation confer power to enter premises and to search for or seize documents or other property without a duly issued warrant?

The committee noted—

... the bill confers upon authorised officers powers of entry which extend significantly beyond situations where the occupier consents or where entry is authorised by warrant.

The committee notes—

Once entry has been effected, the bill confers on authorised officers a wide range of powers.

Obviously this is another area of concern, because there could easily be abuse of the powers by authorised officers. Obviously we do not want that to happen and we do not expect it to happen, but the potential is certainly there, given the legislative framework that is being set up in this bill. We have to make sure that the owners of centres are not adversely affected, that the power is not abused and that we really do justify it. I ask the minister to clarify that justification in her reply to the second reading debate. We need to ensure that we do not insert in the legislation a power that can be abused to the detriment of providers. Next the committee asks—

Does the legislation provide appropriate protection against self-incrimination?

Again the committee noted—

... cl.138(2) denies persons the benefit of the rule against self-incrimination, in relation to the compulsory production of licences or other documents required to be kept by the person under the provisions of the bill. The committee generally opposes the removal of the benefit of the self-incrimination rule, and usually only considers that to be potentially justifiable if certain conditions are satisfied.

Again, this is a great power being given to officers. It is one that could easily be abused. We need to make sure that it is justified and that there is a tangible benefit that is not going to adversely affect the people involved.

Again, does the legislation provide for the reversal of the onus of proof in criminal proceedings without adequate justification? This is a huge step to take in any legislation. The committee has previously considered provisions where reverse onus of proof has occurred, particularly in relation to corporations. Whilst the difficulties of determining liability in certain circumstances are appreciated, as a general rule the committee does not endorse such provisions. I think that that is a very big step for us to take in any legislation. Again, I draw that to the attention of the minister and bring to the attention of the parliament the reasons that is happening to ensure that it is not being done lightly, given that it is very, very powerful legislation and could easily be abused and goes against a lot of the things that we take for granted.

As I said before, the minister has incorporated in the legislation transitional considerations. I think that is of major benefit. Obviously there are going to be some significant changes to operators in staffing, in training and in a whole range of other areas. I think that most of the transitional arrangements are adequate. There are particular problems in regional, rural and remote communities with the provision of child care and certainly with the provision of adequate facility staff and training. I think that we need to be cognisant of those difficulties and make sure that impositions are not placed on the service so that the service is not provided in those areas, because it is just as necessary in many of those areas as it is in the major centres.

We should also recognise that Queensland has an excellent child care industry and that it is working hard to provide quality care to children. We should not take the introduction of this legislation as a criticism of our child care providers, because on the whole they provide a wonderful service and they have been leaders in the field for many, many years. I think that we should all recognise the work that child care providers have done and the quality of care that they provide. This legislation is an attempt to further refine the industry and to continue to provide good quality care.

The National Party will support this legislation but acknowledges that there is significant opposition from some sectors. The private, long day care centres provide care for many Queensland children and their concerns must be considered. I hope that the minister continues to work with them to address those concerns. I urge the minister to monitor the implementation of this legislation to ensure that it is workable, that it is practical and, if necessary, that we change it down the track if it is not working. There may well be teething problems or other unforeseen problems and as a parliament we must address those problems as they arise.

We must aim to provide quality child care. Parents must have a choice of the type of care that they want for their children. That will vary dramatically. There will obviously be changes in the care sector as new, embryonic services develop, just as family day care and out-of-school-hours care did some years ago. The government must provide the framework for all types of care to operate so that we have a diverse, safe and high-quality child care industry. As I said, we must, though, be cognisant of the concerns that exist. They are very real concerns which exist in a large part of the industry and which need to be addressed. I ask the minister to do so.

In closing, I would like to thank the minister's staff and departmental officers who provided briefings to the opposition in regard to this legislation. They were detailed, very comprehensive and certainly allayed some of the concerns that I had about the legislation. I hope that those concerns that are held still within sectors of the industry can also be allayed and, if there are real concerns, that they be continued to be worked on as we continue to refine this legislation to ensure that quality child care is provided in Queensland.

Mrs DESLEY SCOTT (Woodridge—ALP) (6.23 p.m.): I am very happy to be able to take part in this debate on the Child Care Bill 2002 today. When asked what my interests and passions are, parenting and child care are always high on my list. If children are to grow into healthy, well-balanced adults, it is imperative that parents have adequate parenting skills and also that child care options are flexible and offer not only adequate, affordable care but also that staff are well trained and are able to respond to the needs of their young charges.

This government places a high value on supporting the needs of families while providing high-quality care and education for children. Child care enables parents to work, study or seek employment, or maybe carry out work in their community or fulfil other family responsibilities. Child care is also able to give a mum who is finding it hard to cope some hours to rejuvenate and perhaps to interact socially, which can be so important to release stress.

I am particularly impressed that embodied in this bill are wider considerations incorporated in the Beattie government's Queensland Strategic Plan for Child Care 2000-2005, the first key result area being 'Child care—improving Queensland's standard of living'. This strategy looks at the relationship of child care to regional, economic and industrial planning, ensuring that employers and the child care industry are better informed about the child care needs of employees, industry-employer needs, child care programs and family-friendly policies and practices. It also looks to ensure that appropriate and affordable child care is available to unemployed parents and that support services and information for families with young children are accessible from child care services.

Our society can be very isolating, and I believe that many young mothers suffer from a lack of information about services and support networks. Our government has worked towards these outcomes in a number of ways, including the operation of the child care information service; the Triple P—the Positive Parenting Program; and the SmartLicence service, the child care business licensing information package titled *Your guide to starting a child-care business in Queensland*.

The child care information service is a free statewide service provided by the Department of Families. It operates from 8.30 to 5 p.m. Monday to Friday and provides information to assist families in choosing child care that best meets their needs, such as the types of services available, location, hours of operation, and contact details for services. It also outlines the features of a quality service and developing new child care services. Publications and information sheets are also available along with a brochure outlining the role of the information service.

From July 2001 to June 2002, this service responded to almost 11,000 telephone inquiries, averaging 44 calls per day; 170,994 publications were distributed to parents, developers and students either by mail or at displays at community events or expos; and the Department of Families' child care web pages recorded 95,277 hits. These statistics are testament to the high community need and the high level of service delivery by our department in this area.

On a number of occasions I have spoken in this place about the necessity for parenting education and support and the great results that we see from the Triple P program. Queensland Health is to be commended for this free program that is offered to parents and carers right across Queensland. Triple P is a multilevel family intervention program for the prevention and treatment of behavioural and emotional problems in children aged 18 months to eight years of age. The program was developed by Parenting and Family Support of the University of Queensland and is aimed at promoting parents' knowledge, skills and confidence and their ability to promote the development, growth, health and social competency of children. Trained and accredited child health staff work with parents individually and in groups to impart skills which will help parents to

recognise and respond to common behavioural problems and to assist in building positive relationships with their children.

Twenty early intervention child psychologist social workers have also been employed to implement level 5 Triple P, which aims to equip parents to better manage severe emotional and behavioural problems in children. The Commonwealth Department of Family and Community Services funded child care resource workers who are able to assist in locating suitable child care and in some instances financial assistance in local communities for parents and carers attending the Triple P program. Options include centre based long day care, family day care, out-of-school-hours care and occasional care. I am always an enthusiastic advocate for parents accessing all the information and education available. I am delighted to inform the House that both Woodridge and Mabel Park high schools encourage young mothers to continue their education and have wonderful programs both to encourage the continuation of their study program and to give a caring network of support and to instruct in parenting skills. A child care network has been established at both of these schools and the programs are running well.

The Department of State Development's SmartLicence is an innovative program that provides a simple one-stop shop for businesses that need information and assistance from government. It provides free business licensing information packages, thus simplifying the process for people intending to start a business. Intending businesses are able to access a package called *Your guide to starting a child-care business in Queensland*, which was developed in conjunction with the Department of Families. The package has been designed to assist in the decision-making process with application forms and guidelines. It gives an overview of time frames, costs and relevant contacts and can be downloaded from the Department of State Development's web site. This legislation was developed in consultation with many working parents, including those who work non-standard hours and often experience difficulty accessing services for their children.

Parents identified a need to improve integration of child care, kindergarten and preschool services and in particular the need to access these in one setting. The provision of extended hours of child care was a high priority. This bill seeks to introduce flexibility into the service delivery. The increasing number of families with dependent children where both parents are in the work force has highlighted the need for new models of child care and family support that can better respond to the changing needs of families. The child care and families support hub strategy that is an innovative initiative of this government responds to the express needs of parents for improved access to a range of services that include child care. Essentially, a child care and family support hub is a grouping of services that meet the needs of children and families. These hubs focus on the provision of child care and early childhood services and may also include family support services, parenting support, child health services and education services. Access to these services is provided through a single entry point. A hub may operate from a central location, local network or a central point of coordination.

Since the announcement of the child care and family support hub strategy under the Queensland Child Care Strategic Plan in 1999, a great deal of interest has been generated in the integrated delivery care and family support services throughout the state. The initial funding round in 2000-01 provided approximately $1 million to 14 services located in Julatten, Stanthorpe, Redlands, Caboolture, Bracken Ridge, Coen, Pormpuraaw, Maryborough, Tara, Injune, Mount Morgan, Tamborine, Kingston East and Townsville. I would here like to commend the wonderful support network at Kingston East neighbourhood centre, where they care for almost any need of families and individuals in the wider Kingston, Woodridge and Slacks Creek areas. For many years I have referred constituents to this centre for housing, emergency relief, counselling and support. All have been treated with the greatest respect, and many people owe a debt of gratitude to the caring workers and volunteers at this centre.

To return to the hub strategy, an action research project has been undertaken with these services which documents the development and establishment of services and the outcomes that have been achieved for children and families. Research reports are now available on the department's web site, which is www.families.qld.gov.au/childcare. The Queensland government's election commitment in 2001 to provide funding of $500,000 for the establishment of a further six child care and family support hubs further strengthens its commitment to provide quality child care services to support Queensland families. That election promise has been met through the approval of $561,160 of triennial funding and $304,372 of capital funding. Another 10 hubs are now being established in Robina, Mount Isa, Gympie, Thuringowa, Upper Ross (Townsville), Ipswich West, Beaudesert, Burnett, Stretton and Indooroopilly. In addition to these, two other

support hubs have been developed in Doomadgee and Aurukun to support the needs of the families in these communities.

The hub in Aurukun is being progressed as a Department of Families strategy under the Cape York partnership. Other innovative initiatives are the mobile services that have been developed to respond to families' diverse needs. The Longreach and District Mobile Service has been funded by the Department of Families and is based at the Longreach multifunctional centre, which was established using funding under the Rural Children's Centres program. This centre incorporates a 47 place child-care centre and was opened in January 1999. The service also provides family day care and in-home care in the district. Western Queensland families can now enjoy a new innovative form of child care. An existing mobile child care service has been extended, with two staff resourcing venues in Aramac, Muttaburra, Ilfracombe and Isisford by offering limited hours child care one day per week. This service gives parents the opportunity to attend cattle sales, do mustering, attend appointments, shop, participate in work shops, work part time, help their other children with distance education or just have a break. Mobile child care services provide flexible, responsive and innovative services to children and families in isolated or disadvantaged communities in rural, urban and remote areas.

I must say that my great-great-grandmother, Caroline Plumb, would have longed for such a service. She arrived from England with her husband and family in 1870 on board the *Suffolk* and they decided to settle in Longreach. More children were born, making a grand total of eight young mouths to feed. It was at this time that my great-great-grandfather died, leaving Caroline a widow to raise her large family. She is registered in the Stockman's Hall of Fame as one of the unsung heroes, and I can well imagine her efforts were quite worthy of that honour. I would love to hear some of those personal stories.

Having visited many of our delightful outback towns as a member of the Hon. Tony McGrady's committee, I must applaud our government for extending these services to families of the outback. This is true equality. Mobile child care services provide flexible, responsive and innovative services to children and families in isolated or disadvantaged communities in rural, urban and remote areas. The Queensland government is committed to an overall aim of the provision of child care services to all Queenslanders regardless of their geographical location. In particular, this government is committed to the provision of innovative early childhood and support services to children and families living in rural, remote and isolated locations all throughout Queensland.

For example, Uniting Church Frontier Services is funded by the Department of Families to provide two mobile outreach services that are located at Mareeba and Emerald. As a highly regarded and valuable child care service for families in remote areas of Queensland, these mobile services provide early childhood activities, support and advice to parents and practical resources to families in remote communities and on isolated properties. Through initiatives such as the child care and family support hub strategy, mobile services and the development of this new regulatory framework, the Queensland government has made a strong commitment to strengthening and sustaining family and community life in Queensland. I thank the minister for her commitment to families in our state and those responsible for developing this legislation. This bill is a critical element of this commitment. I commend it to the House.

Mr WELLINGTON (Nicklin—Ind) (6.40 p.m.): I rise to participate in the debate on the Child Care Bill and acknowledge that the object of the bill is to promote the best interests of children receiving child care. The provision of child care services today plays a very important role in the functioning of our community. There can be no doubt that many parents today rely very heavily on assistance from child care agencies in the raising of their children. I support the requirement for increased qualifications of childcare workers, including the licensing of school-age care services.

The expansion of the regulatory framework to cover the licensing of school-age care services is clearly in response to the significant growth occurring in our community in the delivery of this service and the high level of reliance that many parents now have on the service. I note that the bill, while requiring an improved level of qualifications for workers, has specifically included a training strategy to assist workers in obtaining the necessary qualifications. It does appear to me that the minister has got the balance between competing interests about right. Nevertheless, I hope that the department's enforcement officers exercise a degree of commonsense and reasonableness when they start policing the new requirements. I would like to refer members specifically to clauses 158 and 159 of the bill, which effectively reverse the onus of proof in criminal proceedings. I note that the explanatory notes in relation to section 159 provide that the

executive officers of a corporation commit an offence if they do not ensure the corporation complies with the act. This provision also applies to the executive officers of parents and citizens associations licensed under the act.

To allay the concerns of some members of P&C associations, I note that the provisions are set out in a standard form and contain necessary and reasonable defences relating to whether the officer was in a position to influence the conduct of the corporation. That is the important part we must focus on, that the officer was in a position to influence the conduct of the corporation. I support the reversal of this onus of proof in this instance. It is quite clear that the bill will be passed into law in the near future, and I again urge the minister to monitor the transition of the soon-to-be law into effect at the coalface in our community so as to ensure that our bureaucrats always act reasonably and with commonsense in the policing of the new law. I commend the bill to the House.

Ms MALE (Glass House—ALP) (6.43 p.m.): This afternoon I rise to speak on the Child Care Bill 2002. This bill seeks to increase the level of regulation of the child care industry to maintain high standards of care and safety while ensuring that services are positioned to provide flexible service delivery, thereby responding to the needs of parents and also to the needs of children. The importance of early learning for the child's emerging social, cognitive and emotional development is well recognised by families and child care service providers. The support of families and the care and education of children throughout childhood are of critical significance not only in meeting present needs but also in shaping a society to which everyone can contribute. This government recognises these factors in this legislation and the objects of this bill are to protect and promote the best interests of children receiving child care.

In addition, the guiding principles under which the act is to be administered and licensed services are to be conducted are focused on providing a child care service which recognises the needs of children as the paramount concern. The principles set out how this can be achieved giving consideration to the individual needs of and the diversity between children, respecting the responsibility of parents and recognising the role of the community. The proposed legislation will require the department's chief executive or delegated officer to give consideration to the guiding principles when making licensing decisions. This government acknowledges that the program offered to children is a critical determinant in the quality of any child care service. The program in child care services encompasses all of their interactions, experiences and routines that are part of each child's day.

In regard to programming and licensing centre based services, such as long day care and kindergartens, and the activities and experiences for licensed home based services such as family day care, the bill outlines that the licensee must ensure that all child care provided under the licence is provided under an appropriate program designed to stimulate and develop each child's creative, emotional, intellectual, lingual, physical, recreational and social potential. Whilst the new regulation has not yet been finalised, it is my understanding that it will require the licensee to provide programs having regard to the number of children at any one time, the age of each child and the time the child is in care and how often the child is in care.

In general, the specific requirements outlined also mean that the programs, activities and experiences must include a balance of activities and learning experiences—both indoor and outdoor, individual and group—and it must allow in appropriate circumstances rest or sleep periods, include opportunities for the children to make choices, be flexible and responsive to changes in children's abilities, interests and skills, be designed to nurture each child's self-esteem, self-reliance and competence, be inclusive of children of all abilities, ensure each child's social and cultural backgrounds are respected and valued, and reflect an understanding of Australia's Aboriginal and Torres Strait Islander heritage and its multicultural make-up. In addition, in licensed centre based services the program must be planned and developed from an ongoing observation of the children and assessment of their individual strengths, needs and interests with the involvement of parents, children, staff and other relevant professionals and through regular evaluation of the program's implementation.

Information about the program must include a written statement of the philosophy and goals. A notice must be displayed at the child-care centre providing general information about the program, and parents must be given information about the content or operation of the program that relates to their child. For licensed home based services such as family day care, the information about activities and experiences must also be in a written document, kept up to date and be available for parents on inspection. This document must include a general description of

the activities and experiences, the services philosophy and the goals relating to the knowledge and skills to be developed through the activities and experiences.

One of the main aims of the proposed legislation is to avoid duplication and build on processes that currently exist. Therefore, when looking at programs at a child care service the department will also take into consideration whether the service has accreditation from the National Child Care Accreditation Council or is affiliated with the Creche and Kindergarten Association of Queensland. In recognition that these existing systems provide high-quality programs and curriculum, these factors will be taken into account when deciding what aspects of the service's operation will be specifically examined at the point of renewal. However, this will not reduce the obligation upon the licensee to ensure compliance with every aspect of the legislation.

The Commonwealth government has also extended the National Quality Improvement and Accreditation System to include family day care and it will also soon include school-aged care. Compliance with these systems may be deemed to satisfy the performance requirements under the new legislation. The new provisions outlined in this legislation will assist services in ensuring that child care services continue to be provided in the best interests of children and are responsive to children's and family's needs.

Child care and early education services are important to the state of Queensland as the support of families and the care of children is of critical significance for the future of our society and, as such, it is a key responsibility for the Beattie Labor government. The government recognises the impact of many changes to the child care industry over recent years and the need for longer term planning to ensure that a sustainable industry is available to respond to the changing diverse needs of families. The Queensland Child Care Strategic Plan 2000-2005 was developed to address these issues and identifies the need for improved planning within and across the three levels of government as critical to reduce duplication, improve efficiencies and promote better services for families. It also identifies that continued ongoing attention is required to understand the needs of families, economic trends, employment patterns and the implication of these for future directions and the sustainability of the child care industry.

One of the key strategies in the strategic plan is the development of the Child Care Bill 2002. This bill seeks to assist in the provision of high quality child care services which are sufficiently flexible to continue to respond to the diverse and changing needs of families across Queensland. The Queensland government recognises the importance of planning for a sustainable child care industry and is very aware of the previous unplanned growth that occurred in the development of child-care centres during the early 1990s. This resulted, at the time, in an oversupply of child-care centre places in some parts of the state. This impacted on the viability of child-care centres and placed increased pressure on many service operators and staff trying to maintain a balance between quality service provision and affordability.

The Queensland Child Care Strategic Plan 2000-2005 recognises the importance of working collaboratively to ensure that services remain viable, vital and responsive to the needs of children and their families. This five-year plan demonstrates this government's ongoing commitment to consultation and collaboration because of the belief that more can be achieved by working together.

The Child Care Forum was developed by the Department of Families in 1999 and has played a significant role in the development and ongoing implementation of the strategic plan. The membership of the forum includes private and community based service providers, academics, parents, unions and employers, as well as representatives from relevant government departments. The Child Care Forum has provided valuable input into the strategic plan, has also improved cohesion across the sector and provided important links between the sector and the relevant government departments. The forum has also provided valuable input into the development of this bill.

The Queensland Child Care Strategic Plan 2000-2005 identifies the need for the child care industry to work collaboratively to improve long-term viability and industry responsiveness to family needs. Industry responded to this challenge by working with the Queensland government to develop the Queensland Child Care Industry Plan 2002-2005. This plan outlines key issues of common concern to industry and identifies goals and strategies to address these. The plan has three major themes: human resources and training, research and information technology.

The plan is an important initiative for child care and early education services in Queensland. It marks the first time that diverse sectors within child care have agreed to work together in a coordinated way to respond to significant challenges facing the industry, now and in the future.

The ideas of partnership and cooperation underpin the plan. Child Care Forum members, key stakeholders and industry representatives played a critical role in developing the plan and implementation priorities through workshops, working groups and industry consultations. Statewide feedback on the plan also indicated strong industry support for this initiative. An implementation plan to assist in guiding working groups and key stakeholders in actioning the strategies identified in the Queensland Child Care Industry Plan has been developed. It is intended that the plan will be implemented over three years. The implementation of the plan will strengthen the capacity of the child care industry to manage social and economic change.

With regard to human resources and training and the research theme of the Queensland Child Care Industry Plan, the National Centre for Vocational Education Research has been commissioned by the Department of Families to undertake research on child care employment patterns and trends. The research project is exploring issues related to employment trends within the child care and early education sector, training suitability, availability and accessibility and the retention of qualified staff. The information gained through this research will be vital in the planning of future strategies that will be aimed at increasing the skill level of childcare workers, improving retention of qualified workers in child-care centres and increasing awareness of the important contribution of child care and early education services across government and within the community.

The Department of Families is currently addressing the issue of increasing the skill level of childcare workers and improving the retention of qualified workers in child-care centres with the Child Care Statewide Training Strategy. The Department of Families and the Department of Employment and Training have together developed this three-year training initiative which is currently improving the overall skill level of childcare workers in Queensland. The strategy is providing a range of training options to assist the sector in meeting the qualification requirements in the existing and proposed legislation and is also creating career pathways for the staff in child care services.

Through initiatives such as these and continued planning and collaborative efforts, child care will continue to be a vital industry that underpins community development and the growing state economy, providing high quality care and education that our children deserve and assisting families in achieving economic independence. I congratulate the minister for the work that has gone into this over the last couple of years. I also congratulate her ministerial staff and the staff of the Department of Families for consulting widely and keeping everyone informed right throughout the process. I commend the bill to the House.

Mr LEE (Indooroopilly—ALP) (6.54 p.m.): I rise to support the Child Care Bill 2002. This bill has been drafted so as to support improved service planning, innovation and the flexible delivery of services that meet the diverse needs of Queensland families. The Queensland Child Care Strategic Plan 2000-2005 states that regulated standards will be made consistent across comparable child care settings. The new legislation will apply to established forms of care, such as long day care, family day care and kindergartens, whilst also applying to an extended range of service types such as school-age care. Moreover, the legislation has been written in a way that anticipates various innovative forms of care likely to emerge in the future.

The new legislation moves away from prescribing individual service types such as kindergarten and long day care towards providing broader definitions in the act. Whilst various aspects of the different types of care are important, the most prominent distinguishing characteristic is whether the care is based in a home or in a child-care centre. Therefore, the new legislation contains definitions of centre based care and home based care, and these definitions are broadly worded so as to cover types of care centre services that presently operate in Queensland, including services not currently regulated by legislation, such as school-age care, as well as being flexible enough to accommodate innovative models that might arise in the future.

The proposed regulatory framework is based on a two-tier system. The types of child care regulated will either be required to be licensed or will be stand-alone—not licensed but required to meet set standards. As I have already stated, the key variable within this system will be the setting of the care—whether it is centre based or home based. This move away from the current system where particular types of care are prescribed and required to meet particular standards is one of the key factors in promoting flexible and innovative service delivery. Emerging needs will be able to be met through this more objective licensing system, and government will also have the ability to monitor and enforce basic standards for those types of care not licensed.

I want to take the time now to explain some of the fundamental principles and terms used in this bill. 'Child care' is defined in the bill as care of a child provided by someone other than a

relative or guardian of the child, at a place other than the child's home, for reward, and in the course of a service for regularly providing care of children. A 'child care service' is defined in the bill as a service which provides regular child care. There are certain specific exclusions from the definition of a child care service that I will speak about in a moment.

As I mentioned before, under the bill there are two basic service types: centre based and home based. Child care services will be either required to be licensed or will be known as stand-alone. Under this new legislation, home or centre based child care services that cater for seven children or more will be required to be licensed. Family day care schemes will be a type of licensed home based care service. Services that are now known as long day care centres, limited hours care centres, occasional care centres and kindergartens will all be forms of licensed centre based care. However, these current service types will be able to continue to market themselves as long day care centres, limited hours care centres, occasional care centres or kindergartens. Services that cater for school-age children only, including preschool children, and which operate before or after school and during school holidays will also be required to be licensed. These types of services are also referred to as school-age care services in the bill.

Child care services that cater for up to six children will not be required to be licensed but will be required to meet certain minimum standards. These services will be known as stand-alone child care services.

Debate, on motion of Mr Lee, adjourned.

ADJOURNMENT

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (6.59 p.m.): I move—

That the House do now adjourn.

Bushfires, Granite Belt

Mr SPRINGBORG (Southern Downs—NPA) (6.59 p.m.): I want to carry on from the question I asked of the Premier in parliament this morning, and I am grateful for the Premier's empathy in his answer to my question regarding my concerns about the problems caused by the extraordinarily severe bushfires which occurred on the Granite Belt last week. At the outset I express my very sincere condolences and sympathies for the family of Mrs Sharon Paten, who was unfortunately tragically killed in that fire. I express my sympathies to her husband and to her four children. She was well respected in the local community and her death has very much rocked the whole Stanthorpe shire. Sometimes it appears that we are immune from the severity of bushfires, because it is not often that we see bushfires that so closely impact upon inhabited areas as we saw on the Granite Belt the other day. Fortunately, many times such fires are in rough bushland where there are not many houses. If there are houses they are more often than not saved and very rarely is there ever loss of life.

When I flew around the area affected by bushfire I saw a scene of absolute devastation. The loss of six houses, 11 sheds, numerous cars and the absolute devastation to the orchards was something that had to be seen to be believed. There also needs to be an understanding of fires and the way that eucalypt trees explode in fires. In most areas the landscape was virtually completely denuded and the trees themselves were left standing without any leaves on them whatsoever. They were basically burnt to a stick. That indicates a very hot fire. There was virtually nothing left whatsoever on the ground. I also pass on my thanks to the volunteer firefighters—the professionals who did such an absolutely wonderful job—and all of those people who supported them in the local community. As the Premier said this morning, the Stanthorpe Shire Council did an outstanding job in the control centre which was set up there. Unfortunately, there was quite a serious injury to one of the volunteers, who was then flown to hospital in Brisbane to receive assistance in the burns unit. Hopefully, Mr Thompson will be able to be back home safely very soon. There were also other minor injuries.

Another thing that struck me from midair was the state of the dams on the Granite Belt and the fact that the majority of them held less than 10 per cent of their water capacity. That bodes very badly for the rest of this season. Importantly, household support is starting to come through to those families who have been affected, and for that I am grateful to the state government. However, I would again encourage the government to ensure that all the administrative hurdles are removed from the natural disaster relief assistance program to ensure that those farmers who require concessional loans and grants to assist with items on their properties which were

uninsured—including the trees and the trickle irrigation system—are able to be re-established, because time is of the essence. If the vines in the vineyards and the trees cannot get water soon, they are going to die.

Death of Mr D. Larsen

Ms KEECH (Albert—ALP) (7.03 p.m.): Yesterday Beenleigh laid to rest its No. 1 supporter. The very large crowd gathered at the Beenleigh Uniting Church were there because Doug Larsen had touched their lives in some special way. Whether it was as a loving family member, as a co-worker from the Beenleigh depot of the Gold Coast City Council where he had worked since 1967 or as a representative of the countless community groups on the receiving end of Doug's generosity, everyone had their own personal story to tell of the man who was Doug Larsen. But regardless of how we all came to know Doug, it was his absolute love of life, his boundless energy and his ready smile that endeared him to each and every one of us. The world always seemed a better place when Doug Larsen was around.

In his love of life, it was his passion for Beenleigh that really set Doug apart. He was a servant of the community in the truest sense of the word. Nothing was too much trouble, no council maintenance job too difficult and there was no problem that could not be solved with Doug's ingenuity or contacts. When I became the state member for Albert I quickly learnt that a single phone call to Doug could cut through the most stubborn bureaucratic red tape and thus reduce a job from a couple of weeks to a couple of hours. Doug had his own peculiar style of prioritising jobs and allocating resources. He believed it was better and certainly quicker to seek forgiveness rather than permission. There are hundreds of ordinary folk in Beenleigh and district who are grateful for the jobs Doug completed by pushing them up the priority scale.

Doug was one of those rare individuals who genuinely cared for his community. It is easy to say you care, but it is a lot more challenging to actually put it into words. The countless hours of his own time Doug gave to his beloved Doug Larsen Park and all the other projects was Doug's way of putting his words into action. Doug had the special genius of bringing out the best in all of us. I believe that it is therefore our duty to be worthy of the legacy he left us to ensure that Doug's lifetime devotion to Beenleigh has not been for nothing. Doug's passing leaves with us, his friends, the challenge to put a little bit more back into our own community of Beenleigh and to be just that more focused on working as a team to make Beenleigh a great place to live, work and play. I think it says a lot about Beenleigh that we as a community loved a man so deeply called Doug Larsen. I only hope that we may be worthy of him.

Sugar Mill, Nambour

Mr WELLINGTON (Nicklin—Ind) (7.06 p.m.): I rise to speak on a matter of real importance to the Sunshine Coast community, and that is the pending closure of the sugar mill in Nambour. In August I spoke in this parliament about how a serious fire at the mill was contained and extinguished before it could cause major structural damage to the factory. I now inform members that mill management has listed four of the company's significant parcels of sugarcane land for sale as potential residential subdivision sites capable of yielding in excess of 4,077 residential lots. The locations are Peregian Beach, Coolum Beach, Nambour and Sippy Downs. I have been informed by Mr Woodward from the Bundaberg Sugar Co. that the advertising of the sale of these properties represents a visible confirmation of the mill's closure and, as such, has attracted much attention.

On the Sunshine Coast we have some of the best sugarcane growing land in the state. We do not need to irrigate and the soil is identified by the state government and the local council as good agricultural land. The potential loss of this land from agricultural to residential development would have a significant impact on the whole region, especially when there is already ample land identified in the council's planning scheme for future residential development. As I reported to members earlier in the year, the local canegrowers are still exploring the possibility of building an ethanol processing factory in the region. The current plan is for the factory to process all the sugarcane grown in the region for ethanol and to create a new viable agricultural industry in the region. I note that in the state government's recently announced sugar industry package reference was made to the sugar industry innovation fund, the sugar industry changed management program and the farm consolidation loans opportunities package. I regret to inform members that, notwithstanding high expectations from many in my region, to date there does not appear to be a high level of enthusiasm for the various packages. I accordingly take this

opportunity to inform all members that many people on the Sunshine Coast do not want to see these significant parcels of good agricultural land lost to residential development.

Next Friday, 1 November, the member for Maroochydore and I will be holding a sugar industry support rally in Nambour at midday. The intent of this rally is to send a very clear message to all levels of government and the mill owners that the Sunshine Coast community is not happy with the mill's proposed closure and the advertising for sale of significant parcels of good agricultural land for future residential development. We need to keep this land for agriculture and not allow it to be lost to growing houses and more bitumen roads. This rally will allow all members of our community to be seen and heard and send a strong message that the community demands the town planning scheme be strong enough to withstand legal challenges. I take this opportunity to invite all members of parliament to join Fiona and myself at the rally.

Workshops Rail Museum, North Ipswich

Mr LIVINGSTONE (Ipswich West—ALP) (7.09 p.m.): I take this opportunity to commend the vision, foresight and professional planning that has gone into the creation of the new Workshops Rail Museum at North Ipswich. The museum is now open to the public. The Premier's Department, the Minister for the Arts, Matt Foley, and his staff and the project staff on site are to be congratulated on achieving this world-class tourist attraction. Most importantly, our thanks should go to past state Treasurer David Hamill for seeing the potential of this proposal and for taking the initial steps to set the wheels in motion.

The museum is already attracting a great deal of interest, with approximately 15,000 people passing through the gates since the opening weekend and over 5,000 people visiting during the recent school holidays. Visitors have expressed unanimous admiration for the way the history of the workshops and the contribution made by its many railway workers has been so professionally displayed. The $20 million investment in this project, as part of the Queensland Heritage Trails Network, has been money well spent. It will bring to life the cultural heritage of the region and create a wonderful tourism destination.

Ipswich has held a unique place in rail history for the past 138 years, with the first train line in Queensland running between Ipswich and what was Bigges Camp, now known as Grandchester. Over these many years railway workers and their families have played an integral part in the development of the city and of the state. This memorial to the people and the industry is a major achievement by the state government. I particularly acknowledge the efforts of project manager Mark Leisemann and museum director Andrew Moritz and their staff, as well as all the workers who have contributed so much effort to make the Workshops Museum a reality.

I will be encouraging everyone—families, school students, past and present rail workers and their relatives and friends—to visit the museum and gain a new insight into the colourful history of Ipswich and the great contribution that has been made by so many rail workers to the development of rural and regional Queensland.

Dalby State Emergency Services

Mr HOPPER (Darling Downs—NPA) (7.11 p.m.): I rise to speak about the SES based at Dalby. Councillor Annette Frizzell, head of the SES at Oakey, is a very fine, hardworking lady. She is in charge of a lot of things. At a recent function Annette was running around with the loudspeaker on her hip. She knows her job well. She has pushed a lot of points through to my office. One of those relates to the Dalby SES unit. A letter I received states—

The Darling Downs District Office has declared the Dalby SES Unit defunct because of the failure of the Dalby Unit to fill in what is known as The Orange Book. As I understand the Orange Book is a training Manual that every volunteer is expected to complete.

The Dalby Unit train every fortnight, but say they don't have the time or the resources to fill out the paperwork as is the case with many of the SES units. I understand that some units have thrown their books up into the loft in protest.

The situation is that Dalby unit which covers Dalby, the southern area of the Wambo Shire (including the Bunya Mountains), the North Western part of the Jondaryan Shire, the eastern part of the Chinchilla Shire.

Under the present scheme of things Dalby SES area is supposed to be covered by some other Unit eg. Oakey—response time 1 hour 65 kms. Or Chinchilla 86 Km. A recent fire emergency was supposed to be handled from Jandowae, however, it was attended by the Dalby Unit with some 6—7 men whilst Jandowae could only muster 2 men.

That is no reflection on Jandowae. Jandowae is a very good unit. It comes out and supplies our bike rides at Bell. The volunteer work it does is amazing. A glider crashed a year or so ago and the unit was there. It also attends at many car accidents. The letter continues—

It is ridiculous to say the Dalby is to be left unprotected all because of the Bureaucratic Red Tape and the intransigence of a paper jockey based in his ivory tower in Toowoomba.

SES volunteers are expected to be re-accredited every 2 years this would involve their attending up to 7 different courses which can involve between 1 and 4 days for each certificate. It is ridiculous to expect these volunteers to carry out this amount of training every two years when they are already training as a unit every fortnight.

Tonight I call on the minister, Mike Reynolds, to do something about this and get the SES at Dalby up and running. It continues—

The Dalby Unit services approximately 100 km of the Warrego Highway which is the heaviest tonnage route in Australia and it is unreasonable for the Darling Downs District Director to expect that this will be covered by other units which like Dalby are under resourced and under funded.

The Emergency services Department bludges on the goodwill of local people to do their work and then they have the gall to expect them to carry on their paper war as well. If they want their Orange Book filled out then they need to send someone out to watch out each training session and fill in the book.

Time expired.

Kinetic Education

Mr PEARCE (Fitzroy—ALP) (7.14 p.m.): Today I issue a warning to parents considering signing up for computer based educational programs designed to assist their children in making the most of their senior schooling. Of particular concern to me is a product called Your Learning Advantage, marketed by a company known as Kinetic Education, based in Victoria and contracted to families in Mackay, Rockhampton and the coal mining towns of the central highlands.

In issuing this warning I wish to highlight the case of Aaron and Tracey Pilcher, the problems their sons encountered with this program and the couple's subsequent efforts to secure a refund. In April 2001 the Pilchers purchased the Kinetic Education program through the company's authorised distributor in Mackay, a Mr Wayne Aspland of One World Education. They paid $5,200 for a package designed to assist their two high school aged sons with their school work, particularly in the areas of senior maths and senior sciences.

Six months after the initial purchase Mr and Mrs Pilcher contacted Mr Aspland at One World Education with serious concerns about the program as a result of the poor marks their sons were receiving. In fact, after following the program the Pilchers' eldest son went from recording very high and high achievements to a low achievement in maths. The son also found it difficult to locate specific study areas on the program, not only in maths but also in chemistry and physics. A younger brother also had trouble finding units to help him with maths topics he was covering at school. Both boys were doing the lessons on the program but found they needed further information to assist them with their school studies, information that they clearly could not find in the program. A maths tutor visited the boys twice in the early days and confirmed that they were indeed using the program as directed. But given their worrying school results, Mr and Mrs Pilcher felt it was no longer appropriate to keep them on the program and they sought to return it to the company and claim a refund.

As the Mackay distributor for the product, Mr Aspland was the main point of contact for the Pilchers. In early discussions with the Pilchers Mr Aspland, under instruction from his employer, quoted the company line that the couple was not entitled to a refund of the purchase price because the boys had not consistently used the product as per the rules. Those rules, embedded in the contract, were that the program must be used consistently for 30 minutes three times a week for a full 12-month period, otherwise the money-back guarantee was void. The Pilchers were informed that, although their sons had used the programs occasionally, they had not used them consistently enough to be eligible for a refund. The reality is that, because of the negative impact the program was having on their results, the Pilchers had no alternative but to take their sons off the program before the end of the 12-month period. What parent would not have done the same when it was clear that the program was having such an adverse effect on their child's studies?

The last tutor to visit the family—a visit arranged by Mr Aspland—actually stated that they believed the company should refund the Pilchers their money. In an effort to mediate a solution agreeable to all parties, Mr Aspland eventually sought the assistance of the company's head office in Victoria. But Kinetic Education's Jonathan Sanghvi has continued to stick to his guns, maintaining that the family is not entitled to a refund.

In light of the last tutor's advice, Mr Aspland was finally convinced that a refund was warranted and felt the company should have bitten the bullet and given the Pilchers their money back. Mr Aspland has been so upset by Kinetic Education's continued refusal to do so he has now cut all ties with the company and is assisting the Pilchers in their fight for compensation. Mr Aspland by his action has ensured his own credibility on this issue. The company line is that a refund will not be granted if the program was not used in accordance with the conditions of the contract. The family's argument is that the contract's conditions were unrealistic and flawed in the first place.

Time expired.

NetAlert

Dr WATSON (Moggill—Lib) (7.17 p.m.): I rise to bring to members' attention a new monthly e-newsletter which members can receive. It is called *The Net Alert* and it is produced by a community organisation called NetAlert. If members want to subscribe to it, the site can be found at www.netalert.net.au.

NetAlert is a community education advocacy organisation established by the federal government in 1999. The purpose of this organisation is to build a robust, safe and well-understood environment for Australians who want to use the Internet. I think it is important, given the importance of the Internet for Queensland's and Australia's future development, that there is an organisation which is about building a safe working environment.

I think members are well aware of some of the issues that concern users of the Internet—things such as computer viruses. I think we are all worried about that when we get onto the Net. There is one going around at the moment called Bugbear. Earlier this year there was the Code Red virus, which was estimated to cause something like $26 billion of damage to American businesses. That is a fair bit of money. There are also issues such as cyberterrorism. In 1998, for example, the Tamil Tigers used it to attack some of the communication links in Sri Lanka.

Of course, we are familiar with the issue of hackers, who get in and destroy both business and government computer systems. Most of those people are not criminals. In fact, most of them are just youth doing it for fun. The thing that I like about the newsletter that has been published is that it actually has something to do with things that worry ordinary Australians. In the latest edition of the newsletter there is a section titled 'Questions you might get asked about the Internet'. They are simple questions such as, 'What do I need to stop my children from viewing pornography on the Internet?' The answer is, 'You use filters and labels.' The next question is, 'How do filters and labels work?', then, 'Where do I get those tools?', then, 'How can I lodge a complaint about a pornography site?', then, 'Do you know any safe places on the Internet for my children?' I think that those are the kinds of concerns of parents who have children who are starting to use the Internet. This is a place where people who are trying to raise their children can actually go to and get some simple answers to questions that concern them. This is about building a safe environment for all families to work on the Internet.

Mingela State School, RoboCup Junior National Finals

Mrs CHRISTINE SCOTT (Charters Towers—ALP) (7.20 p.m.): Tonight I want to speak about a wonderful group of children from my electorate. They, together with their teaching staff, parents and support group, have demonstrated what it truly means to be part of the Smart State.

First of all, let me tell members a little about these children and the community that they call home. They hail from the tiny township of Mingela, which is situated half an hour or so by road from Charters Towers. Mingela has a hotel, a school, a police station and a few houses. Currently, there are only seven children enrolled at the school. These children include little Kearna Pott, who is still in year 1; Chrissy Moody, Ayla Pott and Sam Moody, who are in year 4; and Andrew and Jay Moody and Alainah Oats, who are in year seven. They have all shown enormous talent as well as a will to succeed which is quite simply startling.

The RoboCup Junior National Finals were held recently at the Melbourne Convention Centre and Mingela State School was there to compete in the primary school dance section. This was more than simply a dance competition; this was a test of the children's ingenuity and their ability to problem solve as much as it was a dance competition. The children had to design, construct and program a robot to dance to music, design a T-shirt logo and make it, and conduct a 10-minute interview to demonstrate their understanding of the robot and to ensure that the work was their own and not the work of their teachers or other adults. Fittingly, the Mingela team was called

Kung Fu Kids and the robot was christened Jackie Chan. The robot danced to the song *Kung-Fu Fighter*. This was the first time in the world that a team competing in RoboCup—and RoboCup is held in something like 20 countries world wide—had consisted of the whole student body. The fact that those children were able to gain second place in a national final is a marvellous result.

I am sure that all members appreciate the colossal effort that was required by everyone—from the school principal, Margaret Brake, to the staff, parents and supporters—to get the children to Melbourne for the finals as well as the inventiveness and talent that was displayed in full by these students at the finals. For a small community such as Mingela to have been able to raise the necessary funds to get the children to the state finals and ultimately the national finals speaks volumes for the dedication of those involved as well as for the generosity of the community.

Our government has stated that its objective is for this state to become known as the Smart State. These children have shown a lot of us the way. They are smart children who live in a Smart State and, while ever our tomorrow lies in the hands of these astonishing children and others like them, we can all look forward to the realisation of our dream of being known far and wide as the Smart State. I call on members of this House to applaud the efforts of the people of Mingela and its school, especially these seven gifted little Queenslanders from Mingela State School who have done us all proud.

Regional Youth Conference

Mr MALONE (Mirani—NPA) (7.23 p.m.): On the weekend of 21 and 22 September I had the privilege and pleasure of attending the regional youth conference called 'Take me seriously'. It was an initiative of the Youth Development Program of the Sarina and Mirani shires under the guidance of the Youth Development Coordinator, Neil Kempe, and it involved members of the Sarina and Valley District Youth Councils. The conference symposium was held at the Alligator Creek Conference Centre, which is located just north of Sarina. This symposium provided an excellent opportunity for young people from Sarina and the Pioneer Valley to talk about youth issues in their local areas and to workshop ideas on youth councils, local youth projects and official youth policies.

I was pleased to participate in some of the proceedings and stressed the need for input at any level of government to be a cohesive and responsible submission in order to progress the concepts further. The enthusiasm and maturity of these young people was most impressive, as were the very responsible policy statements that they developed to put forward to councils for consideration in formal youth policies.

I congratulate and commend Neil Kempe, the Youth Development Coordinator and mentor for these young people. The community in my electorate is very deeply indebted to Neil and his wife, Lisa, who are totally and selflessly dedicated to the youth of the Sarina and Mirani shires. Many of the young people under his guidance in my electorate are achieving at a very high level. They are an inspiration to all of us and particularly to the young people around them.

It is impossible to name all of them, but many of them work for the betterment of their mates. One person in particular who I would like to mention is a young bloke by the name of Tony Doring. I refer to an article in the *Mackay Daily Mercury* headed 'Tony's civic pride earns him award', which states—

St Patrick's College student Tony Doring has been recognised for his contribution to youth activities in the Sarina community.

The year 12 student will be awarded his Certificate of Merit and Gold Medallion as a winner of the Order of Australia Association Student Citizenship Awards at a ceremony at Parliament House in Brisbane on Monday, September 16.

The St Pat's school captain said he had been an active member of Sarina's Youth Council for the past six years.

He has spent the last two years as the group's president.

I applaud the level of achievement of Tony Doring and other people like him in my electorate. As I said, there are many others like him who are working hand in hand, shoulder to shoulder to make the youth in our community a resource that we can rely on and look to as leaders in our community in the future.

Bulimba State School

Mr PURCELL (Bulimba—ALP) (7.26 p.m.): It gives me a great deal of pleasure to inform the House that the Bulimba State School in the Bulimba electorate has been named Queensland's greenest and healthiest school for 2002. Bulimba State School beat 366 other contenders from

around Queensland in the Keep Australia Beautiful Council (Queensland) Inc. Comalco Green and Healthy Schools competition. My colleague the Hon. Anna Bligh, Minister for Education, and Comalco Ltd Chief Executive, Mr Sam Walsh, presented the award to Bulimba State School in a ceremony last Friday.

The judges described Bulimba State School as buzzing with student-initiated and school-community activities and had a list of environmentally sustainable activities which was exhausting. The school concentrates not only on physical features but also on the change in attitude towards the environment, the community and the future. Sustainability is one of the key features that is discussed and considered within all aspects of the school. Bulimba State School also works with community groups and businesses who assist the school with recycling and information.

I believe that the credit for the outstanding success of the Bulimba State School in this area must go to the principal. Without the support and encouragement of the principal, students, teachers and volunteers would not be able to put their ideas into practice. Michael Zeuschner is to be commended for his leadership, support and encouragement of these innovative programs.

Currently, work is under way at each year level at the school to identify environmental activities that relate to the curriculum studies for that year level and which integrate and highlight sustainability. Some of the initiatives include worm farming, gardening, recycling, and water and energy use. Bulimba State School places a large emphasis on the fact that the children who live in an urban environment have the opportunity to be involved with their environment and learn how to conserve it for the future. The students recycle paper, cardboard and cans, have a new litter bin design and placement, recycle old school assets and have a disposal process for non-recyclables. Other initiatives include the reuse of outgrown uniforms, access to mulch from local tree-lopping companies, using reverse garbage for art supplies, and accessing plants for the school gardens that are deemed unsuitable for sale by the local nursery.

Bulimba State School is also working on road safety, the redevelopment of a steep bank that has become overgrown and a review of the tuckshop menu to promote hygiene and health food. An ongoing project is the development and construction of a toilet block on the lower oval that will use sustainable technology, solar energy and rainwater. Mr Doug Hammond, a teacher at Bulimba State School, has been a driving force at seeing these initiatives come to fruition. On behalf of the current and future students at the school, I thank Doug. The Bulimba State School is also fortunate in having a wonderful group of supporters who offer hours of their time to improve the school environment. These people are involved in finding resources, monitoring school pick-up and drop-off zones, developing the grounds, advocating for the school at local and state government levels and providing knowledge to improve practices.

The future of this planet certainly appears to be in good hands with such environmentally aware young people in our midst and it is no wonder that Bulimba State School was chosen to be the 2002 winner. I give my personal congratulations to all the students, teachers, supporters and local businesses who have all worked so very hard to achieve this outstanding success.

Motion agreed to.

The House adjourned at 7.30 p.m.