Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 6 DECEMBER 1973

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Mr. SPEAKER (Hon. W. H. Lonergan, Flinders) read prayers and took the chair at 11 a.m.

PAPERS

The following papers were laid on the table, and ordered to be printed:—

Reports—

Land Administration Commission, including Reports of the Surveyor-General, Superintendent of Stock Routes and Rural Fires Board, for the year 1972-73.

Department of Forestry, for the year 1972-73.

State Electricity Commission of Queensland, for the year 1972-73.

QUESTIONS UPON NOTICE

TERMS OF WHEAT SALE TO EGYPT

Mr. Houston, pursuant to notice, asked The Treasurer,—

(1) Is he aware of the statement in *The Courier-Mail* of December 5 in which the Premier stated that the Commonwealth Government arranged the sale of wheat to Egypt against the wishes of the Wheat Board and that the growers would be responsible for losses?

(2) As the Acting Minister for Primary Industries confirmed in his Answer to the Question by the Member for Toowoomba South on December 5 that the Commonwealth Government would assume 75 per cent. of the risk and that the Wheat Board entered into agreements in 1971 to sell the wheat, will he correct the inaccurate and misleading statements of the Premier?

Answers:—

(1) "I have read the report to which the Honourable Member refers."

(2) "I would suggest that he re-read both the Question asked by the Honourable Member for Toowoomba South and the Answer given thereto. I cannot see that such Answer confirms the assertions contained in the Question now being asked by the Honourable Leader of the Opposition. I would add that the point being made by the Honourable the Premier and the Acting Minister for Primary Industries is that as the Commonwealth had required the Australian Wheat Board to sell on credit terms instead of for cash, the Commonwealth should have been prepared to underwrite the total sales."

APPEALS AGAINST PROMOTION, POLICE FORCE

Mr. Newton, pursuant to notice, asked The Minister for Works,—

How many police appeals against promotion, covering all ranks, are awaiting determination in each category as at November 30?

Answer:—

"Number of Appellants	Promotions Appealed Against
2	2 Sergeants 1/C to Senior Sergeant
20	8 Sergeants 2/C to Sergeant 1/C
13	10 Senior Constables to Sergeant 2/C"
Total 35	

STRENGTH AND RESIGNATIONS, POLICE FORCE

Mr. Newton, pursuant to notice, asked The Minister for Works,—

(1) What was (*a*) the approved strength and (*b*) the actual strength of the Police Force, including all ranks, as at November 30?

(2) How many policewomen, including all ranks, were employed at the same date?

(3) What was the number of resignations from the Police Force, including ranks from policemen and policewomen, in each month from July 1 to November 30 and what was the reason for the resignation in each category?

Answers:—

(1) "(*a*) and (*b*)—

	As at 30 November, 1973	
	Approved Strength	Actual Strength
Commissioner	1	1
Assistant Commissioners ..	3	3
Chief Superintendent ..	1	1
Superintendents	14	8
Inspectors	96	89
Senior Sergeants	154	137
Sergeants 1/C	282	241
Sergeants 2/C	560	500
Constables	2,295	2,249
Total	3,406	3,229"

(2)—

" Sergeants 2/C	2
Constables	163
Total	165"

(3) "Resignations effected between July 1, 1973 and November 30, 1973:—

July (6)	Sergt. 2/C—2 (including 1 Policewoman)	Marriage (1); Other employment (1)
	Constables—4 (including 1 Policewoman)	Marriage (1); Other employment (2); Discontented (1)
August (9)	Constables—9 (including 2 Policewomen)	Discontented (2); Other employment (5); Due to transfer (1); Unable to cope with duties (1)
September (13)	Sergt. 2/C—1	Other employment (1)
	Constables—12 (including 1 Policewoman)	Other employment (5); Travelling abroad (3); Separation from fiancee (1); Domestic reasons (2); Lost desire to serve in Force (1)
October (12)	Sergt. 2/C—2	Health reasons (2)
	Constables—10	Other employment (7); Personal reasons (1); Domestic reasons (1); Discontented (1)
November (16)	Sergt. 2/C—2	Other employment (1); Personal reasons (1)
	Constables—14 (including 1 Policewoman)	Other employment (6); Travelling abroad (1); Personal reasons (1); Health reasons (1); Marriage (1); Discontented (1); Unsuited to police work (2); No reason given (1)

Total: 56, including 6 Policewomen."

PEARSON TRADING COMPANY

Mr. Hinze, pursuant to notice, asked The Minister for Works,—

(1) Has he heard of a company known as Pearson Trading Co. of 27 Hedges Avenue, Broadbeach?

(2) Is the company registered in Queensland or in any other State?

(3) Are Arthur Williamson, Gary Williamson, Ronald Barns and John McFadden connected with the company?

(4) Have they any convictions in this State or any other State?

(5) Are two other men, whose names are Cole and Crowles, associated with this company and have either or both of them any convictions?

Answers:—

(1) "Yes."

(2) "This enterprise is not registered or incorporated as a company in the State of Queensland nor is it registered as a business name at Southport or Brisbane."

(3) "I have no information that the persons named are connected with the running of the enterprise in question but all of these persons are closely associated with Rupert John Cole who is concerned in the conduct of the enterprise."

(4) "All of the persons named, with the exception of McFadden, have interstate convictions."

(5) "See Answer to Question (3). Whilst no information is available to indicate that Crowle is associated with the enterprise, he is associated with the person Cole. Both Cole and Crowle are convicted persons."

ART COURSE, TOWNSVILLE TECHNICAL COLLEGE

Mr. Aikens, pursuant to notice, asked The Minister for Education,—

As a survey indicates that 50 students are prepared to enrol for a full-time course in art at the Townsville Technical College, will such a facility be provided and, if so, when and under what conditions?

Answer:—

"I was not aware that such a survey had been carried out in Townsville. No details of the survey were made known to me nor to officers of my Department. Without this information it is not possible to determine what level of training in art is required. That is, whether there should be consideration for a tertiary level course, a certificate level course or a recreational course. If the Honourable Member will let me have the details of the survey and its findings I shall have the matter fully investigated."

NEWSPAPER PHOTOGRAPH OF PARTICIPANTS IN MOCK TRIAL, BRISBANE PRISON

Mr. Aikens, pursuant to notice, asked The Minister for Tourism,—

(1) Has his attention been drawn to a photograph in *The Courier-Mail* of November 5 in which prisoners in a Queensland gaol were depicted as wearing old-fashioned, striped uniforms, with large iron balls affixed to their legs by chains and, if so, is this photograph factual?

(2) Is Valerie Ffrench, who is shown in the photograph, the same person who was, for some considerable time, banned from visiting any Queensland prison and, if so, when was the ban lifted and for what reason?

Answers:—

(1) "I presume the Honourable Member is referring to a photograph which appeared in *The Courier-Mail* of December 5. As well as the photograph, I also noticed that the report accompanying it referred to a 'mock trial' staged by members of the Queensland Debating Union and the Spartan Debating Club and to the fact that a prison inmate was dressed up as a 'comic prisoner'. The ordinary Prison uniform is grey or blue denim trousers and blue headcloth or scotch twill shirting. Numbers are not used in Queensland Prisons."

(2) "The Valerie Ffrench shown in the photograph is the same person whose permit to visit the Prison as a Welfare Officer of an organisation which has since ceased to exist, was withdrawn some time ago. However, in her capacity as Secretary of the Queensland Debating Union, she has never been barred from visiting the Prison as a member of that Union. For the information of the Honourable Member, the Spartan Debating Club, which is comprised of prisoners of Brisbane Prison, is affiliated with the Queensland Debating Union."

ALLEGATION OF CONTAMINATION, MARYBOROUGH WATER SUPPLY

Mr. Marginson for **Mr. Blake,** pursuant to notice, asked The Minister for Health,—

(1) Is he aware of a Press report in *The Courier-Mail* of December 5 regarding a claim that Maryborough's water supply has one of the heaviest doses in Australia of the impurity dioxin, which is found in the chemical hormone spray 2,4,5-T and is known to cause mutations and death of unborn babies?

(2) Will he have the claim of contamination and its alleged relationship to forestry practices in the watershed area investigated as a matter of urgency?

Answers:—

(1) "Yes."

(2) "Yes."

COMMONWEALTH CONTROL OF PRICES AND HOME-CONSUMPTION PRICES FOR SUGAR AND WHEAT

Mr. Marginson for **Mr. Blake,** pursuant to notice, asked The Minister for Primary Industries,—

(1) Is he aware of a report in *The Courier-Mail* of December 5 which quoted him as having said that price control could only be bad for producers of wheat, cotton or any other commodity?

(2) Is he opposed on principle to the controlled home-consumption price of products such as sugar and wheat, which are presently sold for Australian consumption far below the ruling world market price?

Answers:—

(1) "Yes."

(2) "The report is not correct. If the Honourable Member refers to my Answer in Parliament on December 4, 1973, he will find that I said among other things that the effects of price control by a Federal Government could only be to the detriment of producers. There is a vast difference between the determination of a selling price for a commodity as a result of consultation between industry and Government and the imposition of an arbitrary price by a central bureaucracy."

SWIMMING POOLS AT HOUSING COMMISSION HOUSES, TOWNSVILLE

Mr. Tucker, pursuant to notice, asked The Minister for Works,—

(1) Has the Queensland Housing Commission advised the Army headquarters at Lavarack Barracks, Townsville, that it will not accept responsibility for any obligations arising under the Townsville City Council by-laws relating to the installation and operation of above and below-ground swimming pools on its tenanted properties in Townsville and, if so, what is the reason for this attitude?

(2) Has the council advised the commission that it has accepted the policy and would refuse applications for the installation of pools from persons occupying commission houses?

(3) Does this policy now apply to all commission tenanted houses in Townsville or only to those known locally as "Army homes"?

(4) Have tenants who have installed pools been advised that they should arrange to have them removed?

Answers:—

(1 and 2) "Yes. The By-laws of the Townsville City Council provide that the owner of land on which a swimming pool is situated shall ensure that every provision of Chapter 21 is complied with and create a liability to a penalty up to $200 plus $20 per day for any breach. It is impracticable for the Commission for its rental properties to accept the responsibilities laid down by Council in regard to Swimming pools and the Commission informed Council accordingly. For example, the Commission could not be involved in the maintenance of the prescribed range of alkalinity or observance of the prescribed parts per million of free chlorine which may be 0·25 parts in some cases but must be 1·5 parts in other circumstances. Furthermore, approval by the Commission may create a liability in the case of the drowning of a child entering the property and falling into the pool. Council advised that it would refuse applications for permits from Commission tenants."

(3) "To all State Rental Houses in Townsville."

(4) "The Council may have done so where it finds a pool has been installed without a permit."

NATIONALITY OF PERSON CONVICTED OF SEXUAL ATTACK ON CHILD, ST. LAWRENCE

Mr. Casey, pursuant to notice, asked The Minister for Justice,—

(1) Further to my Question of August 2 regarding the charges, following a savage and bestial attack on a two-year-old girl at St. Lawrence, against a man alleged to be an illegal Papuan immigrant and his subsequent conviction in the Rockhampton Supreme Court, is the convicted person a native of Papua New Guinea and, if so, when and how did he enter Queensland?

(2) Will he be deported to his native land when he has completed his term of imprisonment or will he be allowed to remain in Queensland?

(3) Is there evidence that other persons have illegally entered Queensland in the same way and, if so, has he requested action of any other Minister to investigate the evidence and with what result?

(4) Who met the costs of the convicted person in both the Magistrates Court and the Supreme Court and what were the costs?

Answers:—

(1 and 2) "The allegation has been made that the person convicted, John Tabua, is an illegal immigrant but I am not in a position to confirm the truth of the allegation. The matter of his deportation is one for decision by the Commonwealth Immigration Department. The allegations are certainly disturbing and one wonders how many illegal immigrants have entered Australia. The Torres Strait Islands are of particular concern in this matter. I believe that Commonwealth Authorities have been warned of what is happening—as I have seen Press comments on this subject from time to time."

(3) "The question of illegal entry into Queensland by persons from Papua New Guinea is a matter for the Commonwealth Immigration Department."

(4) "Tabua was represented in the Supreme Court by Counsel instructed by the Public Defender pursuant to the Poor Prisoners Defence Act. Payment of Counsel's and Solicitors' fees has not yet

been finalized. Fees in respect of the committal proceedings in the Magistrates Court were not met by the State of Queensland and details of them are not known."

CONTROL OF GRADER GRASS, NORTH QUEENSLAND

Mr. Casey, pursuant to notice, asked The Minister for Primary Industries,—

(1) Is he aware that there is great concern by North Queensland local authorities at the spread of what is commonly known as "grader grass", which has now spread from the roadside and covers large areas of natural pasture?

(2) Has any investigation been carried out to ascertain the extent of the spread of the grass and has any research been undertaken to determine a biological means of controlling its spread?

Answers:—

(1) "Yes, my officers have long been aware of the 'grader grass' problems."

(2) "During 1965 Departmental Officers throughout the State were circularised regarding the distribution of grader grass within their areas and the extent of its spread at that time was determined. Subsequently a detailed study was undertaken by an officer stationed at Mackay to determine control measures. Essentially this work showed that grader grass, an annual, requires light on the soil surface for seed germination each year and that in the absence of this light the seed quality deteriorated rapidly. As a result there is little carry over of viable ungerminated seed from season to season if an adequate ground cover is retained. The conclusions from this work were that burning, close mowing or heavy close grazing should be avoided in grader grass infected areas. If this was done the infestation would soon die out. Grader grass has not proved a problem in vigorous well managed tropical pasture areas, a fact which supports the above conclusion."

COMMONWEALTH AID TO LOCAL AUTHORITIES FOR EMPLOYMENT OF ABORIGINES

Mr. Casey, pursuant to notice, asked The Minister for Local Government,—

(1) Is he aware that Queensland's local authorities have been recently advised by the Commonwealth Department of Aboriginal Affairs that finance made available for special work projects for the employment of Aborigines is being handled direct from Canberra to the local authorities concerned?

(2) Does the acceptance of such grants by a local authority contravene any section of the Local Government Act or any other Act?

Answers:—

(1) "I understand that a letter has recently been addressed to Local Authorities by the Commonwealth regarding the matter raised by the Honourable Member but I have not seen a copy of such letter."

(2) "This Question involves a matter of legal interpretation including an interpretation of Constitutional law, and, accordingly I do not think it would be competent for me to comment thereon."

STAFF PROTEST AGAINST WARD CONDITIONS, ROYAL BRISBANE HOSPITAL

Mr. Marginson for **Mr. F. P. Moore**, pursuant to notice, asked The Minister for Health,—

(1) Further to my Questions regarding the Royal Brisbane Hospital, have staff in Wards 1A and 1B signed a protest on the conditions that exist in those wards?

(2) Does the manager intend to take immediate action because, for good management, liaison with staff is a necessity?

Answer:—

(1 and 2) "The Chairman of the North Brisbane Hospitals Board has advised me that he is not aware of any signed protest from staff employed in Wards 1A and 1B at Royal Brisbane Hospital. For the information of the Honourable Member, I would advise that Ward 1B is presently being renovated and the only staff employed in this Ward are members of the Hospitals Board's maintenance staff. There is at the present time a programme of renovations in various parts of Royal Brisbane Hospital and it is possible that there may be complaints from staff members in various areas who may have been inconvenienced. I am not aware, however, of any such situation at the present time, but I will have enquiries made regarding this matter."

BULK ELECTRICITY TARIFFS, NORTHERN ELECTRIC AUTHORITY

Mr. Marginson for **Mr. F. P. Moore**, pursuant to notice, asked The Minister for Local Government,—

(1) Is he aware of the bulk electricity rates of charges in the Northern Electric Authority as at July 1, 1964 and September 1, 1973, for the Cairns, Townsville and Mackay regional areas?

(2) As the charges for the Cairns area have increased by 38 per cent., the Townsville area by 9 per cent. and the Mackay area charges have decreased by 11 per cent., and as the Cairns Regional Electricity Board has an industry-wide reputation for being an efficient distributor over a large area, a reputation not shared by the Townsville board, will all of North Queensland gain from this centralisation?

(3) Has he received advice from the State Electricity Commission which is not in accordance with the best interests of the residents of this area?

Answers:—

(1) "Yes."

(2) "Yes. Tariffs in North Queensland will be progressively reduced as a result of the planned reorganisation and this will benefit all North Queensland electricity consumers including those living in Cairns. The criticisms by the Honourable Member of Townsville Regional Electricity Board are quite unfair and not based on fact. That Board operates a highly efficient undertaking."

(3) "The advice received is fully in accord with the Government's objectives and will benefit the Cairns area as well as the rest of Queensland."

QUESTIONS WITHOUT NOTICE

ILLEGAL PRAWN TRAWLING, MORETON BAY

Mr. HOUGHTON: I ask the Minister for Primary Industries: Is he aware that a few prawning boats are fishing the protected prawn-breeding areas of Moreton Bay, against the interests of a large number of prawning boats? Will he take some positive action against these offenders to stop this flagrant breach, by way of prosecution, cancellation of licences, and also confiscation of the boats involved?

Mr. SULLIVAN: I am very concerned about the irresponsible action of a few prawners in Moreton Bay. I believe that my officers, myself and Cabinet acted very responsibly in closing certain areas to prawning, at the request and on the recommendation of responsible prawners and fishermen in the area, to allow for the breeding of prawns. I am concerned—I know that fishermen are too—that these people are raiding these areas, and it is my intention, as soon as I get the opportunity today, to discuss the matter with my colleague the Minister for Marine Affairs, whose officers are responsible for policing these activities. I assure the honourable member and responsible fishermen that whatever action is necessary to bring these offenders to heel will be taken.

REDUCTION OF ROAD TOLL

Mr. N. F. JONES: In the absence of the Premier, I ask the Deputy Premier: Is he aware of the figures issued by the Commonwealth Statistician on 30 November which reveal that the number of deaths on the road (180 for the June quarter of this year) was the highest ever recorded for any quarter and that 2,803 non-fatal injuries were also sustained in the same period? If so, what measures is his Government taking to reduce the appalling road toll as a result of which 625 persons were killed on Queensland roads in 1972-73 and 10,903 injured?

Sir GORDON CHALK: I am aware that there has been an increase in the road toll in this State. However, I point out that the Government has taken decisive action in an endeavour not only to improve the policing of the roads but also, through road safety measures, to ensure that vehicles on the roads are in a roadworthy condition and that every possible safety precaution is taken from a Government point of view. On the other hand, it has been my experience that the human element is something the Government cannot control. Whilst there are many road accidents in the heavily trafficked areas of the State, a great number also occur in the open areas, where, to some degree, high speed is probably the cause.

The honourable member asks what the Government is doing to reduce the road toll. We are certainly conscious of the need to reduce the number of traffic accidents and also to police the traffic regulations effectively, and that is what we are endeavouring to do.

Mr. Aikens: Whatever you do will be opposed by the A.L.P.

Mr. SPEAKER: Order! If the honourable member for Townsville South interjects again, I will deal with him under the provisions of Standing Order 123A.

ABSENCE OF TEACHER FROM SCHOOL TO ATTEND PREMIER'S MEETING, INNISFAIL

Mr. F. P. MOORE: In directing a question to the Minister for Education and Cultural Activities, I express my complete abhorrence at the politicking of the Premier——

Mr. SPEAKER: Order! Please ask the question.

Mr. F. P. MOORE: Is the Minister aware that in Innisfail this morning a State high-school teacher, Mr. McRobbie, who is also a Country Party secretary, and a number of school-children were in an Innisfail street soon after 10 o'clock and were greeted by the Premier following a speech that he made over the public-address system? Will he investigate this matter to ascertain whether the teacher had leave of absence and, if he did not, inquire from the principal why the

teacher was allowed to be absent from the school? Finally, does he agree with this type of politicking that is being engaged in by the Premier?

Sir ALAN FLETCHER: I am not aware——

Mr. F. P. Moore: I am telling you.

Sir ALAN FLETCHER: I think it would be unwise for me to accept as completely accurate some of the untested statements that I have bowled up to me from time to time. In this case I would like to have a look at the whole circumstances before I am called upon to express my views. So that I can know what it is all about, I ask the honourable member to put the question on notice.

GOVERNMENT GRANT TO COOMERA RIVER GOLF CLUB

Mr. DAVIS: I ask the Minister for Tourism, Sport and Welfare Services: Will he inform the House why a grant of $4,500 was given to the Coomera River Golf Club, which is an off-shoot of Foxwell Pine Forest Ltd., which in turn is a developmental company that has the golf course under lease for five years? Is it now the policy of his department to assist subdividers and other commercial enterprises with funds that should be channelled to sporting bodies who are in urgent need of them? In the light of the information released in "Sunday Sun" last week-end, will he now cancel this grant?

Mr. HERBERT: I am sorry that the honourable member cannot read, and also that he sees fit to cast aspersions on the Queensland Golf Union.

Mr. DAVIS: I rise to a point of order. I object to these assertions by the Minister whenever I direct a question to him. I asked him a simple question and I should like a courteous answer, without any of the stupid rubbish that he resorts to on each occasion.

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

Mr. HERBERT: The Queensland Golf Union applied to the Department of Sport for a subsidy for one of its constituent clubs —the Coomera River Golf Club. According to the Queensland Golf Union—I certainly do not doubt the information it has given me—this club has complied with all the requirements for affiliation with that body. It has a financial membership of more than 400 local residents, who are naturally well qualified to join a local golf club.

For some time a problem has existed in Queensland golfing circles in that it is the fastest-growing sport in the State in terms of people requiring facilities. The existing golf clubs cannot cope with the people who want to play the game, and new golf clubs cannot afford to purchase the area of land required for an 18-hole course. Consequently, the only way in which new golf clubs are being formed all over Australia is by land developers giving them tracts of land. Admittedly this is of advantage to the developer, and that is why he does it. But it is also of tremendous advantage to people who want to play golf. This is an instance in which a developer has given land to a golf club. Having done that, he has no further control over the club itself. The club is part of the Queensland Golf Union; it is subject to its rules and conditions, and is affiliated with it.

The subsidy offered to this club to install a sprinkler system is the same as that offered to many other golf clubs. In this climate, a golf club without a sprinkler system would be placed in a hopeless situation. At certain times of the year, without a sprinkler system, the grass on the fairways and greens dies back. This is a new club that is being opened in a new area. The Queensland Golf Union is very interested in having the necessary facilities installed there as many people from that area are visiting other clubs who can make these facilities available to them.

I have read the article referred to. Much of the information contained in it was obtained from the Director of Sport by the newspaper reporter at a time when a member of Parliament was in the same room making inquiries from a public servant. I was particularly unhappy about this, as I do not think that a member of Parliament should use his position to obtain direct information for newspapers that print untrue stories.

The Queensland Golf Union president has written to the newspaper concerned pointing out the true facts, namely, that this golf club is fully affiliated and that there is nothing unusual about it. In my electorate there are two golf clubs—Jindalee and McLeod—both of which were built by arrangement with Hooker-Rex and are now fully utilised. There is no difference between the operation of this club and that of any other golf club in Queensland.

"SYDNEY MORNING HERALD" PUBLIC-OPINION SURVEY; REFERENDUMS ON COMMONWEALTH CONTROL OF PRICES AND INCOMES

Mr. AHERN: I ask the Minister for Justice: Has he seen a report in this morning's "Sydney Morning Herald" of a survey sponsored by it on the forthcoming referendums? If so, does he regard the survey as having been conducted by reliable researchers, and what significance does he place on the result?

Mr. SHERRINGTON: I rise to a point of order.

An Opposition Member interjected.

Mr. SPEAKER: Order! I shall decide whether it is a similar question or not. Would the honourable member for Salisbury please state his point of order.

Mr. SHERRINGTON: I have a suspicion that I saw Government members cooking up this question.

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

Mr. KNOX: Mr. Speaker, I thank you for your protection. I have seen the survey conducted by "The Sydney Morning Herald".

Mr. Sherrington: I am surprised that the Treasurer should waste his time cooking up questions for other members to ask.

Mr. SPEAKER: Order! I warn the honourable member for Salisbury under Standing Order 123A.

Mr. R. Jones: He has four questions; there are three more to come.

Mr. SPEAKER: Order! I warn the honourable member for Cairns under Standing Order 123A.

Mr. KNOX: The survey was conducted by Australian Sales Research Bureau Pty. Ltd., which is regarded as a reputable market-research organisation. It was conducted a few days ago and indicated that, across Australia, there would be a "No" vote on incomes control. At this stage, this is positively indicated in all but one State—New South Wales. According to the survey, the result in that State will be very close, but there is no doubt that, on Saturday, it will return a "No" vote. The majority of people in Australia will obviously vote "No" on the incomes question. The survey indicates that Western Australia and Tasmania will also vote "No" on the prices question and that Queensland, at that stage, was within an ace of voting "No", with 51.4 per cent of people in favour of price control and 7.1 per cent uncommitted.

I would say that the chances are that the result on Saturday will closely follow this survey, with a "No" vote across the nation on incomes control and a "No" vote definitely in Western Australia and Tasmania on control of prices. There is every prospect of a "No" vote in Queensland on price control. As there is no chance of a "Yes" vote on incomes control, there is every reason for voting "No" on the prices proposal, because there will be a shambles if only the referendum on prices is carried.

ATTITUDE OF A.L.P. MEMBERS TO ROAD TOLL

Mr. AIKENS: I ask the Deputy Premier: During his long and meritorious service in this House, can he recall one single occasion on which A.L.P. members have supported any move, legislative or otherwise, to increase penalties on traffic offenders and potential road killers? If not, will he have inquiries made to ascertain the reason for their present vocal interest in the increase in the toll of the road?

Sir GORDON CHALK: I have to answer by saying that I cannot recall any such occasion. I can only say that it will be most unfortunate if politics are allowed to enter into the question of the road toll. I hope that all honourable members will work collectively to ensure that we can, by some means or other, reduce the toll of the road.

Mr. SHERRINGTON: I rise to a point of order.

Mr. SPEAKER: I hope it is a sensible one this time.

Mr. SHERRINGTON: I hope that is not a reflection on me, Mr. Speaker.

Mr. SPEAKER: No. I am merely making a request.

Mr. SHERRINGTON: For my edification, Mr. Speaker, I seek your ruling. On many occasions I have heard you rule that questions and answers shall not seek or contain expressions of opinion. I ask for some clarification of that ruling.

Mr. SPEAKER: Order! All questions that appear on the Business Paper are edited, and, where expressions of opinion are sought, deletions are made or the questions are disallowed. It is very difficult at times in the Chamber, when proceedings are a little noisy, to hear exactly what has been asked. I will say, however, that decorum in the House has improved during the past week, and I have every hope that it will further improve. When that stage is reached, I shall be able to clearly hear questions without notice, and I have a feeling that I shall be disallowing quite a number of them. I leave it at that for the moment.

CONDUCT OF POLL CLERKS

Mr. ROW: I ask the Minister for Justice: In view of the pending referendums, will he ensure that the responsibilities of poll clerks are made known publicly? It has been brought to my notice that during the last Queensland State election some school-teachers, who are members of the A.L.P. and who were appointed as poll clerks, wore badges bearing A.L.P. election slogans whilst carrying out their duties as poll clerks.

Mr. KNOX: The conduct of the referendums on Saturday next does not come within the jurisdiction of a State department; it is under the Control of the Commonwealth Electoral Office. However, I have every reason to believe that the Commonwealth electoral officers in the various divisions will abide by the rules for the conduct of referendums. I will be appointed as scrutineer for the State, and, if there is any untoward behaviour, no doubt it will be reported to me. Appropriate action will then be taken.

DISPOSAL OF FORFEITED DRUGS

Mr. HANSON: I ask the Minister for Health: Will he please explain to me how drugs are disposed of after people have been convicted of drug offences?

Mr. TOOTH: When persons in possession of drugs are convicted, it is usual for the courts to rule that the drugs be forfeited to Her Majesty. In effect, of course, this places the responsibility for their disposal in the hands of the Government, and it ultimately becomes my responsibility. What happens to them under that set of circumstances is that, in due course, a direction comes from the Governor in Council that they be destroyed. They are held until such direction is given. Of course, I have power under the Health Act to exercise a discretion in the matter, and from time to time drugs are destroyed, usually by incineration.

ALLEGED STOCKPILING OF SUPPLIES BY QUEENSLAND CEMENT & LIME CO., LTD. AND PAPER MANUFACTURERS

Mr. WRIGHT: I ask the Minister for Justice: Is he aware of allegations that Queensland Cement & Lime Co. Ltd. is at present stockpiling manufactured cement? In view of the serious effect that such a practice has on the building industry in this State, will he carry out an immediate investigation into the matter? Further, will he also investigate allegations that paper manufacturing companies are stockpiling paper products, thus aggravating the present shortage being faced by printing firms?

Mr. KNOX: I am not aware of the allegations mentioned by the honourable member. If he is in possession of certain information, as he claims to be, I suggest that he place it in the hands of the appropriate Minister.

FAILURE TO ADMIT TRAFFIC ACCIDENT VICTIM, ROYAL BRISBANE HOSPITAL

Mr. MELLOY: I ask the Minister for Health: Further to his answer to my question on Thursday, 29 November, relating to the admission of a patient to Princess Alexandra Hospital, is he yet in a position to furnish the result of his investigations? If not, can he indicate when he will be able to do so?

Mr. TOOTH: At the moment I am not in a position to furnish the honourable member with the information sought. Inquiries are being directed through the hospital board, and immediately the information is available I will convey it to him.

ARMED HOLD-UP OF RAIL MOTOR, CAIRNS–RAVENSHOE LINE

Mr. R. JONES: I ask the Minister for Transport: Has he any advice, information or detail about a hold-up which occurred to 66 R.M. between Cairns and Ravenshoe today? Was there a "stick-up"? Were any of the passengers or railwaymen accosted or hurt? Could he inform the House just what did transpire?

Mr. K. W. HOOPER: I have just been advised that there was a hold-up of the rail motor referred to by the honourable member. It was held up at No. 6 tunnel, which is just over 12 miles from Cairns, and some shots were fired. There were two bandits involved. No passengers or employees of the Railway Department were injured. The bandits absconded with approximately $9,000, including wages for railwaymen in the Mareeba area amounting to $7,984, and, for employees beyond Mareeba, another $1,075. There were also some copper coins that were being transferred from one Commonwealth Bank branch to another.

This information has only just come to hand, and the police are on the job. As I have said, some shots were fired. I will let the honourable member have any further information that may come to hand.

COMMONWEALTH AID FOR FLEAY'S FAUNA RESERVE

Mr. D'ARCY: I ask the Minister for Tourism: Has he seen the article in yesterday's newspaper headed, "Herbert blamed for lack of aid. Fleay produces correspondence"? The Gold Coast naturalist, Mr. David Fleay, is accusing him of failing to support his case for Commonwealth aid. Can he tell the House why he has failed to do this?

Mr. HERBERT: I have read the article referred to and I have already answered it in the area in question. Under the first guidelines laid down, Mr. Fleay asked for support for what was then to be a $14,000 fencing job. The then guide-lines from the Commonwealth Government laid down that any proposal costing under $40,000 would not be countenanced. My department informed Mr. Fleay that as the cost was under $40,000 it could not be supported by us as it would not be entertained by the Commonwealth Government. Subsequently the $40,000 minimum limit was removed and Mr. Fleay renewed his application to the Commonwealth department.

I informed the appropriate Commonwealth department that Mr. Fleay's fauna reserve is very definitely a tourist attraction on the Gold Coast, so I do not know where he got the idea that I refused the help him. It was purely and simply that in the first instance his proposal did not fit in with the guide-lines laid down by the Commonwealth. I believe that it now does, and it is up to the Commonwealth to make the decision. At no time did either my department or I, as he has claimed, tell the Commonwealth department that this fauna reserve was not a tourist attraction.

GARBAGE DISPOSAL REGULATIONS

Mr. D'ARCY: I ask the Minister for Health: As his department is responsible for enforcing the regulations covering garbage collection, will he consider regularising the various local authority collection agencies so that all garbage is wrapped, fierce dogs are tied up, and bins are so positioned that garbage men can easily reach them?

Mr. TOOTH: I am sorry that I did not clearly hear the honourable member's various points. The position is that garbage disposal is the responsibility of local government. However, it comes under the surveillance of the State Health Department, and I will have a look at the "Hansard" report of the honourable member's question and discuss the matter with the Director-General of Health and Medical Services.

POLICING OF UNDER-AGE DRINKING, PACESETTER ROOM, LENNONS PLAZA HOTEL

Mr. D'ARCY: I ask the Minister for Works and Housing: Has he had under-age drinking investigated at the Pacesetter Room, Lennons Plaza Hotel? This discotheque caters for teenagers, and I have received several complaints about it.

Mr. HODGES: The Police Department is continually policing under-age drinking in all restaurants, night clubs, and other places where young people gather. Without knowing off-hand whether in fact the police have paid particular attention to Lennons Plaza Hotel, I would say that they would have called there, as they do in the case of all other licensed premises, in the course of their investigations.

DEATH OF MR. A. R. SLESSAR

MOTION OF CONDOLENCE

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier) (12.4 p.m.), by leave, without notice: I move—

"1. That this House desires to place on record its appreciation of the services rendered to this State by the late Aubrey Robert Slessar, Esquire, a former member of the Parliament of Queensland.

"2. That Mr. Speaker be requested to convey to the relatives of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the Parliament of Queensland in the loss they have sustained."

It is with regret that I move this motion of condolence following the death in Brisbane last Sunday of Aubrey Robert Slessar, a former member of the Queensland Parliament.

I believe that the honourable member for Townsville South is the only sitting member who was in this Chamber when the late Mr. Slessar was the Australian Labor Party member for Dalby, from 1938 until 1947. The late Mr. Slessar was 73 years of age when he died at his sister's residence at Sunnybank on Sunday.

He was born in Victoria and came to Queensland with his parents at the age of six. He went to Chinchilla when he was 16 years of age. The late Robert Slessar established a successful motor and machinery business in Chinchilla, where he was also an auctioneer for many years.

He made an auspicious entry into the 28th Parliament of this State on 9 August 1938, following his defeat of the Hon. Godfrey Morgan, who had been a colourful member of the Legislative Assembly for 29 years prior to that.

The late Mr. Slessar worked hard and served his electorate well for three terms, which included the war years, until he retired from Parliament at the time of the general election held on 3 May 1947, following which Dalby was represented by a former Country Party Member of this House, Mr. C. W. Russell. Coincidentally, it was at this election for the 31st Parliament some 26½ years ago that the Premier, the honourable member for Cooroora and I were elected as newcomers to the Parliament of Queensland.

Following his retirement from Parliament at the time of the 1947 election, the late Mr. Slessar retained a very active interest in the community affairs of his former electorate, particularly in the towns of Chinchilla, Dalby, Miles and Wandoan. He also took an active interest in the Masonic movement, and was a prominent member of lodges both in Brisbane and on the Darling Downs. He continued to live in Chinchilla after he sold his motor, machinery and auctioneering business some four years ago.

Following the death of his wife 13 months ago, he came to Brisbane to live with a sister. He had been ill for the past six months. A funeral service is being held in St. Andrew's Presbyterian Church, Chinchilla, this afternoon.

I would like to place on record the appreciation of this Parliament for the valuable service that the late Aubrey Robert Slessar rendered to this State. On behalf of the Government and members of this Parliament, I extend sincere sympathy to the late Mr. Slessar's brother, two sisters and their families.

Mr. HOUSTON (Bulimba—Leader of the Opposition) (12.8 p.m.): I rise to second the motion and endorse the Deputy Premier's remarks about the late Mr. Slessar. Although he did not attain Cabinet rank or the position of Leader of the Opposition, he nevertheless made many worth-while contributions not only to the Parliament of Queensland but also to his caucuses and party meetings.

I did not know Mr. Slessar personally. However, the records show that he was a man of great integrity and generosity.

Stories have been handed down to us to the effect that on more than one occasion in the conduct of his motor business he paid instalments on vehicles rather than see their owners lose possession of them because, for some reason or another they were unable to meet their commitments. People who live in the Chinchilla area knew him and his family well, and also knew of his activities.

It is worth recording that Mr. Slessar held the Thirty-first Degree in Freemasonry and was a member of every order of Freemasonry worked in Queensland. Naturally, he was a man who took very seriously his contribution to life and the welfare of his fellow men. Any man who served three terms in Parliament certainly contributed a great deal to the State, and I join in the sentiments expressed by the Deputy Premier.

Motion (Sir Gordon Chalk) agreed to, honourable members standing in silence.

PROPOSED MOTION FOR ADJOURNMENT

PARLIAMENTARY SELECT COMMITTEE TO INVESTIGATE ISLAND DEVELOPMENT, SOUTH STRADBROKE AREA

Mr. SPEAKER: Honourable Members, I have to report that I have received the following letter from the Deputy Leader of the Opposition:—

"Parliament House,
"Brisbane, 4000
"6th December, 1973.

"The Honourable W. H. Lonergan, M.L.A.,
"Speaker,
"Legislative Assembly,
"Parliament House,
"Brisbane.

"Dear Mr. Speaker,

"I beg to inform you that, in accordance with Standing Order 137, I intend this day, Thursday, 6 December 1973, to move—

'That the House do now adjourn.'

"My reason for moving this motion is to give this Parliament an opportunity of discussing a definite matter of urgent public importance, namely, the need for establishing an all-Party Parliamentary Select Committee with terms of reference to investigate the desirability, or otherwise, of Canal development within the area bounded by South Stradbroke Island, the Southport Broadwater and adjacent coastline within the Local Authority areas of the Gold Coast City Council and Albert Shire Council, and to determine the most desirable form of development for this area. The matter has become particularly urgent because of—

"(1) strong public concern expressed in relation to the present ecological ramifications as a result of commercialised sand-pumping for land development on special leases on South Stradbroke, Andy's, Griffin, Woogoompah and Ephraim Islands;

"(2) the necessity for close consideration as to whether ecological features of the area should be maintained for the preservation of marine and bird life;

"(3) the need for assessment of the tourist potential and capabilities of the area and associated planning for such tourist development or standard;

"(4) consideration to what residential density is possible without adverse effect on present natural surroundings.

"Yours sincerely,

"(P. J. R. Tucker, M.L.A.)
"Member for Townsville West
"Deputy Leader of the Opposition."

The purpose of Standing Order 137 is to furnish an opportunity to discuss a matter of urgent public importance which has suddenly arisen, and on which no opportunity for debate has presented itself previously or will present itself in the immediate future. The particulars submitted by the Deputy Leader of the Opposition in support of his proposed motion clearly indicate that the subject matter has existed for some considerable time. During this time, ample scope has been afforded for any honourable member to bring this matter forward for consideration and appropriate action, if deemed necessary.

I remind the House that this matter was discussed by the honourable member for Albert on one occasion during a Matters of Public Interest debate. Members of the Opposition also had an opportunity to raise it last Thursday, on Resolutions of Supply. They could have called "Not formal" to Resolution 14, which was the Lands Estimates Resolution. However, they did not avail themselves of that opportunity. In addition, questions have been asked on this matter. I feel that honourable members have had ample opportunity to discuss the matter.

I also remind the House that the lease in question was granted in 1969 and that work on it was started in 1970.

Therefore, honourable gentlemen, in view of the circumstances, I do not propose to allow the motion.

Mrs. Jordan: What about the lady?

Mr. SPEAKER: Very well, in deference to the honourable member—"and lady".

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

INITIATION

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill

to amend the Industrial Conciliation and Arbitration Act 1961–1972 in certain particulars."

Motion agreed to.

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (12.18 p.m.): I move—

"That a Bill be introduced to amend the Industrial Conciliation and Arbitration Act 1961–1972 in certain particulars."

This Bill, though a simple one, is of an emergent nature. On 28 November last the president of the Industrial Court, Mr. Justice R. H. Matthews, handed down a judgment that the Industrial Commission had no general power to exempt from the operation of an award. His Honour's decision resulted from an appeal against the decision of Mr. Commissioner Pont, published in the Industrial Gazette of 1 September 1973, that in his view the commission had no jurisdiction to grant an application to vary the Boarding House etc. Employees Award—Southern Division by adding a further institution to the list of premises included in the term "Boarding House".

The institution in question was the Benevolent Home, West Street, Rockhampton, and it was submitted to the Commissioner that this institution was operated by an independent and duly elected committee representative of the local community and was incorporated under the Religious Education and Charitable Institutions Act; that the objects of the Benevolent Home, Rockhampton, were to provide accommodation and care for the aged, who are either of limited means, or in receipt of a pension in respect of age or invalidity; and that the Benevolent Home, Rockhampton, was undertaking this project as a community service only, on a completely non-profit basis.

Until Mr. Commissioner Pont's decision, the Industrial Commission—and, prior to 1961, the then Industrial Court and its predecessors since 1918—had always held that it had a general power to grant exemption. As a matter of fact, in 1961, the full Industrial Court, as it then was, comprising Mr. Justice Brown and Messrs. T. E. Dwyer and H. J. Harvey, in a judgment published in (1955) 40 Q.I.G. 164, held that it had the power, in an appropriate case, to grant exemption.

In view of Mr. Justice Matthews' judgment, the many benevolent homes and charitable institutions throughout the State would now be not only subject to award coverage, but would also be vulnerable to prosecution before an industrial magistrate for the recovery of arrears of wages for a period of 12 months. Obviously the status quo should be preserved. For over half a century it has been considered by the Industrial Commission, and by the previous Industrial Court, that they had the power to grant exemption from the operation of awards upon good cause being shown, and this power has never been abused.

The Bill contains only two principles—firstly, to confer upon the Industrial Commission the discretionary power to grant exemptions from awards, a power which until recently it always considered it possessed; and, secondly, to validate the past actions of the present commission and the former court in granting exemptions. Applications for exemption by an individual employee will not be permitted; they must be made by a union of employers, a union of employees, or an employer. Furthermore, the commission may at any time, on the application of an industrial union or an employer, revoke an exemption so ordered.

I might mention finally for the information of the Committee that, of the three other States that have industrial tribunals, New South Wales and South Australia confer on their tribunals the power of exemption. In the case of Federal awards, of course, the question of exemption does not arise, as a Federal award only applies to the cited parties.

I commend the Bill to the Committee.

Mr. BROMLEY (South Brisbane) (12.24 p.m.): I am sorry I was not present for all of the Minister's introduction of the Bill. However, I heard him say that exemption from the payment of award rates to charitable workers is granted in two other States. I should like to inform the Minister and the Committee that in, I think, 1964 the Federated Miscellaneous Workers' Union, of which I am a member and of which I was at that time an executive officer, agreed, in consultation with various charitable organisations, that it would take no objection to the maintenance, to use the Minister's words, of the status quo. As an industrial union, we realised that charitable organisations would not be able to carry on their marvellous work if any alteration was made to the position at that time.

With all due respect to Mr. Justice Matthews, it surprises me that he would bring down such a decision, because history over the centuries, particularly in the last 50 years or so in Australia, shows that exemptions have been given to charitable workers (I will not use the term "employees"), who do a wonderful job. These people unselfishly devote their time to assisting those in sheltered workshops, raising money and doing other work that I, at any rate, would regard as being a sacrifice. Sheltered workshops and places such as that would have to close and many people, particularly physically or mentally handicapped children and spastic children, would not benefit, as they do now, but for the support of members of charitable organisations.

I have in mind "Multicap Meadows", in which a former member of this Assembly, Mr. Sam Ramsden, is keenly interested. No doubt he receives some remuneration for the job he is doing for multi-handicapped children, but I believe he made a very big financial sacrifice in leaving this Chamber to undertake that work. Of course, before resigning from Parliament, he also did much unpaid work, as do many members of this Assembly, for church organisations, schools, and hospitals. The Women's Hospital Committee comes to mind, and honourable members know how hard the auxiliaries work. Many other people, too, do a great deal of hard work in the name of charity.

I repeat—I am quite happy to do so—that I was a member of the executive of the Federated Miscellaneous Workers' Union when it agreed that the status quo would be maintained—in other words, that charitable workers should be exempt from award coverage, and thus be able to continue their good work in the community. Although, as the Minister said, the Bill contains only two principles, I believe it is right and proper that legislation should be introduced to clarify the position of charitable workers and ensure that there will not be any doubt about it.

In years gone by, the School of Arts and other non-profit organisations ran lotteries and had many people working for them. I have here a copy of the New South Wales Lotteries and Art Unions Act. Although it is not directly tied in with the Queensland Act, it has a similar intention. It says, inter alia—

> "that the lottery is conducted for the purpose of raising funds in aid of the charity, School of Arts or non-profit organisation by which the lottery is conducted or authorised."

It goes on to provide—

> "... that no prize in the lottery shall consist of or include spirituous or fermented liquors or tobacco in any form."

That Act clearly ties up with the Bill the Minister is introducing. I do not have time to go right through the Act, but it provides that people working for charities are exempt from award coverage. These people unselfishly offer financial and physical assistance and do not expect any remuneration for their efforts. They do the work out of goodness of heart, in the hope that it will be of assistance in bringing handicapped persons back to a state of good health, in making their future more livable, or in making them better citizens. I see no reason why those working in such places should not be exempted.

It would seem to me that somebody must have asked the Industrial Commission for clarification of this matter. I have a great deal of respect for the commissioners and what they do, and it is very surprising to me that one of them would give a judgment altering status quo in respect of premises where charitable work has been going on for over 50 years. Although the unions had the right to go to the Industrial Commission and claim full award rates for people performing charity work, they were quite happy about the exemption.

I am glad that the Bill has been introduced but, at the same time, I am surprised that there was ever any doubt in anybody's mind about the existing position, and that anybody would want to change it. At one time or another, most of us in this Chamber, if not all of us, have done a great deal of charitable work to help our fellow men. Probably the Minister would have been as surprised as I was at the commission's decision.

The Opposition has no objection to the Bill, and we will not delay its passage. As I said we are happy that it has been introduced, and the sooner it has the authorisation of the Legislature, the better.

Mr. YEWDALE (Rockhampton North) (12.35 p.m.): I should like to make a few comments about the problems that arise from time to time in this type of institution. I do not agree with the general leaning towards charitable organisations. It is quite obvious that they have to employ staff to cook food, do certain cleaning work, and so on. I have in mind the problem of people who seek employment from these organisations, but are not aware of, and are not clearly told, the terms and conditions of the work.

From my experience as a union officer I know that after a certain period these employees complain about lack of award conditions, salaries and so on. They are then confronted with the situation that the particular charitable organisation is exempt from the award. The employees then become frustrated and irate. I feel that the Minister should use his best endeavours to ensure that these institutions explain quite clearly to employees, at the point of engagement or application for employment, the conditions of work in these areas.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (12.36 p.m.), in reply: I am glad the Opposition agrees with my contention that this is a simple Bill. I thank the Opposition generally, and particularly the two members who have spoken, for their co-operation in dealing with this fairly important matter.

The honourable member for South Brisbane pointed out that in 1964 the union of which he was an executive member fully supported the philosophy under which, until recently, it was believed that the commission had the power to grant exemptions. The honourable member questioned the judgment given. All I can say is that it is a fact, and the purpose of the Bill is to validate a situation which the great majority of people always accepted. The matter has come before the Committee because the matter involved interpretation of the law.

A commissioner gave his decision on an application, and I believe that he did so in all good faith. The matter was then referred, as the law provides, to the Industrial Court and, upon examination of the legal situation, Mr. Justice Matthews upheld the contention of Commissioner Pont. That is a fact and we are now taking steps to regularise the situation which, as I said, almost everybody believed existed over the last half century. I appreciate the way in which the honourable member for South Brisbane, as chief spokesman for the Opposition, approached the matter.

The honourable member for Rockhampton North also raised a very important point, the problem that arises when a person takes a position with one of these institutions, without realising that the institution is exempt from the provisions of the industrial award. The honourable member asked that I use my best endeavours to acquaint the community at large so that people who are taking this employment will be aware that such organisations are exempt from the industrial award. His point was well taken. My officers will look at the matter and see if this point of view can be publicised so that any disharmony that may otherwise occur in a benevolent or charitable institution can be avoided. I again thank honourable members opposite for their co-operation.

Motion (Mr. Campbell) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Campbell, read a first time.

FIRE BRIGADES ACT AMENDMENT BILL (No. 2)

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (12.42 p.m.): I move—

"That a Bill be introduced to amend the Fire Brigades Act 1964-1973 in certain particulars."

Honourable members will recall that the previous Fire Brigades Bill during the current session dealt specifically with one matter only, whereas this is the first comprehensive Bill since 1971 and is based on representations either having been made or circumstances having arisen which warrant further amendments being submitted for consideration. Requests for amendments have been made by the Queensland Country Fire Brigade Boards Union of Employers or its members, and also by the State Fire Services Council.

Fire brigade boards' annual conferences have periodically urged that the State Fire Services Council should grade fire brigade districts. The only grading at present is for salary purposes in respect of country chief and deputy chief officers. It is proposed that specific regulation-making power will be included in the Bill to provide for the council to grade districts according to the types of life and fire risks and other factors.

Fire brigade boards have also sought an amendment so that an allowance may be paid to the chairman of a board for his extra responsibilities. At present, fees may be paid for attendance at board meetings. Although a chairman may receive a greater attendance fee than other members, provision is being made in the Bill for payment of an allowance for performance of the duties of chairman, the amount to be approved by the State Fire Services Council. This generally will bring fire brigade boards into line with other similar authorities paying chairmen.

Representations have also been made to increase the $1,000 limit on the sale of goods or performance of work by a fire brigade board member. It has been decided to remove the provision limiting a board member's participation in transactions with boards and to provide that a member shall disclose his financial interest in a contracting organisation or in a particular matter being considered by the board.

The member, of course, is prohibited from voting on or discussing any matter in which he has a financial interest. This will follow the principle established for local authorities.

The existing legislation provides that members of boards shall hold office from the date of appointment or election until successors are either appointed or elected. It is found, particularly in the case of triennial reconstitutions, that a board may, for a brief time, be a mixture of old and new members, as insurance companies, local authorities and the Government elect or appoint members on different dates. The amendment sets out that membership will commence when all the board members are either elected or appointed, and will terminate on the date when the next reconstitution is completed.

At present there is no provision for a fire brigade board to call applications for appointments to positions which could involve the promotion of employees. It is considered that this is contrary to the intention of the Act, which provides that appeals may be lodged by any employee on the grounds of seniority and efficiency. The Bill will include provision that, in filling certain vacancies, the board shall exhibit a notice of its call of applications for the vacant position.

The Act at present provides that an employee may be suspended from duty if the chairman is of the opinion that he is guilty of misconduct or negligence. It is proposed to permit a board to make a

by-law authorising the chief officer, also, to suspend an employee in certain circumstances. Such a provision exists in local government, harbours and hospitals legislation. The necessity for this can be seen, for example, if an employee reports in an unfit condition for duty late in the evening.

It is also proposed to correct an anomaly in relation to uninsured premises. At present, provision is made that charges may be levied if a fire brigade extinguishes a fire on such premises. However, if other brigade services are carried out on uninsured property, there is no specific provision which would enable charges to be prescribed by regulation and levied on the person requesting the service. An exemption will be included where the person shows that he was acting other than for his own welfare, and in respect of roads and public places maintained by the Crown or local authorities.

Provision is also being made in the Bill for the Minister for Lands, as administering the rural fires legislation, to appoint a member to the State Fire Services Council. Under the present legislation, a fire brigade chief officer has free access to certain public buildings to check on laws relating to fire prevention and fire protection, and also to enter any buildings, other than private dwellings, to obtain information to assist in fire-fighting. These powers are being clarified, and provision is also being made that obstruction of the chief officer in the exercise of his rights and powers is an offence under the Act.

At present, the secretary of a fire brigade board is required to forward to all contributory companies a notice of the occurrence of each fire. With a view to reducing the volume of work, it is proposed to amend the relevant rule to provide that details of the fire will be forwarded on the request of the company holding the fire insurance risk on the property. The Fire and Accident Underwriters' Association supports the amendment.

I commend the motion to the Committee.

Mr. BROMLEY (South Brisbane) (12.49 p.m.): Obviously the Bill does not contain a great number of amendments. One of its important principles relates to board members disclosing financial interests, while another deals with grounds of appeal by staff members. In recent legislation we dealt with amendments relating to appeals, and, like other Opposition members, I am interested in whether the Minister will give us some information on the result of future appeals. I understand that some have already been heard.

I cannot understand why the Minister does not introduce a mandatory code on fire safety in Queensland. This legislation is being continually amended. I have here the Act itself and all the amendments that have been made to it. I have them right, left and centre. A couple of amendments were made recently, but I do not have copies of them. I am sick of speaking to fiddling little amendments which, to my way of thinking, will not afford any assistance in the protection of the people.

Mr. Hanson: It is window-dressing.

Mr. BROMLEY: It is complete window-dressing.

When will a real fire-safety code be introduced in Queensland? Unfortunately, fire boards have no teeth or authority whatsoever. Following the establishment of the State Fire Services Council, which is controlled by the Minister, I thought it would press for special legislation to enforce standards. It is a pretty poor situation when, time after time, small amendments are introduced. Queensland has 81 fire boards and 191 fire brigades, on which there are many experts who have no say at all in safety standards.

As the Minister said, the Metropolitan Fire Brigades Board inspects plans and makes recommendations on safety measures in combating fire risk, such as the installation of sprinkler systems. However, the Brisbane City Council and building contractors can —and in fact do—ignore these recommendations. I make an appeal for something to be done in this regard. Let us have, fairly soon, a full-scale debate on matters pertaining to fire brigades.

When recent amendments to this Act were introduced, we co-operated to get the Bill through in a hurry. The Minister is recorded in "Hansard" as saying at that time that we would be given an opportunity to have a full-scale debate on fire brigades in the very near future when he introduced further amendments. What has happened? The amendments are just a "fizz". I wrote them down as the Minister outlined them. One or two of them are important. One deals with uninsured premises, a subject I have mentioned once or twice previously.

It is good to know that the Minister for Lands will be able to appoint someone as a member of a rural fire board—and so he should, considering the importance of these boards.

The officials of the various fire brigade boards are completely frustrated. They are very worried because they have no authority to stop the construction of shoddy buildings with no real fire-escapes. They know that the lives of many people are at risk, and that there could be a huge conflagration involving blocks of units, buildings or shops, which could be razed, yet they have no authority to do anything at all.

Mr. Hughes: The Brisbane City Council and the fire brigade work together closely to achieve this result, and they do a good job.

Mr. BROMLEY: I am well aware of that. They meet regularly; in fact, I have here details of the number of times they have

met. But what happens at those meetings? All they seem to do is discuss things. I think that experts in fire-fighting, such as Mr. Dowling and other board members, should have the right to say, "We want a standard fire safety code." It is all very well getting together with the Brisbane City Council and having a little natter about various things, but nothing is being done.

Mr. Hughes: This is happening now with the council.

Mr. BROMLEY: I am glad the honourable member agrees with me. No real safety precautions are taken, even in Government buildings. Although the Minister for Works and Housing recently appointed a fire advisory officer, which I regarded as a good move, I do not know what part this officer has played in fire-prevention matters. I am not "knocking" him; I have just not been able to find out what he has done. I want to see the various experts really do something when they get together, instead of merely having a natter about what should be done.

Whilst there is consultation, as the honourable member for Kurilpa says, among the Brisbane City Council, the fire brigade, and the Government, there should also be consultation among architects, builders and the fire brigade. It appears that there is such consultation, but again nothing is being done. In fact, many two-storey homes designed by well-known architects are virtually firetraps. This seems to me to be a rather poor state of affairs, and it is not fair to firemen, who are kept extremely busy attending fires in houses, clubs and hotels. In the last 12 months, there were almost 400 incidents involving fire in dwellings in Brisbane. That represents a lot of work for firemen, and I am sure that many of those fires would not have occurred if the fire-prevention experts had been allowed to say what should have been done about formulating a standard fire safety code.

In the last 12 months in Brisbane, 175 people needlessly died as a result of fires because nothing has been done to implement safety measures. Let the fire brigade have its say, and let us get something done about safety. Much hardship has resulted from fires caused, as statistics show, by carelessness. The great increase in the number of buildings being constructed means that the work of the fire brigade will become heavier and heavier, with an increasing number of fires.

[*Sitting suspended from 1 to 2.15 p.m.*]

Mr. BROMLEY: Over the last 12 months in Australia, fires have caused damage estimated at $120,000,000, which is quite a lot of money. In addition, of course, they have also upset many lives. I do not think the community fully realises the tremendous risk and danger associated with the duties of firemen, particularly in these days. when building materials such as foam and plastic are so widely used.

Of course, some fires are caused deliberately, and I have in mind particularly the ones at the East Wind Bookshop and the Whisky Au-Go-Go night club. It seems to me that there has been a great deal of arson lately, and I cannot understand why no-one was charged over the fire at the East Wind Bookshop. The decision not to charge anyone was probably political.

Before my time expires, I should like to quote briefly from an article in "The Courier-Mail" of 30 July 1973 under the heading "City bookshop blaze was deliberate, say police". Although that fire occurred in July 1973, we have not heard any more about it and no-one has been charged as a result of it. The whole matter has been put into a pigeon-hole or into mothballs. This worries me considerably because, irrespective of the political outlook of any organisation—in this instance, the owners of the bookshop—I believe that action should be taken to apprehend the offenders. It is the duty of the Government to investigate incidents of that type.

The newspaper article said—

> "Firemen who entered the smoke-filled building found two drums containing petrol or kerosene on the top floor of the building."

If those drums were there, I think it is obvious that the incident had political implications. Brisbane's fire chief, Mr. Dowling, who led the firemen, called in Special Branch officers as soon as the cans of fuel were found. The article continued—

> "Late last night police scientific experts were still examining the basement."

Arson was suspected, and that was the second attack on the bookshop in four months. It worries me to think that incidents such as this can occur day after day without any action being taken. Although it probably does not come under the control of the Minister for Development and Industrial Affairs, nevertheless it is a matter that concerns the fire brigade and the safety of members of the public. I know that it has caused much concern amongst members of the Metropolitan Fire Brigade, and Mr. Clark, chairman of the State Fire Services Council, has also expressed concern. I was rather disappointed in the report that Mr. Clark presented to Parliament, because it did not indicate that there would be a definite investigation into all the ramifications of the shocking fires that have occurred recently.

Although amendment after amendment of the Fire Brigades Act has come before this Assembly, no indication has been given that action will be taken to strengthen the authority of the fire brigade or its chief officer. They are experts in the field, and I think that all honourable members would support action to call them in and give them an opportunity to say, "We want this done, and we want that done."

Fire is a great worry. An article in "Insurance News and Views" deals with the huge losses they incur, and hints that something should definitely be done about it. There it too much talk and too little action in this direction. I demand action for the control of fires. We need legislation providing a standard safety code for fire brigades, buildings, and local authorities throughout Queensland, including the Brisbane City Council.

Mr. LEESE (Pine Rivers) (2.21 p.m.): If the Bill is supposed to afford more safety to Queensland, all I can say is that it is a non-event. Over the past few months we have had statements from the Minister in which he told members and Queenslanders generally that he is going to legislate to improve fire-safety standards. One Press article read—

> "Review of Fire Controls Likely
>
> "The Metropolitan Fire Brigade may be given more power over fire safety measures."

In a Press statement in August this year it was said—

> "Mr. Campbell, Minister for Industrial Affairs, said, 'The State Government will legislate to improve public fire safety protection.'
>
> "Cabinet today authorised the Minister for Industrial Affairs (Mr. Campbell) to introduce a system under which fire brigades would certify buildings from a fire safety viewpoint. It would not apply to private dwellings."

What do we see in this measure? Just a lot of administrative amendments, not one of which will improve fire safety in Queensland. I intend to show that this is an important question, one that Queenslanders are concerned about and, above all, one that fire officers and their boards are concerned about.

The matter now before the Committee is one to which far too often a lackadaisical attitude is adopted. Usually it is only at the time of a disaster that the important role of fire brigades and the importance of fire protection are realised. All too often this realisation is short lived. The "it may never happen" attitude reigns supreme. There is no excuse for the Government adopting this attitude. If it is charged with ensuring that adequate fire protection is afforded, and recent headlines indicate that adequate fire protection is not afforded.

Fire boards and their brigades are being continually frustrated by the present legislation. As it stands at present, brigades and their boards are toothless on safety issues, as the honourable member for South Brisbane indicated. Fire Brigades must be given greater control over fire safety in buildings. At the moment we have a multiplicity of Acts, a position which I believe is ludicrous. Coupled with these Acts are the various ordinances of the different local authorities. This in itself is bad enough, but it is compounded in that fire brigades have no mandatory powers and no over-all authority in regard to fire prevention; they can only recommend.

In 1971, when the Fire Brigades Act was amended, section 9 was repealed and a new section substituted. By that amendment fire boards were vested with the duty of undertaking fire prevention methods. How the dickens are they doing to undertake fire prevention methods when they have no authority to do it? All that they can do is negotiate. There should be a mandatory code of fire safety. Instead of having to negotiate on matters of safety, as they do now, fire brigades should be able to police it. And who better would there be to police it than the fire brigades, through their various boards. Surely it is time that we set out a uniform standard throughout Queensland, and enforced it. To indicate what happens when fire brigades go into negotiation, let me quote from a Press statement attributed to the Chief Officer in the metropolitan area, Mr. Dowling. The Minister can smile but he should have been listening to his advisers on the fire board. Mr. Dowling is a gentleman for whom we all have tremendous respect in matters affecting fire safety, and this is what he had to say—

> "Moral pressure sometimes was applied to persuade the fire brigade not to insist on standards it felt were necessary to give a new building fire safety."

That is the state of affairs we have reached. The chief officer of possibly one of the best brigades in Australia is forced to come out publicly and state that he is subject to moral pressures. If the Minister would legislate to ensure that brigades, through their boards, had the power to insist on safety precautions and that fire safety was a matter they could enforce without any area for negotiation, there could be no moral pressure.

I go further than that. I understand from a reliable source that at times this moral pressure comes from rather high-ranking people. Undoubtedly, I could state that it comes from people on the Government benches. There is no room for negotiation or parochialism in fire safety. Far too often owners of buildings see the installation of fire-safety equipment as an unnecessary expense. The Government has a responsibility and an obligation to ensure that fire-safety equipment is an integral part of any public building, and, of course, there must be adequate numbers of highly trained fire prevention officers to police the fire safety measures.

Regrettably, this is not the case at the moment. The State Fire Services Council is doing a good job but, once again, we only got the State Fire Services Council after a disaster in Townsville. It seems that a disaster has to occur before we get any real improvement in the Fire Brigades Act. I am aware that the Fire Services Council is conducting fire prevention courses, but the availability of

finance will dictate to the various boards the numbers of full-time fire prevention officers they are able to employ.

The Minister has already indicated to me in answer to a question that the frequency of inspections by fire prevention officers depends on the fire brigade involved. That being the case, surely the Minister must ensure that boards are able to employ adequate numbers of fire prevention officers. What is the use of giving them this power and then saying, "All right you have a fire prevention officer, but, if anything goes wrong in your district, it is your fault."? It is useless for a fire chief, a chairman of a board or a board member to say, "We did not have sufficient fire prevention officers to police it." Or, "When we tried to police it, moral pressures were brought to bear and negotiations broke down."

I understand that there are six fire prevention officers for the Brisbane metropolitan area. I should imagine that they would have a full-time job in coping with inspections of new buildings and buildings where structural alterations are taking place. I stress again the need for a set of uniform fire prevention standards, the need to give the various fire boards power to enforce these fire safety standards, and, of course, the need to ensure that there are sufficient numbers of fire-prevention officers.

It is no use legislating and then not policing the legislation, as all too often happens in a number of areas at the moment. I am of the opinion that there should be an annual fire inspection of all non-domestic buildings, and that this should be mandatory. I understand that many of the older city buildings have never been inspected by fire-fighting experts.

From Press statements, I had hoped that something of this nature would have been included in this legislation and that all public buildings would be required to have a certificate of occupancy from the local fire board or local fire chief. Evidently, this is not to be so. As to those buildings that have been inspected and do comply with the fire safety regulations, unless they are reinspected at regular intervals there is no way of ascertaining whether the owners or occupiers are keeping up to scratch in fire safety precautions.

Time and time again we have read of instances in which fire-escapes have been cluttered up with packing cases, bottles and other rubbish, thereby rendering them completely useless in the event of a blaze and, moreover, creating an additional fire hazard. Many department stores as well as small shops, particularly those in which large quantities of plastics are stored, are potential death traps.

I realise that on previous occasions I have highlighted the hazards associated with cellular plastics. All honourable members are no doubt aware of the disaster that occurred in Japan in which 107 persons lost their lives in a department store blaze. The Press articles have claimed that the majority of the deaths occurred as a result of smoke and poisonous fumes. I do not know whether the department store involved contained any cellular plastics, but from the references to poisonous fumes I am led to believe that it did. From the material that I have read I am convinced that cellular plastics, when involved in a blaze, are so lethal that the most stringent precautions should be taken to ensure that a similar disaster does not occur in Australia.

In many department stores, furniture that is padded with cellular plastics is kept in storage below other occupied floors. Plastics will hasten the spread of a blaze through any building in which an outbreak of fire occurs. Therefore, particular attention should be given to the layout of department stores. I hope that any building in which plastics are stored will be classified as "high hazard" and that the required standards are strictly enforced.

A visit to any retail store in the metropolitan area would convince anyone that fire-escape facilities are totally inadequate. Anyone who goes to an out-of-the-way department in such a store would soon ask himself, "How in the hell would I get out of here if there was a blaze?" I venture to suggest that if a blaze did occur, particularly if plastics were consumed in it, no-one who was 50 feet or more from an outside exit would stand a chance.

As I have said, this measure is only an administrative one. Obviously the Minister has not taken any notice whatever of the statements issued over the past 12 months in relation to the inadequacy of fire precautions taken in Queensland.

The possibility of fire is always with us, and we certainly cannot legislate to eliminate it. However, we can legislate to ensure that our safety standards will go a long way towards reducing the risk of anyone being trapped in a burning building and unable to escape.

I understand that in the legislation introduced in 1971 the boards, through their brigade chiefs, were given authority to enter premises and remove any material that was considered to constitute a fire hazard. Technically, that is how it should be done, but is the system working? The other day, the honourable member for Sandgate brought to my attention the condition of a second-hand timber yard at Sandgate. He told me that, for the past 12 months, Mr. Dowling had been trying to get the timber removed from the yard. He has the power to go in and remove it himself, provided he can get a fleet of trucks and spend $5,000 in doing so. At present the owner can be prosecuted, pay a $100 fine which he regards as a licence, and continue in business. The yard is so crowded that packing cases spill out onto the footpath.

A few weeks ago council workmen had to remove packing cases from the footpath before they could work on it. I point out that the timber yard adjoins a bus depot, which contains petrol bowsers and so on, and that on the other side of the road there are domestic buildings. A few years ago this man had a timber yard at Bald Hills, in my electorate. I thank God he is not there now. That yard was burnt out. The Metropolitan Fire Brigade Board has been trying to get rid of this nuisance. According to the Act, it has all the power necessary to walk in and remove the timber. In practice, it cannot do so, and very little can be done.

The other day, by way of a question, I asked the Minister for Health if he had received any representations from fire brigades about cellular plastics. In reply, he told me that he had, and that this matter had already been taken up by the State Fire Services Council. I believe that the State Fire Services Council, at long last, has sent a circular to the various fire brigades in Queensland. However, the Division of Industrial Medicine did not see fit to make any recommendations to the various fire brigade boards, or the State Fire Services Council, on the lethal hazards of this material and how firemen could protect themselves against it.

In 1972 we met with better success when representations were made to the Department of Chemistry at the University of Queensland by the Country Fire Officers Association. In reply, the Department of Chemistry had this to say—

"Your letter of the 17th March was passed on to me as a member of the Chemistry Department Safety Committee. I have discussed this with the other members of the Safety Committee before drafting the reply.

"The problem you raise is indeed an important and serious one and we can appreciate your concern. Furthermore it is a problem which will increase in both magnitude and complexity. For this reason we consider that your union, together with the Fire Brigade Boards, Insurance Companies and the industries concerned, should endeavour to establish a National office to handle such matters. It seems to us that any other approach would be piecemeal and unsatisfactory.

"We would envisage the functions of this office to include:

(a) The collection, collation and dissemination of information of the type in the enclosure to your letter.

(b) Undertaking or commissioning of research into the efficiencies of various kinds of breathing apparatus, protective clothing, and fire fighting methods where chemicals are involved in fires.

(c) Advising Governments on necessary legislation about the notification of dangerous substances.

(d) Acting as an advisory body to Fire Brigades, industrial managements and unions, insurance companies and government, on all matters concerned with chemical fires.

"It would be essential that this office employ a person with qualifications in chemistry. If possible he should also have experience in chemical industries and in fire and chemical safety work."

It was pointed out that this would take time. The department had no idea how long it would take, but we still have nothing like what is recommended.

The letter continues—

"We are only able to offer very tentative advice. It would seem essential that all Fire Officers, involved with such a fire should wear self contained breathing apparatus, as filter/absorption type respirators will generally be inadequate or even completely ineffective. Clothing should not be of an absorbent kind, but rather of an impervious fire resistant, solvent resistant material and should cover the body completely."

We still have no research facilities in Queensland.

Whenever I have raised the matter of plastics with the Minister, his reply has been that everything is under control and that the State Fire Services Council is well aware of the whole problem. The council may be well aware of the problem, but it is time that it started to stress this problem with other departments, particularly the Health Department and the Treasury, to ensure that any fireman overcome by these fumes, resulting in his being off work ill, will be entitled to payment of compensation, which is not the case at present.

I have a case in Pine Rivers concerning a fireman who was undoubtedly overcome by fumes of this nature. He was off work for six months. He has been before the medical board at the S.G.I.O. and his application for compensation has been refused.

(Time expired.)

Mr. BURNS (Lytton) (2.41 p.m.): I, too, am concerned at the inadequate protection of our citizens from fire, especially in high-rise buildings. I am also concerned at the multiplicity of organisations that have something to do with the control and provision of fire safety. It seems to me that we require one comprehensive organisation that will have complete control of the operation of fire brigades and fire safety regulations.

I wish to concentrate today on the State departments involved in this matter, particularly the Health Department. I remind the Committee of the controversy that commenced in 1973 over nursing homes and the statements made at that time. The secretary of the Private Nursing Home Proprietors' Association had a good deal to say. He put up a case on behalf of his fellow

proprietors against our fire regulations. But he and the association revealed that they were interested only in making a "dirty dollar" out of patients and that they had very little interest in fire safety.

It was reported at that time that the Metropolitan Fire Brigades Board had shown, over a three-year period from 1970 to 1972, that 40 per cent of nursing homes in Brisbane were fire-traps and that the State Government and the Private Nursing Home Proprietors' Association had been playing a highly dangerous game of Russian roulette with the lives of old people.

At that time, the association, through its secretary, was trying to blame the Federal Government for the decision of some of its members to sell their land and property to land developers rather than face up to the fact that restrictions had been placed on their financial operations by the Federal Liberal Treasurer in August 1972, long before the election of the Federal Labor Government.

When the facts concerning their gamble with the possibility of an outbreak of fire and the consequent death of all of a home's bed-ridden patients were made public, the association revealed that its members had been levied in February of this year to finance research and to allow it to draw up its own fire safety code to cover private hospitals and nursing homes—its own code, not the Government's code. Suddenly, this private organisation, after three years of adverse reports from the Metropolitan Fire Brigades Board that 40 per cent of its homes were firetraps and after doing nothing to improve conditions or fire services in its homes, levied its members to obtain the services of engineers and architects to draw up its own safety code.

What a remarkable lack of action or concern there was by the Liberal Party on this occasion! What a remarkable lack of concern for the safety of patients! There is no doubt that this is where private enterprise, or free enterprise, comes in. The enterprise is to get around the safety code and manufacture its own. They forget about the safety of patients and look for profits. It is a case of profits before patients.

The proprietors sent circulars to the patients and their families. They tried to start a fear campaign, claiming that they would close down and that it was the Federal Government's fault. In part, the circular reads—

> "There are timber nursing homes operating in all other States. Unfortunately Queensland is the only State which has an Act relating to Private Hospitals and Nursing Homes and this Act required a fire report on each Queensland Nursing Home from an officer of the Metropolitan Fire Brigades Board, who had not the necessary qualifications to issue such a report."

It also says—

> "It does seem unjust that Queensland is the only State in the Commonwealth in which timber nursing homes are being condemned because of an Act of State Parliament."

There was no enforcement of any action by the Health Department for three years, whilst the lives and safety of patients were under a threat. It was a severe threat, too, because these patients are bedridden and quite inactive. Let it be remembered that 17 young and active people died from asphyxiation in the Whisky Au-Go-Go tragedy.

The completely untrue statements that I have just quoted were circulated in an effort to frighten, and even terrorise, patients and their families, and for political reasons only. In the meantime, whilst these nursing homes were falsely protesting their concern for patients, they were drawing up their own safety code. The only money spent at this time on fire precaution was spent on drawing up a new code.

Of course, the Government did nothing about it, either. The secretary of the Private Nursing Homes Association shares the Government's lack of concern on this question. In "The Courier-Mail" of 1 July 1973 he said that although there had been adverse fire reports, this was a "normal business obstacle". Note that! According to Mr. Hawkins, of the Private Nursing Homes Association, an adverse fire report was a "normal business obstacle". On 5 July, he said that his association's own safety code "probably will require the installation of a sprinkler system". He said "probably", let it be noted. I will list some of the requirements that fire brigade officers have served on the Health Department and hospitals such as the one at Chermside, and it will be seen that sprinkler systems are demanded.

Many people have been critical of the Government's requirements for fire safety. Mr. Christsen, of the Metropolitan Fire Brigade, at a forum in the city not very long ago, said—

> "Fire safety in Government departments is poor. Authority given to people to enforce and carry out protection in Government buildings is inadequate."

He was supported by a number of other speakers, who made the point that some of the high-rise buildings in this city have timber floors, frames and partitions, and there is electrical wiring here, there and everywhere. Mr. Dowling, who is Chief Officer of the Metropolitan Fire Brigade, said that architects and consultants are concerned with their clients' interest in making money; their clients are concerned not with safety but with money. He said that most architects are concerned with making a building "look pretty".

Let us now turn to what action is taken by the State Government in its own buildings. The present Government has no policy

for the installation of fire-safety equipment in hospitals. In some places, such as the Ipswich Hospital where its policy is first class, the practice is to install all "mod cons". However, this is so expensive that the same degree of safety could not be provided in all other hospitals. In fact, in the case of Ipswich, the board is installing all facilities in the Ipswich Hospital, and the other small hospitals controlled by the board throughout the district have very little, by comparison, in the way of fire-safety equipment.

The Health Department has no policy on fire-safety equipment. However, Cabinet did decide that finance would be provided to install fire-safety equipment as recommended by the State Fire Services Council. Such recommendations are not now received, and the council does not carry out inspections on behalf of the Government. It was strongly recommended that a fire officer be employed by the Department of Works for the purpose of inspecting Government buildings. I understand that by now such an appointment may have been made. What is required is the establishment of a uniform policy for all hospitals. Again it comes down to a matter of one policy to cover all—private enterprise, Government, hospitals, nursing homes, etc. Why can't we have one standardised set of fire-safety regulations?

An immediate start should be made to provide even basic fire protection in those places where it is most needed. Recently it was suggested that one such place was the Chermside Hospital. I know that the Government has started to spend money there. Late last year, however, it was one place where, because of the nature of the patients, the spending of some money on safety precautions was really needed. Most of the patients at Chermside are bedridden, and have a longer stay in hospital than patients in other hospitals. For example, I think the average stay in Princess Alexandra Hospital, as shown in the last report that I saw, was about three days. Many of the patients at Chermside are orthopaedic patients who cannot get out of bed, and others are mentally retarded and would be prone to panic in an emergency situation. Others are cardiac patients who could die in smoky conditions or if they were required to move speedily in an emergency situation.

The Health Department has, in the past, received adverse reports on hospitals such as the one at Chermside. One report stated that the hospital lacked an alarm system of any kind. The report to which I am referring is some months old, and action could since have been taken. If it has, I offer my congratulations. If it has not, my criticism stands.

If a fire breaks out, the brigade must be contacted by telephone, and the staff must be contacted in the same way. There were no smokeproof doors, and no exit signs. There was no thermal alarm system, no sprinkler system, and no emergency lighting system.

What should be done at the Chermside Hospital, if it has not already been started, is to install a manual press-button alarm system—this also applies in all high-rise hospitals—which notifies the fire brigade of the presence of fire in the hospital and also alarms and notifies the staff of the precise whereabouts of the fire. It is particularly important in carrying out evacuation procedures that help be given quickly to those who have to be evacuated. Therefore, an alarm system should inform the staff of the precise whereabouts of the fire so that they can move immediately to that area without any delay.

The press-button alarm system would have a press-button enclosed in glass at about every 40 feet. Some of the nursing homes that contended they were completely safe had one press-button alarm, which was out in the front yard. Whoever received the telephone call, of course, would then have to wake up other members of the staff and immediately begin an evacuation procedure. If that was not done, panic would immediately set in in case of fire, especially in a high-rise building.

The next most important step in any high-rise hospital or high-rise building is to establish a master lift-control on the ground floor and to install an emergency power supply to the lift. That would cost only about $5,000. When a fire breaks out in a hospital, the staff have been informed that their task is to commence evacuation procedures immediately, and to do so in the immediate area of danger from which they can get people away without putting their own life in danger. When the brigade comes, the staff have to withdraw and the brigade takes over.

If the lift cannot be controlled it becomes useless because when the power is cut off panic occurs, with people leaving doors open, pressing buttons on all the floors, and rendering the lift completely useless. In any event, the current procedure adopted by the fire brigade would render it useless because it is their practice to switch off the power supplies in a building immediately upon arrival. Therefore, the installation of a fireproof main lead to the lift supply is required so that power can get through to the lift. If that procedure was followed, the lift would then, under the control of the fire brigade, become a means of evacuation. In many instances today it is a means of killing people. Without fireproof doors, the smoke and the flames whip up the lift-well and fill every floor of the building with smoke.

Of course, smokeproof doors are an important safety measure and they should be installed. Most deaths in a fire are the result of asphyxiation. Therefore, fireproof doors on each floor would create safe areas until help arrived. Smokeproof doors are ordinary

doors that will withstand fire for about four hours. Each set would cost about $500—not a lot of money—and they should be installed in hospitals such as Chermside and some of the older hospitals throughout the State—two, three and four-storey buildings—on either side of each lift.

The next procedure that should be adopted for safety is the regular carrying out of evacuation exercises. I believe it is a long time since fire-evacuation exercises have been carried out in some of the high-rise hospital buildings in this State. The only high-rise building in which I have seen evacuation exercises carried out is the S.G.I.O. building, where they are carried out from time to time. I wonder how many high-rise apartment buildings carry them out. It would be interesting to hear what sort of fire-evacuation exercises are carried out in some of these buildings.

The next thing needed is emergency lighting of exits. If the power is cut off, people in hospitals such as Chermside, five, six and seven storeys above the ground, see the lights go off, everything goes black, and the building is full of smoke.

Mr. Frawley: They have emergency lighting there.

Mr. BURNS: Many hospitals do not have it.

Mr. Frawley: They have three emergency lighting units at Chermside.

Mr. BURNS: If the honourable member can assure me of that, I shall be pleased to accept his assurance.

The installation of emergency lighting units in many hospitals has only just begun. For a long time, many hospitals have not had any such units, and I know that many buildings in this city do not have them. The power having been cut off, some battery-operated or locally operated lighting system is needed so that people can find the exit and see the end of the corridor. It is useless for them to feel their way round in the dark and in smoke in a building where people are panicking, running around wildly, and screaming. Honourable members can imagine how alarmed they would be if they happened to be on, say, the eighth floor of a hospital or a high-rise apartment building and were trying to find their way out in that situation. It would be very easy to take the wrong turning. If evacuation lighting was provided people would go in the proper direction.

All these things point to the correctness of what Mr. Christsen said. If fire safety in Government departments is poor—I say it is poor not only in Government departments but everywhere else—the Government should be giving a lead. It is not right or reasonable that the Health Department and hospitals should be receiving reports that hospitals are deficient in fire-fighting procedures when at the same time we carry a few resolutions here relating to things such as increasing the salary of the chairman of the board.

The Government is not really concerned about fire-fighting and fire safety if this is the sort of Bill that it brings forward in a day and age when the whole system of construction of apartment houses, shops, hospitals, schools and homes has changed. As a result of that change, great stresses and strains are placed on the fire brigade officer. He does not have the necessary power to act. Certainly he does not have the power to check plans supplied to the Brisbane City Council and say, "That building should not go ahead in that shape and form. It would be a fire hazard."

Mr. Frawley: I think he has.

Mr. BURNS: Then I should like to think that the Brisbane City Council would react properly if he said that. If the Minister said that this officer has power to recommend changes in plans, I would be very surprised. In that event, I should like to know which fire officer had a look at the plans of some of the high-rise boxes that are being built in some parts of the city.

Mr. Campbell interjected.

Mr. BURNS: In many cases the local authority submits plans to the local fire brigade. I do not disagree with that, but whether the fire brigade suggestions are accepted by the local authority is another matter. I can remember a statement by Mr. Dowling or one of the other fire officers in which he expressed concern about this particular aspect of fire safety.

One of the biggest recent fires was the one that occurred in one of Woolworths Sydney stores. It was the sixth major fire in a Woolworths store in 18 months. Again I point to some of these long, single-storey buildings that are being constructed in the suburbs. In business hours they are surrounded by hundreds of cars in the car parks. They have only three or four outlets. If a fire occurred in any one of the outlets, with all the plastic equipment and other materials that the honourable member for Pine Rivers has spoken about, one wonders how people would get out.

In the Lytton area there has been a great increase in fire risk as a result of the new industrial estates. I am concerned about all the new industries, including the harbour industries, the noxious industries and all the other industries that are to be built there. We hear a lot of talk about the new meatworks, the fertiliser plant and the oil refineries, but no additional provision has been made for fire safety. The closest fire station is at Wynnum. It has been there for 50 years. The next nearest one is near the city. The boundary of the Metropolitan Fire Brigade area extends right down to Lindum—through the Murarrie area, into the Hemmant area, and down to Kianawah Road.

If a fire occurred on this side of Kianawah Road fire brigade officers would have to be sent from the south side of the city, and fire brigade vehicles would have to cope with all the traffic and bottle-necks that are associated with narrow suburban roads. It is an impossible situation, and something will have to be done about it.

I do not object to the fire brigade chairman getting an extra few dollars, but why doesn't the Government do something about the retiring age of firemen? In this day and age they are expected to fight fires right up to the last day of their service. Even when they are 64 years and 360 days old they are still expected to go into the heart of a fire. In many other places the retiring age for firemen has been reduced to 60 years, and there is no reason why that should not apply here. After long and meritorious service to the community, a fireman should not be forced to fight intense and difficult fires right up to the end of his service at 65 years of age.

When I refer to the need for a fire brigade in the Lytton area, I point out that there are two oil refineries at the mouth of the river. We had one near-escape when a passenger ship and an oil tanker almost collided early one morning in a fog. If a holocaust ever occurs on an incoming tide, there will be many problems for all those people who work and live along the banks of the river. It is no use saying that we have a tug equipped with fire-fighting equipment. It would not necessarily be available at the time of a fire. It could be working somewhere up the river when a fire broke out at the mouth of the river.

My plea to the Minister is that he do something for the average employee in the fire brigade who, in most cases, takes on the job as a career. He believes in it as a career. Certainly something should be done about his retiring age. There is a need for a complete ring of fire stations, both in the new industrial areas and the new residential areas. They should not be located on the old sites of 30 or 40 years ago. We do not want the old sites upgraded. Let us plan new ones.

The State Government must face up to its obligations on fire regulations. The Health Department should be forced to place the proper facilities in high-rise hospitals, both the existing ones and those now being erected. Let us ensure that we give fire officers the authority to control and enforce the regulations. And let us have one fire authority. Let us not have a multiplicity of organisations consisting of local government, State departments and fire brigades, all competing one against the other. Let us have one fire authority responsible for conducting the fire services in this State.

Mr. HARVEY (Stafford) (3 p.m.): Having had experience in this particular matter and having served for about six years on the Metropolitan Fire Brigade Board, I think one of the most urgent matters in this city at present is the establishment of adequate fire prevention facilities in high-rise buildings. Today we have 28-storey buildings in this city and, although the local authority may supply them with alternative sources of electricity, the design of the buildings is such that people on the top floors are entirely dependent upon the availability of lifts in order to leave the building. They are also dependent on a reliable source of light to find their way to the lifts, and on the artificial circulation of air so that they will not die from suffocation while doing so.

Within the last few days we have read of a tragic fire in Tokyo and we all remember the Whisky Au-Go-Go fire and the one at the Myer Shopping Mall, Chermside. In all of these cases adequate fire protection facilities were lacking.

Turning again to the high-rise buildings in Brisbane, I acknowledge that the State Government Insurance Office has probably the best fire prevention measures of any building in Brisbane. However, many buildings, including some Government and City Council offices, do not meet the requirements. I can well remember the fire in the Paddington Tramway Depot and the consequences of that. After examining the remains of that building, we realised that many of our other depots did not have adequate fire fighting or prevention equipment.

In the case of the Whisky Au-Go-Go fire, the building was designed as shops downstairs and office space above. It was subsequently converted for use as a club, but it did not adequately meet the standards that normally would have been required if it had been built initially for club purposes.

When the Myer Shopping Centre was built at Chermside, the requirements of the local authority were very strongly resisted. They included the provision of a fire-proof wall with the necessary door for over 500,000 sq. feet of floor space. Eventually, a compromise was reached with the installation of a shutter-type door which, incidentally, when it did activate, dropped without warning. If at that time firemen had been fighting the fire on the other side of it, they would have been incinerated because no escape route would have been open to them.

When the local authority draws the attention of people constructing these buildings to the necessary requirements, they almost invariably point to the cost involved. I have said on many occasions—and I repeat it—that any one of these high-rise buildings in the central area of Brisbane is so designed that if a fire occurred in the bottom two storeys, there would be little chance of anybody escaping from the upper floors, either by lift or in any other manner?

I sometimes wonder whether our fire services have the ladders and escape sheets necessary to adequately cope with the emergency they would face if people were caught

in the higher levels of some of these buildings. One requirement is for ventilation air ducts and smoke extractors on every fourth floor. However, smoke naturally rises, and if the extractors are defective it spreads to the higher floors on which people are trapped and overcomes them. Added to this is the possible outbreak of mass hysteria among a group of persons who find themselves in a dangerous situation.

Underground parking stations are also a cause for concern to local authorities and Government departments. During the day, when there is a normal flow of vehicles in and out of such a parking area, the carbon-monoxide extractors operate quite efficiently. However, late at night after the picture theatres have closed and patrons rush to the parking stations, start their cars and then allow them to idle while they are queued up at the exits, the fumes build up to such an extent that it is questionable whether the extractors can cope with them.

In many modern buildings synthetic materials, such as polyurethane, are used in the installation of ceilings. Such materials are not fire repellant. Whereas, some years ago, buildings of two or three storeys were constructed mainly of brick, concrete and steel and were therefore fire resistant, these days the design and construction of buildings, embodying synthetics, cause grave concern to fire-fighting authorities.

Mention has been made of the upgrading of the building code to prevent, among other things, the erection of prefabricated plastic structures. Although many of our building ordinances are an improvement on earlier regulations, they still leave a lot to be desired. The need to take necessary fire prevention measures must be stressed upon architects as well as other persons engaged in the building industry.

Of course, it is not solely a building that constitutes a fire hazard. Its furniture and fittings are also highly combustible. When the Indooroopilly Shoppingtown was constructed, I can remember that nylon carpeting was placed on the floors. The council electricity authorities were called in to determine whether or not a person standing on such a carpet and at the same time touching a metal fitting could receive an electric shock. It was found that, particularly during dry or westerly-windy weather, a person in such a situation could receive a shock from static electricity. A synthetic spark is probably one of the hottest electric sparks and can therefore easily start a fire.

These days greater use is being made of nylon and fireglass materials. Some factories that were designed for a certain type of manufacturing process have changed over to the use of synthetics. Quite recently, while in the Ipswich area, I visited a factory that made extensive use of fireglass and its associated natural esters and materials. In my opinion, inadequate exhaust extractors had been installed in that factory. In fact, I believe that a factory previously occupied by that firm was burnt out.

A very large number of fires can be attributed to electrical faults. In England, the electric supply authority is concerned only with providing the electric energy. What happens beyond the meter does not concern it greatly. In Queensland, electric authorities, on request, provide free inspections and tests of wiring in premises every five years. I believe it should be mandatory for premises to be tested every five years.

An examination of records discloses an incredible number of fires attributable to electrical faults. In many instances owners of the properties have not bothered to ask the electric authority to carry out inspections because they fear being involved in additional capital expenditure to upgrade the safety of wiring and appliances on the premises.

While my next matter of concern may not come directly under the Minister's control, I wish to draw attention to the very large petrol tankers that transport flammable fuels, in peak hours, through dense traffic in closely populated areas of Brisbane. Only last week a tanker rolled over near Breakfast Creek. Chaos could well have resulted if the accident had occurred at the Valley corner or in Queen Street, with petrol spreading across the road and running down the gutters. The whole street could have been an inferno before the fire brigade arrived. In peak hours, traffic congestion would be so bad—indeed, it could be at a standstill—that the fire brigade would be unable to get to the fire.

In another incident at Breakfast Creek, the fire brigade experienced great difficulty in getting to the fire to hose fuel into the Brisbane River. It was fortunate that it occurred so close to the river. I ask honourable members to imagine what could have happened if this incident had occurred in the inner-city area.

In the early 1950's, a tanker was involved in an accident outside the Coorparoo Fire Station. It was fortunate that the fire station was close at hand, and the fire was brought quickly under control.

We must face up to the problems created by our changing society in which we see higher buildings, with different architectural designs, in densely populated areas. All these things add to the problem.

The fire brigade service is doing a really good job. Its precepts are met by the Government, the local authority and the insurance underwriters. However, we cannot assess the value of protection of life and property in dollars and cents. I am satisfied that, if the Whisky Au-Go-Go night club had been forced to meet the appropriate requirements when the building was converted from office accommodation, the fire hazard and loss of life would not have been

nearly as great. Furthermore, I have been reliably informed that the escape door was tampered with long before the fire broke out, making it impossible for people to escape through it.

Fire prevention measures must be incorporated in the design of buildings and the furnishings and equipment in them, and use must be made of them, with continual checks to ensure that they are maintained at the required standard. The views of a fire-fighting authority should override those of local authorities and all other parties.

In the north-western sector of the city, fire stations are established at Lutwyche and Newmarket. Mitchelton, The Gap, Ferny Grove and the Pine Shire are far removed from fire-fighting facilities, and there is a need to extend this service into those areas. I believe that the city should be ringed with fire stations so that equipment can be fed into the city rather than out of it. This would ease traffic congestion.

Mr. YEWDALE (Rockhampton North) (3.16 p.m.): After listening to the remarks of previous Opposition speakers, it is fairly obvious that a great need exists not only in Queensland, but throughout Australia, to revolutionise the whole question of fire protection. I shall reiterate and, to some extent, rehash what I have said previously. Whenever I have an opportunity to raise this matter, I shall do so. For two years or more, owing to the Government's inability to overcome the situation, Rockhampton was left virtually half-starved in fire protection. The board originally employed 50 men, but, owing to an industrial dispute, the number dropped to about 25. For well over two years, those 25 men have been expected to give to the population of Rockhampton the protection afforded to it by 50 men. Those 25 men had to work excessive overtime and remain on call more or less on a continuous basis so that they would be available in the event of a major outbreak. Fortunately, no major disaster occurred.

If 50 men were originally employed to protect the 55,000 people in Rockhampton, how can the Government justify protecting them with only 25 men for over two years? In fact, it is now closer to three years. In that time, the population and the number of houses and building premises have increased, and I repeat that we were only half-protected. Also during that period every person in the community was expected to continue subscribing his normal fire premiums and, in the latter stages, was even subjected to increases in the fire levy of the State Government Insurance Office, which is another matter I have raised previously.

To my mind, the Rockhampton board, in collaboration with other people, instigated the whole situation by dismissing the men involved. The fire chief, who remained in control of the firemen in Rockhampton, entered into all sorts of conniving arrangements with the remaining men at the centre while treating other men in such a way that it was hardly bearable for him to remain there. Ultimately, he was dismissed from the Rockhampton Fire Brigade.

During that period, a new fire station was constructed in the Park Avenue area of North Rockhampton, but it was left unmanned for 12 months to two years. If the authorities saw fit to erect that substation, they should not have seen fit to leave it unmanned. However, owing to the action of the board and the department, it remained inoperative for that period. It is only in recent times that firemen have been stationed there. The people of Rockhampton were very concerned about this issue, and opinions have been expressed publicly by all sections of the community about the attitude of the board. I appreciate what has happened recently, and I hope and trust that the matter will be resolved in the best interests of all.

I support the remarks of previous speakers. The honourable members for Lytton and Stafford referred to the need to improve fire protection throughout Queensland, and indeed throughout the Commonwealth. I noticed a newspaper report only last week to the effect that state managers of Woolworths stores, of which there are 850 throughout Australia, decided at a meeting in Sydney to review fire precautions in their stores. If it is necessary for the managers of such a large organisation to review fire precautions, the authorities could well pay some attention to fire prevention measures taken in Woolworths stores throughout the Commonwealth. Woolworths is a very large organisation providing massive shopping facilities that are used by many thousands of people every day, and, if its managers decide that there is a need to review their fire precautions, the State authorities should discuss the matter with them and collaborate with them in the interests of the people.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (3.22 p.m.), in reply: The debate has been notable in that honourable members have paid little heed to the amendments that I outlined. Instead, they have discussed matters quite outside the ambit of the Bill. I venture to say that this indicates the futility of the introductory stage, when debate occurs without full knowledge of the contents of a Bill and when a Minister perhaps does not fully explain the measures contained in it. This legislation deals with the administration of the Fire Brigade Board. Fire safety, or the need for a safety-code, is a matter for other legislation.

Earlier this session, when Opposition members were courteous enough to allow the fairly swift passage of another Bill dealing with fire prevention, I promised that during this session ample opportunity would be presented for a full debate on fire safety precautions. I stand by that declaration.

Mr. Marginson: Next March?

Mr. CAMPBELL: The debate will take place during this session.

Mr. Marginson: This session goes to next March.

Mr. CAMPBELL: It may go to April or June, for all we know now. As I said, it will be in this session. Because the new legislation is quite comprehensive, it cannot be framed in a few weeks. I am happy to inform the Committee that the main principles of the Bill have been ironed out, and it is now in the hands of the Parliamentary Draftsman for his attention.

I think there has been a considerable amount of unnecessary thrashing about by members in this debate. I shall not labour the point except to say that much of the debate on this legislation has been unnecessary, because——

The CHAIRMAN: Order! I think the Chair is capable of determining that.

Mr. CAMPBELL: I omitted to say, Mr. Lickiss, that I believe that members of the Opposition have traded on your undoubted patience, because I repeat that the proposed Bill does not deal with safety precautions; it deals with the administration of fire brigades in the State of Queensland.

Mr. Bromley: Anything the fire brigade administration deals with relates to fire safety.

Mr. CAMPBELL: The honourable member for South Brisbane inquired as to the stage reached in appeals under legislation passed earlier in the session. I inform him that the District Court judge concerned, after hearing argument for two days (I might add that it has not yet finished), adjourned the hearing till the first sittings in the new year.

The honourable member for Pine Rivers began in a rather sarcastic vein, and he echoed the impatience expressed by the honourable member for South Brisbane. I have referred already to the confusion which exists in the minds of members of the Opposition.

Mr. Bromley: Don't say it again, or you might be sent out under Standing Order 123A.

The CHAIRMAN: Order! The honourable member faces that possibility.

Mr. CAMPBELL: The next matter pertaining to the Bill was raised by the honourable member for Lytton. I inform him that the Private Hospitals' Association has submitted a fire safety code to the Department of Health. It has been discussed with the Metropolitan Fire Brigades Board, the State Fire Services Council and the department.

Mr. Burns: Don't you think too many people are involved?

Mr. CAMPBELL: The honourable member might think that a solution to these problems can be plucked from the air as easily as he waves his hands around.

Mr. Burns interjected.

The CHAIRMAN: Order!

Mr. CAMPBELL: Continuing my advice to the honourable member for Lytton, if he is interested in listening, I inform him that a meeting of all parties is scheduled to take place tomorrow, when it is hoped that the matter will be finalised.

As to his complaint about the lack of a fire station in his electorate, I inform him that the Metropolitan Fire Brigades Board has looked at several sites. None of those that it has looked at is available. However, because it sees the necessity for having a fire station in the area, it is urgently continuing its investigations.

The honourable member for Rockhampton North posed several questions, the answers to which he already knows, and I do not propose to canvass those matters.

Motion (Mr. Campbell) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Campbell, read a first time.

INSPECTION OF MACHINERY ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (3.30 p.m.): I move—

"That a Bill be introduced to amend the Inspection of Machinery Act 1951-1971 in certain particulars."

Just over 12 months ago, legislation amending the Inspection of Machinery Act was introduced, which included requirements in relation to the issue of certificates of roadworthiness for second-hand motor vehicles at the time of disposal. Since its implementation, this legislation has proved to be extremely effective in upgrading the roadworthiness and quality of used motor vehicles, and in reducing the number of so-called "bombs" which once were prevalent on our roads. It will be recalled that this legislation was initiated as a result of unanimous recommendations of a committee representing all sections of the motor trade, relevant Government departments and the R.A.C.Q., which was convened especially to consider the question of certain proposals to amend the Inspection of Machinery Act in order to tackle the problem of unroadworthy motor vehicles.

The success and effectiveness of the legislation is illustrated by the fact that, since its implementation in October 1972, a total of 215,054 certificates of roadworthiness have been issued by 1,044 approved inspection stations employing 2,533 licensed examiners. From statistical information supplied by the approved inspection stations, 7,365 vehicles, or approximately 3.4 per cent of the total number of certificates issued, have failed to be presented for a second inspection or were rejected at the second inspection. I think that very low percentage is quite noteworthy. However, follow-up action is taken by the Division of Occupational Safety in relation to those vehicles which have failed to be re-presented or have been rejected.

The Chief Inspector of Machinery has received a total of only 459 complaints in connection with the issue of certificates of roadworthiness. Of these, 230 proved to be groundless following investigation by officers of the Division of Occupational Safety. Of the remainder, 88 prosecutions have been lodged, of which 51 have been heard and 37 are pending. The number of prosecutions awaiting approval and lodgment is 62.

Following convictions for offences against Part IVA of the Act, one certificate as an approved inspection station has been cancelled and two have been suspended. The position in connection with licensed examiners is that two only have been suspended.

From the outset it was anticipated that, once the legislation became operative, some anomalies that were not apparent at the drafting stage would be revealed. This is quite understandable in legislation such as this, which breaks completely new ground and which is complex and controversial in its nature. For this reason, I undertook to arrange for further meetings of the committee in order to review the legislation after it had been in operation for a period of six months.

By way of interest, this committee now also includes a representative of the Queensland Motor Cycle Importers' and Wholesalers' Association, which means that this additional and growing section of the motor trade is now represented.

Accordingly, meetings of the committee were held, and these resulted in certain unanimous recommendations which, it is believed, will contribute towards improving the effectiveness and administration of the roadworthiness legislation. They are the only proposals incorporated in the Bill.

I would emphasise that there is no doubt in the minds of the committee that generally the present legislation has been working successfully by removing unsafe vehicles from the road, and this, after all, is its primary objective. However, experience has revealed several loopholes that can be used to avoid compliance with the law. These proposed amendments will help to streamline and, in certain respects, clarify the requirements of Part IVA of the Act, and close these gaps.

One anomaly which revealed itself very early was that registrations could be transferred or re-registered at the Main Roads Department without a certificate of roadworthiness because the legislation did not require the certificate to be presented with the transfer or re-registration documents. In the case of an application for re-registration of a second-hand motor vehicle, this anomaly has been overcome in the amending legislation by prescribing that the Main Roads Department may refuse to issue a certificate of registration relating to a second-hand motor vehicle if the application for the issue of that certificate of registration is not accompanied by the original copy of the roadworthiness certificate. The Main Roads Department has agreed not to accept any applications for registration of second-hand motor vehicles unless they are accompanied by a certificate of roadworthiness. As far as transfer of registration is concerned, the amending legislation makes it an offence under the Inspection of Machinery Act not to submit the original copy of a roadworthiness certificate to the Department of Main Roads with the application for transfer. Very real administrative and practical problems would confront the Main Roads Department if it insisted upon a similar provision in the Main Roads Act. However, the present liaison between the Main Roads Department and my department is working very efficiently and effectively, and every car whose registration is being transferred, and in respect of which no certificate of roadworthiness is produced, whilst being registered, is followed up by the chief inspector and his officers.

One business practice is to lease or hire second-hand motor vehicles. The committee unanimously agreed that it would be highly desirable for the definition of "disposal" to be amended to specifically include the terms "leasing" and "hiring" in order to remove any possibility of misunderstanding or misinterpretation. The definition of "disposal" has been further amended by exempting the requirement for a certificate of roadworthiness in cases where transfers of registration are simply consequent upon change of name or identity of corporate bodies or partnerships, or where registration is transferred by a will to the beneficiary of a deceased estate.

At present, commercial vehicles carrying a current certificate of inspection issued by the Chief Inspector of Machinery under section 35 of the Act must obtain a certificate of roadworthiness on disposal. It is proposed that section 44H be amended in order to remove this necessity, provided the inspection conducted by the Division of Occupational Safety on the commercial vehicle is carried out within 30 days prior to the date of disposal.

Under the present legislation there is no provision making it compulsory for the new owner of a vehicle to be supplied with a

roadworthiness certificate. However, under the proposed amendment to section 44H, the person disposing of a vehicle will be required to furnish a duplicate copy of the relevant certificate to the subsequent owner. In the event of the duplicate copy being lost or destroyed, the person disposing of the vehicle must give to the purchaser a statutory declaration as to the particulars contained in the certificate of roadworthiness, or, if applicable, the certificate issued by the chief inspector.

The onus of proving that the certificate was, in fact, given to the new owner, and that the original was submitted to the Main Roads Department, shall lie upon the defendant. Therefore, the disposer of a vehicle, if necessary, must be able to prove that he in fact obtained and distributed the copies of the certificate as required.

In addition, it is proposed that, where an offence against the Act is committed by a servant or agent of an owner, such offence will be deemed to have been committed by the owner. This will obviate a present difficulty where, during the course of an investigation into an offence or complaint, it has been found that the dealer simply claims that he was not responsible, as the disposal of the vehicle had been effected by an employee or agent and he was unaware that a certificate of roadworthiness had not been obtained.

In the case of a bona fide demonstration of a motor vehicle to a prospective purchaser, there is no specific provision under the existing Act which exempts the requirement of a certificate of roadworthiness. The committee was unanimous that such an exemption should be incorporated. However, in the case of a sale eventuating from such demonstration an "R" certificate will be required.

A shortcoming which has been revealed in the roadworthiness legislation is that the Chief Inspector of Machinery cannot take action to call upon the proprietor of an approved inspection station or a licensed examiner to show cause why his certificate and/or licence should not be cancelled or suspended until such time as a conviction for an offence against the Act has been obtained.

Usually there is a lengthy delay between the time when the investigating officer first becomes aware of a breach and when a decision is given by the Magistrates Court. During this period a large number of suspect certificates of roadworthiness could be issued, especially in view of the fact that the proprietor and/or licensed examiner would be aware that there is a possibility of losing his certificate of approval and/or licence. In order to circumvent this, an amendment is proposed which empowers the chief inspector to call upon a proprietor and/or examiner to show cause why his approval and/or licence should not be suspended or cancelled immediately a breach is detected. In addition, the chief inspector is empowered to vary the period of suspension which may be imposed by him.

Under the present legislation there is no provision for any right of appeal against any decision of the chief inspector with regard to the cancellation or suspension of a certificate as an approved inspection station or a licence as an approved examiner. The proposed new section 440A creates such a right of appeal to a stipendiary magistrate.

The final point I wish to make at this time relates to an anomaly whereby an officer of the Division of Occupational Safety is unable to cancel defective certificates of roadworthiness which he may observe at inspection stations during the course of snap inspections or investigations into complaints.

While such defective certificates are a breach under the regulations, there is no power presently conferred on inspectors with regard to the cancellation of these certificates which do not comply with the Act. The proposed amendment empowers the Governor in Council to make regulations to overcome this anomaly.

I would like to extend my appreciation to the representatives of the committee who took part in the discussions which resulted in the Bill now before us. It is their extensive personal knowledge, practical experience and co-operation which has enabled this legislation to be implemented and to operate so successfully.

I am sure that, when these amendments now proposed come into operation, this roadworthiness legislation under the Inspection of Machinery Act will prove to be even more effective, and in practice will be at least the equal of that operating in any other State.

Before closing I regret I have to refer to a most disturbing situation which operates to the detriment of legislative attempts being made in this State to remove unsafe motor vehicles from the road. Within the wider context of this legislation, I feel it is competent for me to make a quite pertinent observation in relation to the Commonwealth Government's approach to disposal of its used vehicles and roadworthiness requirements in this State. Honourable members will know that it is the practice of the Queensland Government to have its used vehicles certified roadworthy at the time of sale. One would think that in this regard the Federal Labor Government would either have set the example or followed ours. But it doesn't, and won't.

Mr. Wright: Did the Liberal Government ever do it?

Mr. CAMPBELL: This legislation had hardly been introduced before the change in Government.

Mr. Wright: That's not true. This legislation was in force when the Liberal Government was there.

Mr. CAMPBELL: I said it had hardly been introduced before the change in Government.

On 11 December last, the Premier wrote to the Prime Minister requesting that all used motor vehicles sold by the Federal Government in Queensland should have certificates of roadworthiness in compliance with State legislation. The Prime Minister's answer, dated 8 October 1973, stated that the proposition raised practical issues, including that of Department of Supply policy of selling all goods in an "as is" condition. While expounding the Federal Government's support of measures designed to promote road safety, the letter said that Federal Government policy on disposals would not be changed—and this, despite an acknowledgement that, in some cases, vehicles sold through the disposal system on behalf of all Federal Government departments would, in some cases, be in poor condition.

The Commonwealth rested on the fact that the expense of restoring these vehicles to a roadworthy condition would be prohibitive. Honourable members would agree, I think, that this is far from good enough. Queensland law requires a vehicle to have a roadworthiness certificate before disposal. The Commonwealth argues that, as long as a vehicle has a certificate at the time of re-registration, everything is all right. This apparently means that it believes a buyer should bring an "as is" vehicle up to certificate standard at his own expense, and that the Commonwealth, as the seller, should be excluded from the obligation. This is quite a shocking shedding of responsible contribution to road safety.

Despite this, the people have been subjected to yet another lip-service pronouncement, this time by the Federal Minister for Transport (Mr. Jones). Mr. Jones announced that the Federal Government was examining its constitutional powers to see if it could obtain wider powers to legislate nationally on road safety. He even suggested that motorists driving interstate may have to face a compulsory roadworthiness check. Apart from the hypocrisy of it all, honourable members could well imagine the chaos at Christmas time when tens of thousands of vehicles a day will cross and re-cross the border at Coolangatta alone.

I commend the motion for the consideration of the Committee.

Mr. BROMLEY (South Brisbane) (3.48 p.m.): The Opposition is completely disgusted at the way the Government is fiddling around with the order of dealing with legislation in this Chamber. Since August, the Premier and other Government members have used this Assembly as a Federal forum. When the Government realised that Christmas was virtually upon us, it suddenly decided to get down to dealing with State legislation. Yesterday I understood, as did other honourable members, that certain Bills had not even been to the Government Printer. This measure, which has been on the Business Paper for some weeks, suddenly jumped almost to the top of the Business Paper, thus bypassing many other important measures, simply because the Premier, and the Government at large, have decided to use this Chamber as a Federal forum. We should be dealing here with State matters.

The CHAIRMAN: Order! I commend that procedure to the honourable member now. We are dealing with the Inspection of Machinery Act, and I should like the honourable member to keep to it.

Mr. BROMLEY: I will be keeping to it.

The CHAIRMAN: The Chair will ensure that the honourable member does.

Mr. BROMLEY: I will make sure that I do, too, because I made some notes of what the Minister said.

I was surprised when the Minister became upset in replying to the debate on the last measure. The Government will not co-operate with us. We are prepared to co-operate and, in the past, we have done so. In the light of what has happened, it is very unfair that anyone should chastise Opposition members for wanting to speak about State matters.

When the Minister referred to "R" certificates, I did not know whether the "R" referred to roadworthiness certificates or to "R" film certificates.

The September issue of "The Road Ahead", the R.A.C.Q. publication, contains almost word for word what the Minister has just told us. This was made public in September—three months ago—long before Parliament knew anything about it. We in this place should be the first to know about these things.

Mr. Wright: It is contempt of Parliament.

Mr. BROMLEY: Of course it is. It might be all right for the Minister to claim that we are fortunate to have read something about it. But how often can we believe what is printed in the Press, whether it be "The Road Ahead" or the daily newspapers? I was reading the article in "The Road Ahead" during the Minister's introduction of the Bill. Frankly, I am disappointed with him. He talks about co-operation. He should be ashamed of himself.

Naturally, the Minister had to say that this legislation has been almost a complete success. I completely disagree with him; it has not been a complete success. In fact, it has hardly been a partial success.

Mr. Campbell: Who is roasting whom now?

Mr. BROMLEY: I am roasting the Minister because he roasted me. If he wants to dish it out, he should be prepared to take it.

Roadworthiness certificates, as provided for in the existing legislation, are not the real answer. When that legislation was introduced, the Minister claimed that the Federal Government would not remove unsafe vehicles from the roads. I remind the Committee that, at that time, the Liberal-Country Party Government was in power in Canberra. If the Minister introduces party politics into the matter, he should at least be fair.

When the original legislation was introduced, I said there was only one way to overcome this problem. My suggestion might not suit everybody, irrespective of the type of work he does or whether he is in the lower or higher income bracket, but the only way to overcome the problem is to have annual inspections of all vehicles that are at least two years old or have done 10,000 miles.

Recently, in Japan, I spoke to representatives of Mitsubishi and other Japanese companies that produce good cars. I saw only 14 second-hand-car yards in Tokyo. I was told that people there do not run cars that are more than three or four years old. After that period they trade them in and the cars are probably recycled for manufacture into new cars. I suppose there are not many car yards because land is so expensive and scarce. But, when that is the procedure, it makes me think. At least cars in Japan are in a roadworthy condition all the time.

Getting back to the failure, or partial success, of the legislation—however the Minister likes to refer to it; I will be reasonably fair—I was informed by a person who paid nearly $300 for a 10-year-old car—or "bomb" I suppose it should be called—that following an inspection by the R.A.C.Q., which would be the best Queensland organisation to check the roadworthiness of a car, he was told that it would cost him more than $150 to repair the car so that it could be driven safely. One of the front wheels was not even connected to the steering mechanism. It had no stop light, a defective handbrake, and many other faults. But it had a roadworthiness certificate, and this person bought it. The odometer showed 33,000 miles, and, according to the R.A.C.Q. expert, it had obviously been changed from 133,000 miles. I suppose he was lucky that there was even a steering wheel on the car! I could quote many similar cases, but this vehicle is a good example of the rorts and rackets that go on in some garages in the issuing of roadworthiness certificates.

One of the deficiencies in the legislation is that once a buyer accepts a certificate of roadworthiness from the person selling the vehicle, he has no claim against the vendor in respect of any defects in the car. I stress that once the buyer has accepted a roadworthiness certificate, he has no claim against the seller, even if the car has no steering wheel—or even no wheels at all.

Mr. Lee: It would be a bit hard to drive out without wheels.

Mr. BROMLEY: Yes, it would be. I do not want to digress, Mr. Hewitt, but perhaps I might be permitted to mention that the other night a friend of mine got into his car to return from the theatre and, when he went to start the vehicle, nothing happened. The car had been jacked up, and the wheels had been removed.

In many cases, motor vehicle warranties are not worth the paper they are written on. One firm advertises on television, "Any old iron, any old iron." I do not intend to name the firm, as it will be well known to all who have seen the advertisement. I often wonder if that is a good description of the cars that various firms are selling—"Any old iron, any old iron." New cars today are rubbish, and one only has to look at some of them to see why it is that they fall to pieces.

Mr. Lee: It makes you sick to listen to that TV ad.

Mr. BROMLEY: I agree.

New cars are absolute rubbish, and in my opinion they should be examined for roadworthiness. I know that some of them carry a 12 months' warranty, or whatever it is, but many of them cannot be driven home from the showroom without giving trouble on the way. It is amazing to find some of the things that go wrong when brand-new cars are being driven by the purchaser for the first time.

I am speaking not only from my own experience. Shortly I intend to quote from a newspaper article in which reference is made to tests carried out by the R.A.C.Q. I think motor-car manufacturers should be examined for "truthworthiness".

Mr. Lee: Here is a fair question: do you think a 12-12 warranty means 12 yards and 12 minutes?

Mr. BROMLEY: I'll pay that one. I think the honourable member is pretty close to the mark, with some of the "bombs" that are put on the road today. As I say, I think motor-car manufacturers should be examined for "truthworthiness" in their advertisements. In fact, I think they should be subjected to a lie-detector test.

What I am saying is borne out by a newspaper article that appeared in "The Courier-Mail" on 10 March 1973. It is headed, "Brake faults in 'new' cars".

From that, one might conclude that the cars in question only had brake faults, but the article says—I do not intend to read the whole of it—

> "An automobile clubs' survey of cars under warranty revealed a wide range of defects in the breaking system of all models except the Valiant Galant.

"The survey of 3,500 cars was made by automobile clubs in each State. The Royal Automobile Club of Queensland released a report on it yesterday."

As I have said, we are dealing not only with new cars but also with second-hand cars and the warranty that is supposed to apply to them, and it is all tied up with road-worthiness certificates on second-hand cars.

I shall very quickly go through some of the headings in the article. It continued—

"The report said that, of the cars tested, 38 per cent of six-cylinder Holden Toranas, 24 per cent of Ford Cortinas, and 23 per cent of Morris Minis, Clubmans, 1300's and 1500's, were shown by road tests to have defective brakes.

"Wheel balance defects were found on 22 per cent of the tested Ford Falcon, Futura and Fairmont XY and XA models.

"The Morris Mini, Clubman, 1300 and 1500 models tested had excessive front tyre tread wear on 29 per cent and 18 per cent had excessive rear tread wear."

Valiants were in almost the same category, and, of the Ford Escorts tested, 15 per cent had a wheel-balance problem.

The bearings were bad in most of the cars, and the article said—

"Most cars tested which had 12,000-mile warranty showed defective wheel-bearing adjustments—"

(that bears out my point that all cars should be road-tested annually after 10,000 miles service)

"ranging from 26 per cent of Valiants and 22 per cent of HQ Holdens to a low 3 per cent of Morris Minis, Clubmans, 1300's and 1500's."

It then goes on to deal with 12,000-mile warranty vehicles with brake defects, and it lists virtually every car of which honourable members have ever heard. Just what are these new cars? Are we driving to our death in them? If we are, then we really ought to be doing something about stepping up the action we are taking relative to second-hand cars, and I do not think that the loop-holes the Minister is closing in this Bill will provide the answer that is needed.

Mr. B. Wood: What about Renaults?

Mr. BROMLEY: Renaults are mentioned in the article. If the honourable member mentions the make of any car, I am sure it will be mentioned here.

Mr. Houghton: What about a Whippet?

Mr. BROMLEY: We talk about grey-hounds in this Chamber; I don't know about whippets.

Mr. B. Wood: I am told that Whippets come up better than the new cars.

Mr. BROMLEY: I do not wish to get off the subject, but I suggest that some of the vintage cars are better built than those being made today. I can remember having a Whippet; I can remember also having a 1927 Chev. In those days, if one had any worries, one only had to lift up the bonnet and fix the trouble in about two minutes, then go and pick up one's girl-friend, or take her home, as the case may be.

The article then goes on to speak of wheel alignment, and it says also that lights were bad in a large percentage of cars. Electrical defects were numerous, and air-filter problems showed up prominently. In cars warranted up to 12,000 miles there was a high incidence of distributor problems, and again many different makes were mentioned. It then refers to oil leaks in various cars, including Japanese cars. I do not want to mention only the well-known Australian makes.

Mr. B. Wood: We haven't any of our own now.

Mr. BROMLEY: As the honourable member for Barron River says, we have none of our own now. We may have had when the Holden was first produced. This article mentions almost every make of car. The report was compiled by the R.A.C.Q., which is probably the most efficient organisation to road-test motor vehicles. It makes one wonder what make of car one should buy.

I said I would deal with two issues of "The Road Ahead". The September issue refers to the amendments we are now dealing with, and the October issue refers to complaints received by the Consumer Affairs Bureau about various motor vehicles. Unfortunately time will not permit me to deal in detail with what is published in the latter issue.

I again draw to the Minister's attention a matter I took up with him by way of correspondence. It concerns a complaint received by the secretary of an A.L.P. branch. He was directed to send the complaint to me.

Mr. Frawley: It wasn't the Clontarf branch?

Mr. BROMLEY: No, the Ithaca branch.

In a letter dated 1 April 1973, this gentleman said—

"At the March meeting of the Ithaca E.E.C. a motion was passed instructing me to write to you and point out that:—

Owners of second-hand vehicles when attempting to resell to a buyer direct are required to obtain a certificate from a licensed garage at a cost of $4 and that such certificate is only valid for 28 days. It is felt that this places an undue burden on a private seller.

"We understand that the whole business of certification is creating complaints with the Department of Main Roads and would ask you to advise us if any steps are being taken to change the present procedure."

I wrote to the Minister on this matter. First of all, I rang Mr. Muhl. He was very courteous, and we had a long discussion about the matter. He asked me to write him a note, which he said he would refer to the Minister.

(Time expired.)

Mr. FRAWLEY (Murrumba) (4.8 p.m.): I congratulate the Minister and the officers of his department for having introduced this amending Bill. When the Act was first proclaimed, it did contain certain anomalies, as is to be expected with any new piece of legislation.

I do not normally agree with the honourable member for South Brisbane, but on this occasion I concur in some of the things he said. He suggested that new cars should be checked for roadworthiness. I point out that new car dealers do a pre-delivery service on a new vehicle, which takes approximately eight hours. When a new car comes from a factory, there are many little things that have to be adjusted. I have seen new cars without any oil in the differential, without any oil in the gearbox and without any water in the radiator.

Mr. Leese: Would you say that all new car dealers do this?

Mr. FRAWLEY: Of course not, but they should do it. They should pick up all these little faults.

I honestly believe that new cars are basically safe when they come from the factory. But there is always the chance with any new motor vehicle, or any motor vehicle at all, that certain things can happen. For instance, any honourable member on his way home tonight could blow a brake hose on the first application of his brakes. He could blow a hose or a wheel cylinder in the driveway of Parliament House.

Mr. Wright interjected.

Mr. FRAWLEY: I am not interested in surveys. I do my own surveys on cars.

What I have just mentioned can happen. It has happened to me on more than one occasion. I have been driving a second-hand vehicle when a brake hose has blown. Prior to that it had looked all right from the outside.

Most new motor vehicles have a dual braking system so that, if a brake hose or a cylinder blows on either the front or rear wheels, the other set of brakes is still operative. Such a braking system should be mandatory. I think it will be mandatory for new cars in the future.

The Inspection of Machinery Act came into force on 1 October. The first inspection at my premises was on 9 October. Since the Act came into force, a total of 215,054 certificates of roadworthiness have been issued by 1,044 approved inspection stations —an average of about 206 inspections a station. It may be of some interest to members to know that, of the 221 inspections done by my particular business, 173 were knocked back on the first inspection. Most of them passed on the second occasion. This legislation has proved to be effective in getting unroadworthy vehicles off the road. When a motor vehicle comes in for inspection, the examiner writes out a list of the faults and, once it is written on the form supplied by the Machinery Department, in triplicate, there is no way of changing it. After a car is inspected by an examiner, the owner has 30 days in which to rectify the faults and bring it back for a second inspection.

It is interesting to note that some people actually threaten examiners who fail to pass their vehicles. This has actually happened at my place. My examiners have been threatened by people—not dealers, but ordinary members of the public. I remember one case involving an old model Ford Zephyr. I think it was a 1954 model. One look at it would be sufficient to put it off the road. The tyres were shocking, the front suspension was faulty and there were many other faults. The owner actually wanted to "belt" the examiner because he would not pass it. He argued and carried on and then came and towed the car away in the middle of the night and would not pay for the inspection. The cost of the examination is actually $3.50.

Some shady second-hand-car dealers bring vehicles for an inspection and later swap the tyres. The inspection includes examination of the tyres. If they have not enough tread on them—I think it is one-sixteenth of an inch—the car cannot be passed. Some dealers bring in for inspection a car fitted with a really good set of tyres. After obtaining the certificate, they take it back to their yard and swap the tyres around. They have already sold the car with an old set of tyres on it, and they say to the purchaser, "We will get the certificate. Come back this afternoon at 3 o'clock." Having fitted another set of tyres, they then "whip" the car up to the nearest registered inspection station. After having it inspected they take it back, put on the worn set of tyres,—often regrooved, and sell it. The inspection station cannot be blamed for this, nor can the owner. This is a trick put over by some dishonest second-hand-car dealers.

Another serious matter concerns garages which find fictitious faults. I have forwarded on to the Machinery Department and Main Roads Department many such complaints from people who are selling a vehicle privately. This trouble never happens with a dealer. A private seller takes his car to an inspection station, and the examiner finds no end of things wrong with it. The station finds all sorts of fictitious faults and charges a hell of a price to rectify them. This is practised because seven times out of 10 the inspecting station is asked to do the job. People are being defrauded in this way.

One man came to me with a Mini Minor which he had inspected at another service station. I happened to be there this Saturday morning. The quote was $180. The other station had told him that the whole braking system on the car was completely shot to pieces. The other station did not know that my station had maintained that vehicle for the previous 12 months, and we knew very well that it was not in that condition. I told the owner to take it to the Machinery Department. I said, "Do not fix anything. Let the 30 days expire. The Department will send you a letter. Then take it to Dutton Park and have it checked." He did just that. He waited until he was sent a notice. I deliberately did this because I did not want to become involved in the matter. This man took the car to Dutton Park where the braking system was examined and found to be perfect. The requirements that had to be met on this car only cost $60, including a stock-retread valued at about $11. The Machinery Department found only $49 worth of faults, yet the other garage had tried to hit this man for $180.

This goes on a lot at a particular service station in Redcliffe. I am not going to name it yet, but if I have too many more complaints about it I am going to name it on the floor of this Chamber and mention some of the shocking deals put over people. Being in the business myself, I have purposely refrained from mentioning the names of other stations because I do not want to be accused of giving them a bad name to get the work for myself. As is well known, when an inspection is carried out by my mechanics, I insist that the repair work be done elsewhere unless the owner is a regular customer and has been dealing with me for some time. When a stranger comes in and wants an inspection, we do it, give him his copy of the certificate and tell him to get the faults fixed somewhere else. My reason for this is that, in my position as a member of Parliament, I do not want any of my politial opponents alleging that I engage in shady practices. Everyone knows that at times members of all political parties stoop to underhand tactics. I am losing a lot of business by not doing this work,

Mr. Leese interjected.

Mr. FRAWLEY: The honourable member would be one of the first to do it. He would come down to the Clontarf branch of the A.L.P. and try to stir up trouble, just as he has done previously for the honourable member for Redcliffe and me.

Mr. Wright: If you haven't been accused of it, why raise the matter now?

Mr. FRAWLEY: I have not been accused of it. I have taken care to ensure that no-one has grounds for accusing me of it. But I am aware of some of the dirty, rotten tactics adopted by the A.L.P. I know of some of its snide, underhand moves against its political opponents. That is why I would not take any chances.

A total of 459 complaints have been received in connection with the issue of certificates of roadworthiness. I suggest that the number would be higher if people who have complaints were prepared to lodge them. Unfortunately, however, many people do not bother doing so.

I agree that the certificate of an approved inspection station should be immediately cancelled if the holder is found to engage in malpractice. I am aware of one such station that issues a certificate in return for the payment of $10.

Mr. Wright: Have you told the Minister about it?

Mr. FRAWLEY: Of course I haven't.

Mr. Wright: Why not?

Mr. FRAWLEY: Because I can't prove it.

Mr. K. J. Hooper: It's hearsay.

Mr. FRAWLEY: It's not hearsay. I have been shown such certificates by car-owners, but if I were to ask them to sign a statutory declaration they would back out for fear of receiving publicity.

I also know of a car wrecker who purchased a motor vehicle for wrecking purposes and then cancelled the registration so that he could sell it to a widow who wanted the vehicle for her son, who, unfortunately, did not know anything about motor-cars. Although I submitted all the facts of the case to the department, no action was taken for the reason that the transaction was, unfortunately, quite legal. The car wrecker simply put it over the woman. No-one who conducts a car-wrecking yard should be allowed to sell a motor vehicle in one piece.

Mr. K. J. Hooper: What about tow-truck dealers?

Mr. FRAWLEY: I sold my tow-truck in December of last year. Because of the ducking and shoving on the part of insurance companies that would not meet the cost of certain tows, there was no money in tow-truck operations, so I got out.

Mr. K. J. Hooper: You were too slow getting to the scene of the accident.

Mr. FRAWLEY: I certainly was not. The tow-truck operators in Redcliffe are very well organised.

I know of instances where a second-hand-car dealer cancels the registration of a vehicle that he has purchased and subsequently, when selling it, says to the buyer, "I will pay the registration, but you obtain the roadworthiness certificate." On purchasing the vehicle for perhaps $150 to $200, the buyer finds that the vehicle is in such a poor state of repair that it is put off the road. In such a case the buyer is not able to take action against the dealer. This practice should be stopped.

The Main Roads Department should refuse to accept any transfer form that is handed in unless it is accompanied by a road-worthiness certificate. Police stations and court-houses could be instructed not to accept transfer documents unless accompanied by such a certificate. At the present time a transfer document is not accepted unless accompanied by the stamp duty certificate, so a similar practice could be followed with certificates of roadworthiness. Those transfer forms that are posted to the departmen could easily be returned.

A roadworthiness certificate is effective for 28 or 30 days. I quite agree with the contention that a second-hand-car dealer should not be required to obtain such a certificate for a vehicle that is used for demonstrations. Nor, for that matter, should he be required to obtain a certificate for any vehicle in his yard. Many second-hand-car dealers would not turn over all their stock within a period of 30 days. If they were required to have a certificate for each car, on the expiration of the period of 30 days they would be required to obtain a second certificate for each unsold car. I point out to members of the Opposition that I do not sell second-hand cars.

Mr. Bromley: What happens if a dealer is selling a car to a buyer, but the sale falls through after the time expires?

Mr. FRAWLEY: The dealer is required to obtain a second certificate. That is unfortunate. I tell anyone who comes to my business for a roadworthiness certificate not to get it until the sale is clinched. A prospective buyer should bring a vehicle to a garage, pay for an inspection to find out what is wrong with it, and then get a roadworthiness certificate. In this way he would save a lot of time and money. I know of instances in which sales have fallen through, the owners, at a later date, have tried to get the roadworthiness certificate extended. That cannot be done; another certificate must be made out.

It is to the advantage of used-car dealers to keep all vehicles in a roadworthy condition. When a dealer tells a buyer that he has to get a roadworthiness certificate for a certain car, it is taken to an inspection station. It may find many faults and, if the prospective buyer cannot get the vehicle almost immediately, he may become sour and the sale could fall through.

I suggest to the Minister that roadworthiness certificates should apply to caravans. I know of caravans that have faulty tow-bars, stop lights and trafficators, with the ball joint being used as the earth. In fact, the member for Pine Rivers has a caravan in this condition. It could not possibly get a roadworthiness certificate. I have here a photograph of it with the caption, "K. Leese, M.L.A. for Pine Rivers, Deals on Wheels". I will table the photograph if the honourable member wishes me to. Roadworthiness certificates should be required for caravans. Many of those on the road are in an unroadworthy condition.

I congratulate the Minister on introducing this legislation. It is timely, but I believe that, at a later date, further amendments may be required.

Mr. LEESE (Pine Rivers) (4.22 p.m.): In dealing with this legislation, all honourable members could recount stories about their constituents being taken down when buying second-hand vehicles. The Minister will be pleased to know that, on this occasion, I welcome the legislation. I welcome any improvement that relates to the sale of second-hand vehicles, but I am concerned particularly about the leasing of second-hand vehicles. Knowing, as I do, some of the rorts that are practised, I do not believe that second-hand vehicles should be leased.

One large company that operates in Brisbane deals mainly in the leasing of second-hand vehicles. Some six to nine months ago I made representations on behalf of a person who was involved with this company, which deals mainly with people on low incomes—particularly migrants without any financial background or history—who find it hard to raise a deposit or enter into hire-purchase agreements. The company tells prospective clients, "We will lease a vehicle to you on a very small deposit." The buyer is given a description of a vehicle but he does not see it. Admittedly the person for whom I acted was foolish to sign the papers, but when he eventually saw the vehicle he had contracted to lease, he found that it did not have a clutch. When I say that it did not have a clutch, I do not mean that the clutch was worn out; there was just no clutch in the vehicle. When he raised this matter with the company he was told, "Hard luck, mate. You are leasing the vehicle and it is your responsibility to keep it in good order."

I have here a copy of the four-page contract that the company uses when leasing vehicles. After the client signs the lease contract, it is his responsibility to keep the vehicle in good order. To emphasise my point I shall read clause 2.12, which is in these terms—

> "The Lessee will during the term of the lease at his cost and expense cause the equipment where such equipment is a motor vehicle to be serviced at regular intervals as recommended by the manufacturers or in any event at not less than four weekly intervals and for that purpose shall produce the said equipment to the Lessor to carry out such service."

At this point of time roadworthiness certificates were not required, and it was simply a matter of transfer. I hope the legislation tightens that aspect up. After leasing one of these "bombs", the lessor requires the lessee to return to him to have the vehicle serviced. In addition, under the contract, the vehicle must be kept in good order at all times. The lessor has the advantage of

being able to say, "The big end is going", or "There is something wrong with the gearbox." As a result, a lot of "ghost" work takes place and the lessee continually has his hand in his pocket paying for repair work that is not really necessary.

In this particular case, it could be claimed that it was the person's fault for signing the contract. The pity of it is that he could neither read nor write. His only claim to fame was that he had been taught to sign his name. However, this matter had to be taken to court before he could get out of the contract, because it was fairly watertight.

In addition to signing the lease contract, the lessee has to sign a bill of sale. People who can ill afford to do so are signing away their refrigerators, television sets and other household appliances, and if they do not keep up the payments they lose not only the car but also the appliances. Of course, the lessee has to guarantee to keep those appliances in good order as well. I could go on and on in this matter.

The honourable member for Murrumba said he could mention the names of the companies, but did not want to. I have no similar fear. I recommend that no worker or other person should lease a vehicle from this company, named Auto Investments Pty. Ltd. As far as I am concerned, it gives a crooked deal to the average citizen.

Mr. Frawley: It is a subsidiary of Kennedys Pty. Ltd. You didn't know that, did you?

Mr. LEESE: I do not care whose subsidiary company it is, although I doubt very much whether it is a subsidiary of Kennedys. It would surprise me if it was. People should have no truck with this company.

Obviously, roadworthiness certificates are not the be-all and end-all. Although they may indicate that a vehicle is safe to go on the road, they are no proof that the person is making a good buy. The public should be educated in this matter. Not every member of the public is engineering-minded. Usually, people do not know whether a vehicle is in good condition or not. Some do not even know where to put the petrol in. A roadworthiness certificate gives them the idea that the car is in A1 condition. As all honourable members know, the warranty on a second-hand vehicle is not worth 2c. As I said, people get the idea that because the vehicle carries a roadworthiness certificate they must be making a good buy. So, instead of doing what they should—take the car to the R.A.C.Q. or a reputable mechanic for checking—they assume that it is safe and has no problems. Honourable members must have hordes of people coming to them and saying, "Can you get me out of this deal?", and they must know that this is not the case.

In another case to my knowledge, a young man thought he was buying a 1968 Falcon but, instead, was sold a 1966 model. A roadworthiness certificate had been issued showing that certain faults had to be corrected, but the motor was completely "clapped out". We may say, "He should have realised it was in poor condition. He should have known that the motor was 'clapped out'." He wanted the car for towing a caravan, and he will now lose about $600 because he has to get rid of it.

We should be attempting to tidy up the legal position in used-car dealing. This is an area in which people sign contracts only to discover later that they have let themselves into watertight deals as a result of which far too often they finish up with a load of junk that is of no use at all.

Mr. Frawley: Anyone who buys a used car without having it inspected by a mechanic or the R.A.C.Q. is a fool.

Mr. LEESE: I agree that every person who buys a second-hand car should have it inspected by a competent mechanic. However in practice this does not always happen. Far too often people who set out to buy a used car look no further than the shiny exterior. I certainly agree that all buyers of second-hand cars should have them checked before purchase.

The Minister for Justice has in the past published pamphlets warning prospective purchasers, and informing them of the avenues open to them in the field of consumer affairs. I think this Minister could similarly warn people that a roadworthiness certificate is not an indication that the vehicle to which it refers is in A1 condition, and tell them that all it means is that the vehicle is safe to be driven at that point of time. It should be made clear that it is still essential to have the vehicle checked by a competent mechanic or the R.A.C.Q. before signing a sale document.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (4.32 p.m.), in reply: I seem to have stirred up a hornet's nest in the mind of the honourable member for South Brisbane, particularly by my reference to the failure of the Commonwealth Government to follow the Queensland Government's lead in requiring that every Government vehicle that is sold be accompanied by a roadworthiness certificate. It was implied that I was perhaps trying to be party-political.

I was asked if such a request was made to the previous Federal Government. I should like to narrate the trend of events. The regulations were introduced in October 1972, and it was not until two months had elapsed that the Queensland Government decided to require that its vehicles, which at that time were sold by the Public Curator in "as-is" condition, should also carry roadworthiness certificates. It was decided that it was not good government to sell them in "as-is" condition and arrangements were accordingly made with the various departments to have

State Government vehicles brought up to the standard required of all other second-hand vehicles when being sold.

In December of last year I asked the Premier to write to the Prime Minister, which he did, requesting him to consider following the lead of the Queensland Government. Nine months elapsed before the Premier received a reply. The Prime Minister apologise for the lapse of time before replying, and then said in no uncertain terms that the Commonwealth Department of Supply could not see its way clear to bring vehicles that it sold up to the requirements of Queensland legislation. I am not being political in making this explanation.

Mr. Bromley: Most of their cars are well looked after.

Mr. CAMPBELL: I agree that the great majority of Commonwealth cars presented to the public in "as-is" condition would be in fairly good shape. It was stated in the Prime Minister's letter that some cars would be in such poor condition that the cost of bringing them up to the requirements of the legislation would be prohibitive, and for that reason the Commonwealth preferred not to do it.

The honourable member for South Brisbane questioned the efficiency of the present system. I firmly believe that the statistical experience which I put before the Committee does not support his allegation that the system is a failure. He also said that he does not believe that the closing of the loop-holes that the Bill proposes to close will have a great deal of effect. I simply say to him, "That remains to be seen."

The honourable member for Murrumba spoke from practical experience and gave the Committee some very sound advice. The ears of some used-car dealers must now be burning as a result of the trenchant comments made by the honourable member for Murrumba, and other honourable members, about the shady deals being perpetrated by certain sections of the used-car trade.

The honourable member indicated that 75 per cent of the cars examined at his testing station were rejected at the first inspection. If testimony is needed as to the effectiveness of the legislation, imperfect though honourable members might think it is, I think it is to be found in that statement. The honourable member gave an example of some car-owners adopting stand-over tactics—I think other honourable members also gave examples of this—in an endeavour to obtain a false certificate. I am always amazed at man's inhumanity to man in this and other fields.

The honourable member also advocated the extension of roadworthiness certificates to include caravans. This is a very sensible suggestion—typical of the honourable member—and I shall certainly have it considered at the next meeting of the Motor Trade Committee.

Mr. Bromley: What about my deputation to you?

Mr. CAMPBELL: I acknowledge that. I was waiting for the honourable member for South Brisbane to make at least one positive suggestion in his contribution.

In contrast with the honourable member for South Brisbane, the honourable member for Pine Rivers expressed his appreciation of the way the system is working. He supported these amendments and said they are well worth while. I am glad he mentioned the mistaken idea of some people that a roadworthiness certificate is a warranty of good mechanical performance. We do take steps to make it known that a roadworthiness certificate is what it says—a certificate of roadworthiness—and is not a comment on the mechanical condition of the vehicle. I agree with the honourable member that everyone why buys a second-hand vehicle should have all aspects of it checked before he purchases it. I am amazed that people will invest $1,000 or more in a motor vehicle or some other article and have so little regard for their investment that they will take anybody's point of view on it. As the honourable member for Pine Rivers said, they assume that the glossy sheen on the body indicates the condition of the car as a whole.

With all the information we put out and all our urging of people to take care not to be hoodwinked, we do not seem to be able to overcome the problem. As I said yesterday, I do not think we ought to act completely as "Big Brother" in these matters. In this age of higher education, I find it difficult to understand how people can be so easily hoodwinked by those who are lying in wait to ensnare them in unfortunate financial deals.

I thank honourable members for their approach to the legislation, and I again commend it to the Committee.

Motion (Mr. Campbell) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Campbell, read a first time.

LOCAL GOVERNMENT ACT AND ANOTHER ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. W. D. Hewitt, Chatsworth, in the chair)

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (4.43 p.m.): I move—

"That a Bill be introduced to amend the Local Government Act 1936-1973 and the City of Brisbane Town Planning Act 1964–1972 each in certain particulars."

The purpose of this Bill is to amend the Local Government Act and the City of Brisbane Town Planning Act, each in certain particulars. The Bill incorporates some important principles, some interim measures, and some amendments of a more machinery nature. All of the proposed amendments are considered necessary and desirable for the more effective working of local government in the State, and have been agreed to by the executive of the Local Government Association of Queensland. Without further ado I will proceed to outline to the Committee the various provisions contained in the Bill, commencing with the proposed amendments of the Local Government Act.

The first amendment is a machinery provision giving power for the Governor in Council to constitute a shire as a town, or a town as a shire. This provision widens the present discretion in such matters available to the Governor in Council. A case in view is a possible change of status of the town of Torres, replacing the town of Thursday Island, to the Shire of Torres. The town of Torres includes Thursday Island, all other Torres Strait islands under Queensland jurisdiction, and the northern tip of Cape York Peninsula. It is considered that, having regard to the nature of the area concerned, it would be more appropriate for it to be called a shire, but there is no power under present law whereby this can be done. The Bill contains the necessary power in that behalf.

At this stage I inform the Committee that at 12 noon today the Town of Torres was created, incorporating all the islands north of the 11th degree of south latitude, which lies just below the settlement of Bamaga, to within several miles of the New Guinea coast. This whole area will be the Town of Torres until such time as this amendment is approved by Parliament, when it will be declared the Shire of Torres.

An important amendment provides a right of appeal for officers dismissed by local authorities. The right of appeal against dismissal is proposed for officers of all local authorities outside Brisbane who receive an annual salary at least equal to the minimum annual salary payable to a male clerical officer after seven years of adult service in accordance with the Municipal Officers Award—that is, all officers receiving above the automatic clerical scale of salaries. This level has been adopted after discussions with the Local Government Association executive and would seem to cover all officers who may face dismissal as a result of their contact with members of the local authority or the public, or involvement in policies of the council. Examples of officers covered would be—and these are only examples—town and shire clerks and their deputies, accountants and senior clerks, engineers, planning officers, overseers, and building inspectors.

The proposed appeal procedures are based on the provisions of the City of Brisbane Act as recently amended, and appeals will be heard by an appeal board consisting of a stipendiary magistrate appointed by the Minister, as chairman, a representative of the local authority concerned, and a representative of the union of which the dismissed officer was a member. As in Brisbane, the appeal board may order reinstatement of the dismissed officer if it finds in his favour, but the local authority may still refuse to reinstate and elect to pay compensation. The amount of compensation will be the same as in Brisbane, being an amount equal to four weeks' salary for every year of service with the local authority or any local authority in Queensland, including the Brisbane City Council.

Officers such as health inspectors, who are already protected under the Health Act, are excluded from the appeal provisions. Before such officers can be employed or dismissed by a local authority, the approval of the Director-General of Health and Medical Services must be obtained. In these circumstances, it is considered that there is no need for the appeal provisions to be applied to these officers.

It is appreciated that, at the 1973 conference of the Local Government Association of Queensland, a motion to provide a right of appeal to all employees of local authorities was lost. However, following representations from professional bodies such as the Institute of Municipal Administration, and in view of the apparent need for rights of appeal at least at certain levels in the local Government service, and similar rights existing in the Brisbane City Council and in the Public Service, the matter was discussed with the Local Government Association executive and rights of appeal agreed upon to the extent now proposed.

Again, as in the case of the recent City of Brisbane Bill, a retrospectivity clause is proposed, backdating the right of appeal to 1 January 1973. This is done without any specific dismissals in mind, but with the same intention as in the case of Brisbane that, if any summary dismissals occur, the right of appeal should exist. The situation could also arise of dismissals taking place in anticipation of the passing of the Bill, and to avoid the provisions thereof.

A further amendment proposed in the Bill remedies an apparent deficiency in the Act, in that a local authority does not appear to have power to arrange insurance cover for its members against injury sustained by them when they are attending deputations and conferences on behalf of the local authority. The draft Bill clarifies that a local authority may arrange insurance cover for its members in these circumstances.

The Local Government Act presently requires a local authority to keep a valuation register in a particular form. This form was designed to meet the circumstances that prevailed before local authority valuations were made by the Valuer-General and, in practice, the valuation roll prepared by the Valuer-General is used as the valuation register. In view of this, it is proposed to delete the form of valuation register from section 24 and merely provide that a valuation register be kept as prescribed. Details of requirements can then be prescribed by regulation made by the Governor in Council on the recommendation of the Auditor-General, who has indicated his agreement with the proposed amendment.

The Bill provides for the removal of the power for local authorities to rate electricity lines and gas mains on roads. The present power to rate these lines and mains is of only very marginal benefit to the local authority and involves considerable cost to the authorities levying such rates in maintaining registers of mileage and sizes of lines and mains on roadways. The authorities providing and maintaining such lines and mains already have the responsibility of repairing any road surfaces damaged by them, and, in fact, a number of local authorities, with the approval of the Governor in Council, have entered into agreements with electric authorities, granting them exemption from the payment of rates of the type mentioned. A number of other local authorities have refrained from levying rates on electricity lines or gas mains.

The State Electricity Commission supports the removal of such rating, with the acknowledgement, in turn, that regional electricity boards will pay general rates on all land owned or held by them. This will more than compensate local authorities for any loss of revenue they might sustain by reason of the amendment.

Another amendment proposed arises from a request from the Local Government Association of Queensland, drawing attention to a refusal by a solicitor to notify a local authority of a change of ownership of land occasioned by transmission by death. The refusal was based on the ground that the law only requires a local authority to be notified when land is sold. Information in regard to all changes of ownership is necessary so that the local authority's rate book can be kept up to date. It is proposed to put the matter beyond doubt by requiring that the local authority be notified of all changes of ownership, and the Bill provides accordingly.

The Bill includes certain provisions on the subject of metric conversion, as transitional measures. The first provision empowers a local authority to adopt by resolution metric conversions of imperial values stated in its by-laws, subject to values so adopted being within a tolerance of 5 per cent of the values stated in the by-laws. The provision will apply to all local authorities, including Brisbane, and extend for a period of two years. The provision is essential to assist in smoothing over metric conversion as it relates to local authorities, and will give a reasonable time to local authorities to amend their by-laws to convert imperial measurements to metric measurements.

The second provision relating to metrication applies to building by-laws made by local authorities and building ordinances made by the Brisbane City Council. The Bill provides that a local authority, including the Brisbane City Council, will have power to process building applications in metric terms, though not strictly in accordance with present by-law or ordinance requirements, a tolerance of 5 per cent being allowed. This provision is most desirable in view of the building industry becoming metricated as from 1 January 1974. I might mention that a special committee is working on the formulation of uniform building regulations in metric terms for Queensland. Such regulations are being adapted from an Australian model uniform building code, which was prepared after considerable effort by an interstate committee. The States of South Australia and New South Wales have recently gazetted new uniform building regulations based on the model code, and other States are in the process of adopting the code to suit their requirements.

The Bill also provides for a minimum ceiling height of 2400 millimetres for habitable rooms and 2100 millimetres for bathrooms, etc., to fit in with new metric sizes for wall sheeting. These measurements will apply, notwithstanding that the by-laws or ordinances prescribe different measurements.

Honourable members will appreciate that it would be impossible for all local authority building by-laws and ordinances to be amended in metric terms by 1 January 1974, and that these transitional provisions are essential. They are strongly supported by local authorities, the building industry, the Metric Conversion Board and manufacturers of building materials, and will facilitate building construction after the building industry becomes metricated. They should also result in a saving in building costs.

The Bill includes a provision designed particularly to assist western areas, whereby a local authority may financially assist an electric authority towards the cost of installing electricity in its area. Some western electric authorities are at present restricted in the

carrying out of capital works because of the $400,000 Loan Council limit, and the use by a local authority in the board's area of this power could assist in earlier construction of electricity lines in some cases. I stress that the exercise of the power is completely discretionary for the local authority and imposes no obligation on it.

Mr. Tomkins: That is a very good provision.

Mr. McKECHNIE: I thank the honourable member for his commendation. I appreciate that, in the western areas, around and beyond the honourable member's electorate, it could serve a very useful purpose for many people.

The Bill incorporates into the Local Government Act the subject of environmental impact in relation to developmental proposals requiring local authority consideration. This is in line with Government policy that environmental impact studies be carried out for all works of major importance, and on other projects that may warrant such studies, and recognises the fact that many projects are subject to the approval of the local authority at some stage in their development.

The Bill requires a local authority to have due regard to the effect on the environment of any proposal in respect of which an application is received for its approval, consent, permission or decision in accordance with the Local Government Act or any other Act. The Bill also authorises the local authority by resolution from time to time to adopt a policy statement prescribing the types of proposals in respect of which the applicant will be required to submit an environmental impact study report and statement of impact, and also prescribing the parameters for such studies and statements.

Mr. Burns: Does that apply to the Brisbane City Council, too?

Mr. McKECHNIE: Yes. Copies of such policy statement so adopted will be open to inspection at the council's office and available for purchase.

A reserve power is given to the Minister to require submission to him by a local authority of an environmental impact study report and statement of impact in any case where the local authority must in turn seek the approval of the Minister or the Governor in Council to a particular proposal —for example, in the case of a major rezoning under a town planning scheme.

Mr. Hughes: If a local authority knows that an area is not involved in an impact study, should one necessarily be undertaken? Secondly, is it required regardless of the area to be subdivided?

Mr. McKECHNIE: The local authority has the option of deciding whether it shall call for one. I will explain later that the developer of a major project—I stress the word "major"—will have an opportunity to appeal to the Local Government Court if he thinks he is being required to do unnecessary work.

Mr. Burns: What do you mean by "major"?

Mr. McKECHNIE: That rests with the discretion of the local authority. It is the body who would be concerned for the interest of the area and the finance involved if a developer was allowed to carry out a project that may have a detrimental effect on the area. The council would be concerned if local government money was required to fix water and sewerage installations that were rendered defective as a result of an impact study not being carried out. In such case, the local authority may be required to submit a copy of the report and statement already supplied by the applicant, or to require the applicant to supply the report and statement if he has not already done so.

Local authorities have already been advised by the Department of Local Government to adopt policy statements of the type mentioned, and a specimen policy statement has been supplied to them for suggested implementation. However, it is considered that the matter would be more appropriately dealt with by an amendment of the Act giving the local authority specific powers and duties, and clarifying its right to consider environmental impact and to require studies to be undertaken. The provision is made applicable to the City of Brisbane by definition. The proposal has been discussed with the Local Government Association executive, which raises no objection thereto, and it also meets with the approval of the Environmental Control Council. A right of appeal to the Local Government Court will lie where a local authority refuses a town planning application on environmental grounds.

A further proposed amendment included in the Bill extends the period of time within which a local authority must consider applications for site approval under a town planning scheme. The Bill extends the prescribed period from 40 days to 50 days. This follows an amendment of the Act during the previous session, which extended the advertising period for such applications from seven days to 14 days. This extension had the effect of reducing the time available to the local authority to consider such applications and objections received thereto. A number of requests for extensions of time in individual cases have been made to the Minister since the advertising period was extended. We feel that, in view of the extension of the advertising period, an extension of the period for making a decision is warranted. The Bill provides accordingly.

I have dealt with many warranted cases seeking extension, but now that extra time has been granted I feel that the Minister should not readily grant any further extensions.

Another amendment included in the Bill relates to the recent High Court decision in the Mt. Gravatt Showgrounds case, which has opened the way to further town planning appeals on the technical ground of whether the public notices of an application for site approval as advertised in a newspaper and posted on the land contained adequate "particulars of the application", as required by the Act. In the case mentioned, the High Court decided that the public notice of the particular application did not adequately describe the use proposed to be made of the subject land, and the decision of the Brisbane City Council to grant site approval for such use was set aside.

To clarify the requirements of the Act, we propose to amend the law to prescribe that certain specified details of the application must appear in the public notices and that the application will be open to inspection at the office of the local authority. The amendment will not only improve and clarify the format of these notices, but will also make all details of the application available for inspection. It is considered that potential objectors to an application for site approval will be afforded greater rights by the amendment because, in addition to the information shown in the public notices of an application, the application itself will be available for inspection at the office of the local authority.

I stress that the information to be made available will be detailed, so that an objector should not be able to say that he was denied any information that would give him a clear indication of the use to which the site was to be put.

Mr. Hughes: Regardless of the zoning of the land?

Mr. McKECHNIE: Yes. It is quite a clear provision. The applicant must specify the dimensions of area covered by the building, the length of road frontage, the number of access points, the number of storeys, and the proposed use. Honourable members will recall that the application concerning the Mt. Gravatt site showed that the purpose was the erection of a shop. Most people assuming it could have been a small, one-storey store, whereas in effect it was a shopping complex. This is to overcome that problem.

Mr. Harvey: That would include rezoning or site approval?

Mr. McKECHNIE: All town planning applications.

The Bill amends the provisions of the Act dealing with the subdivision of land by adding to the list of matters to be considered by a local authority when dealing with a subdivision application. The additional matters are—

> "(a) The availability of essential services, including electricity, to serve the allotments into which the land is to be subdivided; and
>
> "(b) Whether, in accordance with a by-law made by the local authority, the applicant should be required to supply electricity to the allotments by the undergrounding of such supply."

These are discretionary powers for the local authority to exercise in the particular circumstances of each case.

Item (a) should assist local authorities to ensure that premature development in advance of availability of water, sewerage, electricity, and other services, does not occur. Item (b) will enable a local authority, after undertaking the procedure of making a by-law, seeking objections, and obtaining the approval of the Governor in Council thereto, to require the undergrounding of the electricity supply in circumstances where such action is considered to be warranted. The Act confines such considerations to areas where, in the local authority's opinion, the land the subject of the application is being used, or will, if the subdivision is effected, be used, for residential, commercial or industrial purposes.

All the provisions mentioned to this point are proposed amendments of the Local Government Act. In some instances, as I have mentioned, the amendments will have application to the Brisbane City Council. All of these provisions have been discussed with the executive of the Local Government Association, of which the Right Honourable the Lord Mayor is a member, and the executive supports the proposals.

The Bill also incorporates a number of amendments of the City of Brisbane Town Planning Act, and I will now give honourable members a resume of these amendments. The first amendment relates to the method of giving public notice of town planning applications, and is similar to the amendment of the corresponding provision of the Local Government Act to which I have already referred. As already mentioned, this amendment is considered to be necessary following the recent High Court decision in the Mount Gravatt Showgrounds case.

The City of Brisbane Town Planning Act presently provides that, where a person applies to the Brisbane City Council for a town planning approval in respect of the use of an allotment of land, he has to give notice of the application to adjoining landowners. The law is not specific as to the information to be shown in such notice, and the Bill provides that the notice has to contain similar particulars as are set out in the public notice of the application advertised in a newspaper and exhibited on the subject land. The amendment should remove any doubt as to the information to be given to adjoining landowners in circumstances of this nature.

The Bill also clarifies the period within which an appellant must notify the applicant of lodgement of the appeal and of his right to become a respondent to the appeal. The Bill also allows the Local Government Court to allow an extended time for such notification. The proposed amendment should be of

benefit to all parties who are involved in town planning appeals, and it is supported by the court.

Under present arrangements, the Brisbane City Council requires an applicant to carry out the advertising procedure of the Act in respect of his application at his own expense, and requires him to furnish a statutory declaration that he has carried out the provisions of the Act in full. The law presently provides that the costs of advertising applications are to be borne by the applicant. Since the present procedure provides for the applicant himself to carry out the advertising procedure, this provision is to be amended to provide that the costs of advertising will only be payable by the applicant to the council where the council itself carries out the advertising procedure. The right of the council to require the applicant to submit a statutory declaration in relation to his application is also clarified.

I consider that the various amendments contained in the Bill will facilitate the work of local government in this State, and I commend the Bill to the Committee.

Mr. BALDWIN (Redlands) (5.10 p.m.): I have no hesitation in saying that the Minister has presented to the Committee quite an array of proposed amendments to the Local Government Act and the City of Brisbane Town Planning Act. I am sure that honourable members will bear with me while I go through the notes that I scribbled hastily while the Minister was fairly quickly outlining these important proposals. I regret that the Minister, when he has such a barrage of amendments to put forward, does not follow the example of some of his colleagues and make a copy of his introductory speech available to the Opposition, especially when the amendments are so far-reaching and important and not necessarily contentious, as they are in this instance, so that we have a fair chance of looking at them.

When other amendments were before this Assembly earlier in the session, the Opposition intimated that it would welcome proposals to make them common to a number of Acts. Honourable members on this side of the Chamber made it quite clear on the amendment of the City of Brisbane Act relative to appeals that they wished to see an extension of the right of appeal, along the lines that they then had in mind, to other local authorities. It is very pleasing to see that the Minister is now taking some steps in that direction. Of course, we will not know all the details, Mr. Hewitt, until we see the printed Bill; until we do, we shall have to accept what the Minister has said to the Committee today.

The proposal relative to the extension of time made necessary by the increased advertising time provided for in earlier amendments is quite logical and should be welcomed by all concerned.

The changes in nomenclature from town to shire and vice versa, although of less importance, obviously are necessary, especially in the case of the newly declared town of Torres that the Minister mentioned to the Committee. Of course, honourable members on this side of the Chamber cannot help relating that to recent developments concerning the Australian Labor Government's proposals for Torres Strait, and no doubt we will find out sooner or later how the two actions are linked.

I was pleased, and I am sure that the members of my Committee and other honourable members also will be pleased, that the right of appeal now being extended, in certain circumstances, to all local authorities—shire councils and town councils—will have the same retrospectivity as that provided under the amendment to the City of Brisbane Act. When that Bill was going through the Chamber, I mentioned that I knew of at least two cases in my own electorate in which I thought there were valid grounds for appeal, and that I thought one in particular would be upheld. As one who has knowledge of that case, I am very pleased that the person, who I believed was wronged, will now have a right of appeal.

No doubt some of the other matters raised by the Minister will be dealt with by other honourable members on this side. I will not have time to deal with them all.

As to the matter of insurance cover for salaried officers of local authorities when attending conferences, etc., as delegates, or otherwise on approved local authority business, the Minister himself said that the proposal would rectify an apparent omission. I am sure all honourable members welcome the extension of protection to these employees.

Similarly, there was no doubt an omission when the legislation was enacted to transfer the unpopular task of valuing land from the shires to the State. Perhaps for some very good reason the provision covering shire valuation registers was unaltered. From my knowledge of these registers and the keeping of them at shire level, I should think that this, too, will be a welcome amendment. We will have to wait until we see the Bill to read the details of what is proposed, and we will consider this matter further before the second-reading stage.

It is interesting to note that many shires have already acted beyond the Local Government Act provisions in rating power lines, gas pipes, etc., and have entered into agreements with the companies and semi-government authorities concerned. From what the Minister said, I should imagine that what is proposed will save quite a lot of paperwork for the shires. It should bring about uniform construction and good feeling between the local authorities and the companies and semi-government bodies.

I was surprised at the Minister's advice to the Committee about the delay by solicitors in notifying local authorities about the transfer of land on the death of the previous owner. I have made representations in such cases. When I was a new member and inexperienced in the ways of solicitors, I frequently made the embarrassing error of blaming, firstly, the Titles Office, secondly the Public Curator, and last of all the solicitor concerned. I am sure that many honourable members who came into Parliament at that time made the same mistake, and that they, too, have long since reversed the direction of their blame. Probably this will be commented upon in more detail by honourable members on both sides, because this is a very important matter affecting the welfare of legatees. What is proposed will have an effect upon the paperwork of local authorities.

Everybody expected amendments to take into account metric conversion. Even though they were a foregone conclusion, they are nonetheless important amendments because of the ramifications of conversion to the metric system. Building specifications in particular will be affected. Even though the proposal is transitional, as the Minister indicated, the points of application are so multifarious that I hope the tolerance of five per cent will not always be on the wrong side of the ledger for the consumer. The things affected are so numerous that such a bias of tolerances could result over all in the addition of a gigantic figure to costs and perhaps even after our cost-of-living index by as much as .1 per cent. No doubt, the persons and authorities who will be responsible for such a stupendous, complicated and necessary task will be even-handed in their considerations. I am sure that is the wish of honourable members on both sides of the Chamber.

The achievement of uniform building laws, as the Minister said, will be expedited to some extent by conversion to metric measurement. I believe that this is a good step, and I am very pleased to see that there will be a transitional period. However, we will have to wait until we read the details of the Bill, and perhaps even longer, before we can assess the limitations in various aspects. At the moment, with the slight knowledge I have of the complications that metric conversion could introduce under the Local Government Act, the City of Brisbane Act and the numerous other Acts associated with them, I have no hesitation in saying that the transitional period of two years could perhaps be a little bit short in some circumstances. Over all, it looks to be quite a good average period. Again it will depend upon which of the aspects of conversion the responsible authorities commence with. Knowing their good sense, experience and knowledge I have no doubt that they will start with the more difficult ones.

As they did with conversion to decimal currency, the general public will suffer a psychological impact in converting, say, 7 ft 6 ins. to 2,400 milimetres. They will perhaps fondly imagine that they are living within high castle walls. Again it is to be hoped that they have the means of checking these measurements with builders and others doing the work. Indeed, it is to be hoped they will be given the means and knowledge to do their own checking, because the task will obviously be far beyond what a Government department could provide unless it became a gigantic bureaucratic colossus.

We all hopefully assume that there will be a saving in building costs as a result of conversion to metric measurement and consequent uniformity, and that the saving will be reflected in prices to the consumer. I am sure this is something we are all thinking of.

I wish to comment now on the financing of the proposed capital works for power generation and distribution. I notice that the emphasis is placed on the West. I hope that this is only the result of the association between that part of the State and the Minister as well as those honourable members who, by interjection, expressed their approval.

I could bring to the Committee's attention dozens of cases of hardship suffered by persons who have bought land around the periphery of the metropolitan area and are still waiting for electricity reticulation. Even though in their instances the distances are not great, the numbers make up the cost involved. I am sure that all honourable members readily appreciate the contrast between the number of residents in those areas and the number of people in certain western districts.

As an illustration, I point out that in April or May of this year I visited Longreach and read in a local newspaper that the sum of $680,000 would be spent on the extension of electricity reticulation from Longreach towards Winton to serve only 70-odd properties. I was able to visit only 11 of those properties, and of that number nine had very efficient controlled alternator power generation systems. I sincerely hope that such units will be offered at attractive prices to persons in other areas of the State that will not be connected to the electricity supply for quite some time.

Because my time is limited, I will be leaving to other members on both sides of the Chamber certain important remaining aspects of the Minister's introductory speech. However, before concluding I should like to comment on the proposed introduction of legislation to allow, if not make it mandatory for, local authorities to stipulate that environmental impact studies will be carried out before certain projects can be undertaken in their areas.

When this vitally important matter was referred to by the Minister, my mind flashed back to the conflict that arose at Raby Bay and is still unresolved. I do not think I can be blamed for asking the Minister whether such authority will be made retrospective and whether it will cover, for example, the vast Raby Bay project together with other canalisation projects that are proposed or even under way but not yet completed. Many of these projects were commenced in the face of strong opposition from local people as well as of proof of their ill-effects not only on the natural environment but also on the quality of life of nearby residents.

Mr. Hughes: Is it practical to make it retrospective? A council could be called upon to pay heavy compensation.

Mr. BALDWIN: I do not think the honourable member has either heard or fully understood my comments. I clearly implied that I was talking about projects that had not yet been finalised. However, I agree with him that we could not make it retrospective on an over-all basis, no matter how much we might like to do so in the light of subsequent experience that we have gained and the decrepitation that has occurred in many such projects with resultant high costs to the State. Perhaps a classic example, which we do not look at in the same light, is the intrusion of the Pacific Ocean into the Gold Coast foreshores.

(Time expired.)

Mr. ALISON (Maryborough) (5.31 p.m.): I congratulate the Minister on the job he has done since attaining his portfolio. He does his job fearlessly, and he has handled some rather tricky situations and involved legislation. I sincerely commend him on the way he has tackled his job.

The Minister gave us an outline of the proposed amendments, and as the honourable member for Redlands said, none of them are really controversial. Nevertheless, they are necessary in order that the State law under which local government is administered may be updated. I commend the Minister on introducing these amendments. When an Act is amended, many criticisms can be levelled at sections that are not being dealt with. On that basis, it would be very simple not to amend our laws at all. However, as I said, the Minister tackles his job with courage, and criticism does not worry him.

At present, local government in Australia is in turmoil. It knows not where it is going. In Queensland particularly, local government has both internal and external problems. Internally it has to work under generally speaking, an outdated system of an outdated system of raising finance, and, generally speaking, an outdated system of administration under the Local Government Act.

Mr. Hanson interjected.

Mr. ALISON: The honourable member for Port Curtis refers to Alderman Anderson, the mayor of Maryborough. I understand that he is the A.L.P. candidate for the area at the next State election. As the honourable member seems to be interested in Maryborough, he should find out why local people call the mayor "Flasher" Anderson.

Mr. Hughes interjected.

Mr. ALISON: I did not raise this matter. If the honourable member for Port Curtis is really interested in what is happening in Maryborough he should get in touch with the president of the A.L.P. branch and find out what has happened.

Mr. Frawley: He is out of touch.

Mr. ALISON: He is right out of touch.

To revert to what I was saying, local government in Queensland faces external problems concerning boundaries, which have remained untouched for about 30 years. Serious problems have arisen because many provincial cities have outgrown the existing boundaries.

The Federal A.I.P. Government is tempting local governments with rather subtle bait, and is indicating that it wishes to have local government representatives on the Commonwealth Grants Commission. It is obvious that some local governments see the danger of being subjugated by the Federal Government, irrespective of which political party is in power—while others, which do not, seem to be grabbing at the bait offered by the Federal Government. However, the Federal Government is shifting its stance on very many things, including its attitude to local government. Almost daily we hear Ministers saying that they do not know what is happening in the matter of the association of their departments with the Federal Government. Perhaps this can be taken as clear evidence of what should be going on in Canberra, but is not.

Local government, the third tier of government, is in a state of flux. Let there be no mistake about the third tier of government being particularly important in a federal system. It is grass-roots government—the level of government that handles things close to the people. State Governments must work in with local government to make it more viable, and the Queensland Government does this. Local government is really the basis of the Australian Federation. The State Government does not seem to be able to help local government financially much more than it does at present, so that it should receive an extra amount from the Commonwealth to provide direct payments to local government on an equitable basis—perhaps a percentage of general rates. That matter could be looked into. Undoubtedly there is a fair basis on which Commonwealth money could be allocated to the various States and earmarked

for local government, with no strings attached. Local government and the State Government could then sit down and work out how to carve up the cake.

An example of how stupid and irrelevant decisions on a local situation made thousands of miles away can be is shown by what has emanated fairly recently from Canberra regarding child-care centres. State regulations will come into effect from 1 July next year affecting what we know as child-care centres and kindergartens. Those regulations will be administered humanely by local government which, I am sure, can grant an extension of time so that the requirements set out in them can be conformed to.

However, with the Federal A.L.P. Government, it is a different matter. National matters, such as defence, the post office and civil aviation rightly belong to the realm of the national Government. There is no argument with that. But it is not the Federal Government's province to interfere in matters pertaining to child-care centres and tell somebody in, say, Maryborough, Cairns or Perth how they should be run.

I understand that one child-care centre in Maryborough will close down as such in the new year and reopen as a kindergarten, simply because the Federal Government has laid down that a child-care centre must establish that there is a need for it. The Commonwealth Government defines "need" as—

> "Children from families where the family income is less than $69.50, children of one-parent families, children of migrants with less than three years' residence in Australia",

and so on. This might be all right in Canberra, Sydney or Melbourne, but it is not in Maryborough. I am sincerely confident that it does not suit any other Queensland area outside Brisbane.

Mr. Casey: There is no provision to allow for the country mother who wants to leave her child in a child-care centre while she receives medical attention or is doing something else when she is spending a day in town.

Mr. ALISON: The honourable member for Mackay is "spot on". This particular problem has been brought to my attention, too. The Commonwealth Government is not at all interested in casual attendance at child-care centres. Perhaps this is not done in Canberra. I do not know about that, nor could I care less, but I do care what goes on in Queensland and I know what goes on in Maryborough.

If the association that runs this child-care centre in Maryborough is to qualify for Commonwealth subsidy, it will have to sign an agreement that the hall and grounds will be used permanently for child care in future. In this case, it is a multi-purpose hall that is quite suitable for use by the child-care centre. What a stupid provision concerning what, in many cases, are multi-purpose buildings. I understand that the definition of "permanent" is 20 years. It may as well be 100 years for all the practical use it is.

I mention this to illustrate what government in grass-root matters would be like, and how it is developing in this nation, when we get this sort of rubbish emanating from Canberra. These are matters that Canberra should not be sticking its beak into at all.

Dealing now with another matter, if the Institute of Urban Studies, under the chairmanship of Professor Gates, cannot guarantee that its report on local government within the Maryborough-Burrum district boundaries and also on local government throughout Queensland will be ready and in the hands of the Government by early in February 1974, I call for an immediate investigation into local government boundaries in and around each provincial city on the coast. This would be a compromise move in an effort to speed things up, rather than a general look at local government throughout the State. The obvious problems are to be found in the main provincial cities, particularly in their local authority boundaries. From what I know of the provincial cities along the coast of Queensland, they all have the same problem —they have outgrown their boundaries. In most cases, the local authority beyond the city boundaries cannot provide essential services, and the result is a hotchpotch of local government.

Maryborough has this problem. There is very little area left for industrial, residential or business purposes within the city of Maryborough. Even the industrial estate is not in the city area; it is in the area of the Burrum Shire. This means that there have to be all sorts of negotiations between the Burrum Shire Council and the Maryborough City Council to provide the necessary services to the industrial estate. This should not be necessary, and it would not be necessary if the boundaries of Maryborough were extended.

Mr. Lane: Does the Maryborough City Council get the advantage of rates from the industrial estate?

Mr. ALISON: Certainly not. The general rates are paid to the Burrum Shire Council.

An investigation into the boundaries of provincial cities should be treated as a matter of great urgency. The Government has a decentralisation policy. It is a good one, and it is working through the Department of Commercial and Industrial Development and the decentralisation of Government departments. However, the strangulation of local government in provincial areas in which most of the growth is taking place is acting against the decentralisation that the Government is promoting.

The Premier was in Maryborough last Monday evening and Tuesday morning. I had a lengthy discussion with him on this problem, and I know he is sympathetic to the cause of local authorities in the larger provincial centres. I seek his support in this matter in one way or the other—either let the report be obtained speedily from Professor Gates, particularly as it relates to the Maryborough and Burrum areas, or let us institute our own commission to investigate provincial areas.

The main problems are to be found in the provincial cities along the coast, where development is taking place. This is where solutions are required, mainly by changing local government boundaries to include in the cities areas sufficiently large to provide industrial, residential and business land for at least the next 20 years. Provincial cities and the developing areas around them should be within the boundaries of one local authority. This would stop the stupid bickering that now goes on in some provincial areas between the city council and the council of the shire beyond the city boundaries. If there was only one local authority administering the entire area, the thinking of aldermen and councillors would be lifted to a higher level, and they would look at their area as a whole rather than see one little ant-hill here and another there. In this way, the orderly growth of provincial cities would be assured.

Maryborough has a population of 20,000, which means that it is not really a large city. Relatively, however, it is a city of some size in Queensland, which is the most decentralised State of Australia. It is absolutely ridiculous that a city of this size should have no land of any consequence within the city boundary for the provision of necessary facilities. This situation makes a farce of the policy of decentralisation; in fact, it works directly against it.

I should now like to refer to the amendment that confers the right of appeal on certain local government officers. The incident that was responsible for the introduction of this amendment must surely be one of the greatest blots on the A.L.P. in Queensland in the last decade. It will be recalled, I should think, that Mr. McAulay was sacked from the Brisbane City Council without notice, and without having been given any reason.

Mr. Miller: We will never forget him.

Mr. ALISON: We certainly will not. He had no right of appeal at the time, and Alderman Jones was not interested in hearing him or in giving him what I might describe as a "gratuitous" appeal.

Mr. Miller: Dictator Jones!

Mr. ALISON: That is correct. He had his reasons for sacking Mr. McAulay, but we have not yet heard them. It is a great pity that Mr. McAulay did not proceed with his writ in the Supreme Court. A lot of dirty linen would have been washed if he had.

Mr. Baldwin: He wouldn't have been game.

Mr. ALISON: Why didn't he? It would be interesting to know how much Alderman Jones paid Mr. McAulay to buy him off.

Mr. McAulay issued a writ out of the Supreme Court. After a certain time, Alderman Jones made him an offer. What that offer was has not yet come to light. Certain large figures have been bandied about, and no doubt it was a large figure. But that would not worry Alderman Jones. He is rather careless with other people's money.

I have heard some people say—usually members of the A.L.P.—"Look at what Alderman Jones has done for Brisbane!" As I have said before, if one cares to throw the rule book out the window, as Alderman Jones has done on many occasions——

Mr. Miller: And he is still doing it.

Mr. ALISON: Yes, he is still doing it. If one does that, the administration of local government becomes much easier. But if one sticks to the book of rules and a code of ethics—Alderman Jones would not know the meaning of that word—it becomes more difficult.

As I said, Alderman Jones made an offer to Mr. McAulay, and no doubt Mr. McAulay had his reasons for accepting it. I reiterate that I believe it was a great pity he did, because many things would have come to light if Mr. McAulay's writ had been permitted to run its course. However, it was withdrawn and, as a result, this amendment is now before us.

While I am dealing with this amendment, I point out that the majority of the 131 local authorities in Queensland are administered by non-A.L.P. councils—in fact, in most instances no political parties are involved, which is a good thing for local government—and a similar problem has never arisen. Alderman Jones certainly looks for loop-holes, and in this instance he found one. I suppose we should thank him for doing so, because sooner or later a similar situation might arise, particularly under an A.L.P.-dominated council. The A.L.P. used to claim—I do not know whether it still does—that it looked after the working man. That is now completely incorrect, and the sooner the working man realises he is being exploited by the unions and by the A.L.P., the better.

I shall conclude on that note, and I look forward to the second reading of the Bill.

Mr. HARVEY (Stafford) (5.48 p.m.): Local government is indeed very close to the people, and its activities affect the bread-and-butter issues right from the back door

out. With all due respect to the honourable member who has just resumed his seat, I think that both the public and the Government have become aware of the economic and social disadvantages of an excessive concentration of population. Congestion, overcrowding, lack of essential services, excessive noise, air and water pollution, urban social isolation and an increasing crime rate are all more prevalent in built-up areas than in sparsely populated areas. In general, I believe that there is a deterioration in the quality of urban and surrounding environments because of pollution and pressure on our resources.

Mention was made a few moments ago of what the Government of Queensland is doing to encourage decentralisation. I point out to the Committee that in the West-Moreton region, which covers about 21,560 square kilometres, the population in 1954 was 719,000 and in 1971 it was 1,092,000. In 1954 there were 575,000 people in the Brisbane area alone, and the population had increased to 868,000 in 1971. So much for what the Government is doing to encourage decentralisation in this State!

I agree that there is a definite need for decentralisation. I think it is rather ridiculous to have over 1,000,000 people in this corner of the State, and, to be quite candid, I do not think we are doing as much as we should for people in the Outback. We are not doing all we should to decentralise and to use capital investment to develop the natural resources in various parts of the State, and that is something we will have to face up to sooner or later.

I was particularly pleased to hear the Minister say that the Bill will write into the Local Government Act certain provisions of the City of Brisbane Act. At the present time there are conflicting regulations. I am pleased to see that the proposal will bring some uniformity in local government throughout the State.

Mention was made of the Valuer-General. Land valuation should remain the responsibility of the State Government. Years ago local authorities did their own valuing. In those days an unscrupulous shire chairman or councillor could exert pressure on the local authority valuer to ensure that he received preferential treatment in the valuing of his land.

Mr. Gunn: The local authorities do not want the responsibility back.

Mr. HARVEY: They would not want it back again. It would be a retrograde step to give it back to them.

Some deficiencies in the system are evident from some of the Valuer-General's valuations. Because one person pays an exorbitant price for a block of land in a certain area, everyone else in the area is penalised. While that is consistently denied, it does occur time and time again. Nevertheless, it is still better to have valuations determined by the Valuer-General's Department than by the local authorities.

The Minister referred to the power to designate shires as towns and vice versa. I ask the Minister whether any alteration has been made in the existing formula in regard to population?

Mr. McKechnie: None whatever.

Mr. HARVEY: Another point was made about the right of appeal for those on a rate of pay equivalent to that of a male clerical officer. I understand that it extends to overseers and senior overseers. Candidly I believe that the right of appeal should cover a wide area of employees. Once a person has gone to the expense of fighting an appeal and has won his case, he should have the right of reinstatement. The Minister said that the matter could be settled on the basis of four weeks pay for each year of service. On the face of it, that may seem reasonable, but there is more to it than that.

I know employees who joined the Brisbane City Council soon after the formation of Greater Brisbane in 1925. That employment has been their career. They know nothing but local government work. If they were thrown on the scrap heap at the age of 55 or 60, there would be no avenue of employment open to them. The same applies in the State Public Service. There are many dedicated people in the Public Service who have grown up with the service; outside it they would be misfits. Monetary compensation is not sufficient for an employee whose services are dispensed with.

The Minister said that each local authority will keep its own valuation register. When a local authority is dealing with its budget, the rate notices must be tabled. The local authority valuations should be tabled at the same time for the perusal of the aldermen. That is important, particularly in local authority areas containing a number of zones, because aldermen or councillors, as the case may be, in dealing with the budget and determining what amount is to be apportioned to their zones, would be able to go to the table and ascertain the rate revenue from their areas and then decide whether their areas were receiving back a fair share of the cake.

Mention was made of the transfer of ownership of property. Like many others in this Chamber who have served on local authorities, I found that quite often the local authority was blamed when rate notices were sent to a former owner, but that happened purely because the person engaged to do the conveyancing had not bothered to notify the local authority. This happens frequently, and quite often the local authority is wrongly blamed for it, just as it is blamed for many other things. I encountered many cases of people receiving rate notices long

after their land had been transferred. Therefore, I think it should be mandatory to notify the local authority within a set time and, if the person handling the case does not carry out the function he is paid to perform, a penalty should be imposed upon him.

Mr. Hughes: Rates are not levied on the person but on the land; therefore the question arises of damages for the people purchasing or selling the land if some person wrongfully gets a rate notice.

Mr. HARVEY: That is right. Not only that, but in many cases 18 months have elapsed before people have received their rate notices. In many of those cases the rate notice was sent to the person who previously owned the land. Of course, he ignored it, saying that it had nothing to do with him. The local authority is not advised and, if the matter runs on for three years, the local authority is entitled to step in and sell up the property. Consequently, all sorts of legal entanglements occur and problems arise.

The Minister also mentioned the 5 per cent tolerance in conversion to metric measure. This is fair enough. I do not know whether it was intentional or otherwise, but the Minister mentioned it in regard to living-rooms and bathrooms. Since he has particularly mentioned those rooms, I should like to ask what the situation will be with toilets and E.C.'s. I know there are certain provisions in the water supply and sewerage by-laws about 5 ft. by 3 ft., 6 ft. 6 ins., 2 sq. feet of fixed ventilation, and so forth, but, if the Minister is going to tie the rest of the building down to these measurements, I suggest that he make double provision by including this necessary section of the home because, although this comes under the water supply and sewerage by-laws, these have not been brought before the Committee. Until the by-laws are changed, I suggest the Minister should look at the aspects I have mentioned.

Mr. McKechnie: I mentioned 2,400 kilometres because that is as close as one can get in round figures to 8 feet.

Mr. Hughes: The by-laws are rather loose.

Mr. HARVEY: They are rather loose, but living areas are mentioned and a person is not going to live in a toilet or an E.C.

Mr. McKechnie: This Bill will not alter those heights, except for the 5 per cent tolerance.

Mr. HARVEY: Other factors affecting the standard of living are natural light and ventilation. I think these things are very necessary, but I suggest that the Minister should not in any circumstances permit a 5 per cent relaxation or undercutting in light and ventilation. Particularly with the types of building being erected these days, I believe it is very necessary to maintain these standards or even improve them.

The Minister also mentioned the $400,000 limitation on loans in various local authority areas. This has been a matter of concern for many years. The $400,000 limitation was imposed many years ago when money values were completely different from those of today.

Mr. McKechnie: It rose from $300,000 to $400,000 about 12 months ago.

Mr. HARVEY: I was not aware of that. On this aspect, all local authorities should receive the utmost consideration.

[*Sitting suspended from 6 to 7.15 p.m.*]

Mr. HARVEY: Before the dinner recess the Minister had reminded me that the limit on a local authority's loan allocation had been increased from $300,000 to $400,000. Although the rate revenue of the majority of local authorities exceeds the sum required for the servicing of their loan indebtedness and sinking fund contributions, I should like to see local authorities given financial assistance in the servicing of their loans so that all the revenue collected by way of rates could be expended in a manner determined by them. Of course, I know that this matter is outside the jurisdiction of the Minister. Nevertheless, if I occupied his portfolio I would be doing all I could to assist local authorities to meet their loan indebtedness so that they could do as I have suggested.

Reference has been made to impact on the environment. In looking at this matter, we should examine not only new buildings and new industries but also existing industries. As they grow, so, too, do the problems created by them tend to become magnified. This applies to noise, pollution and the passage of vehicles through residential areas that are otherwise quiet and peaceful.

The Minister has said that a local authority will be given the discretionary power of requiring that an impact study be carried out. This is a step in the right direction, but after an impact study has been carried out what additional power will a local authority be given to implement any findings made as a result of the study?

The Minister also referred to applications lodged with local authorities under the town planning legislation. I ask the Minister whether or not he indicated that the conditions would be applied purely to applications for re-zoning or to both re-zoning and town planning applications.

Mr. McKechnie: So far as local government is concerned, it will apply to site approvals only. However, under the City of Brisbane Town Planning Act it will apply to all town planning applications.

Mr. HARVEY: I thank the Minister. The Minister has also said that persons living in the immediate vicinity of a site that is

the subject of such an application will be notified. The practice in Brisbane is to notify such persons by registered letter. Do I take it from the Minister's remarks that the same practice will be followed in all other local authority areas?

Mr. McKechnie: In Brisbane they will be notified by registered letter. Outside Brisbane it will have no application.

Mr. HARVEY: I believe a registered letter is necessary.

Mr. McKechnie: I assure the honourable member that, in Brisbane, the law requires that notice be given either by personal delivery or by registered post.

Mr. HARVEY: The Minister referred to the size, type and location of signs that will have to be used. In dealing with the Mt. Gravatt showground, he spoke of the location, type and lack of information on the sign that was used. These are vital matters for the community generally. If people are not directly involved, they usually do not take a personal interest until it is too late.

Mr. McKechnie: You will find that it is all set out in the Bill and the details will be available in the council office for perusal by the public.

Mr. HARVEY: If a semi-noxious or noxious industry is to be established, the disposal of waste is a matter of concern. A noxious industry could be established in close proximity to a residential area. People should be aware whether waste materials from such an industry are to be ponded, transported through a residential area, or treated in some other way. I have been very concerned about these important matters for some time.

Mr. McKechnie: I think that may require an impact study.

Mr. HARVEY: An industry may be located in an area in which a local authority has constructed roads to carry 5,000 lb. wheel loads, or "D" class roads with 6 inches of metal to cater for private motor vehicles. As soon as an industry moves into such an area, the local authority is faced with enormous costs in reconstructing roads to heavy-vehicle standard.

Advertising is necessary in the local news media. However, not everyone reads public notices. The Minister told the Committee that the relevant information would be available at various local authority offices. Notification should be given in the public notices of the local authority concerned.

Mr. Houghton: Notices are put in stands of prickly pear where people will not see them.

Mr. HARVEY: That is true.

(Time expired.)

Mr. CASEY (Mackay) (7.23 p.m.): It is important to remember that local authorities in Queensland are governed by an Act of this Parliament. I questioned the Minister this morning about the State Government being bypassed in financial allocations to local authorities. As a former member of a local authority who knows full well the financial problems that local authorities face —many of them are self-inflicted—it is very disappointing to note how they are falling over one another to get at Federal money, regardless of their place in the sphere of government and the activities conducted by them.

Many people in local authorities seem to think that the Federal Government will provide them with easy money. I am not now referring only to the present Federal Government, because the same situation applied under the Gorton administration. The point is made at every local government conference in Queensland that local authorities should have access to Federal money, or should have Federal money for this and that. The Local Government Act provides ample opportunity for local authorities to obtain sufficient funds to cater for their needs. Should there be insufficient money in that field to cover changing social conditions within the community, local authorities should act in concert with the State Government in an approach to the central Government to obtain additional financial power.

It is well to reflect that local authorities in Queensland operate under a completely different Act from that in existence in every other State. Different State Governments have given local authorities different spheres of government, with different opportunities to control problems. Therefore, in no two States are local authority responsibilities exactly the same. In many cases in Queensland, the local authorities that are endeavouring to bypass the State Government in order to obtain finance to meet their needs are the same local authorities that have not been prepared to stand up to the State Government, for political or other reasons, to obtain the fair distribution of funds they could get by using the powers available to them under the Local Government Act.

The Minister indicated that the Bill will allow a change in definition from towns to shires, or shires to towns, as the case may be. The Act provides three different categories—cities, towns and shires. It is a good sign that there is a need to change towns to cities, or cities to towns. There should be a continual ability to change the definition of these bodies because it is an admission by the Government that there is a constantly changing pattern in the development of local authority areas. Some are decreasing in size, scope and development, while others are increasing. Therefore, it is necessary to have some flexibility. I am

disappointed that, in this regard, the Minister has not included in the Bill power to establish a State tribunal to alter local authority boundaries.

These proposals virtually result from the annual exchange of views between the Minister and the Local Government Association of Queensland at the Queensland Local Government Conference, and the Minister giving effect to the decisions made at that conference. This year, after many years of endeavour, there has been a breakthrough in that there has been support for the establishment of a tribunal with power to alter local government boundaries. It is perhaps significant that this was the major decision at the last conference that is not included in the Bill.

I know that the Minister is personally interested in this matter. I have had discussions with him concerning the problems in Mackay, which are perhaps worse than those in Maryborough, mainly because Mackay is a fast-developing and growing area whereas, at present, Maryborough is going backwards, which is unfortunate. Nevertheless, I hope the Minister will eventually establish this tribunal.

Following a recommendation to the Government, many regional electricity boards in Queensland are, in one fell swoop, about to disappear completely. There is to be a restructuring under which, unfortunately, people will not have direct access to regional electricity boards through their local authority representatives. It is a strong condemnation of the Government if it implements all the recommendations in the report on the reorganisation of regional electricity boards.

Mr. McKechnie: Local government will still be represented on——

Mr. CASEY: Local government will still be represented because the regional councils will be represented, but they are entirely different from a council democratically elected by the people in the area concerned. The regional councils will consist of one representative from each local authority concerned, together with Government nominees. Of course, under the suggested reorganisation of electricity boards, there is no requirement that the representatives on the new boards shall be local authority representatives. The suggestion is that such a representative shall be a member of the regional council. The people will therefore lose direct access, through their shire or city councils, to their representatives on regional electricity boards. Here is another instance of government being virtually handed to a body that is independent of the people themselves. It is of great concern to me that the establishment of regional councils, and other bodies that have been set up in this State in recent years, has meant the loss of contact between the people and those who make the decisions.

This will perhaps apply equally to the environmental impact studies suggested by the Minister. Whilst the position may be straightforward in the Brisbane area, in other developing areas regional impact studies will be considered by regional councils as well. This means that the opinion of a regional council might not necessarily be that of the local authority concerned. Whilst one local authority in an area may be against the proposal of a developer and the environmental impact study shows that it is not in the best interests of that council, the majority of members on a regional council can decide that it is in the best interests of the region as a whole, thus overriding the decision of the local authority and reporting to that effect to the Government. Even though the Minister is making provision for appeal to the Local Government Court, I can foresee problems with environmental impact studies in areas apart from the metropolitan area. I ask the Minister to give very close consideration to that angle.

By virtue of environmental impact studies, a majority of councils could foist a decision onto another local authority, and there would then be argument as to who was to pay for the implementation of that decision. A parallel situation can be found in the relationship between the Beach Protection Authority and local authorities in many areas. Whilst local authorities may realise that there is an erosion problem in their various areas, they are inclined to turn their backs on it and expect the regional council to provide them not only with the necessary engineering advice and recommendations but also with the finance required to implement the decisions that are made. Confusion will arise in the future over who is to pay to implement the recommendations of regional councils following environmental impact study reports as a result of which a decision is foisted onto a local authority by others.

Mr. O'Donnell: It certainly will happen.

Mr. CASEY: It certainly will, as the honourable member for Belyando says. The more that government is fragmented by the setting up of other organisations, the more difficult it becomes to get decisions from local authorities. Unfortunately, many of them have a habit of stonewalling and setting aside issues that may seem a little unpopular in some sections of the community. We have all seen how quickly State Governments—and Federal Governments, for that matter—backtrack in the face of protests. Local authorities are even worse. Someone only has to raise his voice in protest, and they race for cover, quick smart. In most instances they get under the table and ring the Minister for Local Government and ask him to try to get them off the hook for the decision they have made. I can see by the smile on the Minister's face that he has been involved in quite a number of such situations.

Mr. Hughes: Doesn't the council usually prefer to pay the costs of rezoning rather than do a complete environmental study?

Mr. CASEY: The honourable member for Kurilpa may not have been listening intently earlier when I said that the points I am making relate to the decisions of regional councils on environmental studies. Where more than one council is involved a big problem will arise, because the decision of a regional council, made under the regional and town planning Acts, will override the decisions of an individual local authority.

I was very happy to hear the Minister announce an extension of time for applications for town planning. I have frequently spoken on this matter and advocated that the 40-day period should be extended. If my memory serves me correctly, when the last amending Bill was before us I mentioned that the very anomaly that the Minister said has been created by that amendment would arise, and I am pleased to see that he is now overcoming the problem.

However, there are other problems in this field, and the honourable member for Stafford referred to one relating to applications and advertisements. I believe that any advertisements for town planning, and particularly for rezoning, should include common-property descriptions in addition to real-property descriptions. That is not always done at present, and no local authority is bound to do it. A Press advertisement by a local authority relative to a rezoning proposal, for example, contains a lot of mumbo jumbo. It has section numbers in Roman numerals all over the place, and to most people it means virtually nothing.

Mr. Harvey: A person could be living next door and not be aware of it.

Mr. CASEY: As the honourable member for Stafford says, a person could be living next door to the property concerned. He probably never even looks at the property description on his rate notice because he is so shocked by the amount of rates he has to pay. I think it is very necessary to include the common description of property in all advertisements relating to applications for town planning or rezoning. I know of one in my own area that has been dropped in the Minister's lap.

Mr. McKechnie: I assure you that the Bill does precisely what you are recommending.

Mr. CASEY: I am very pleased to hear that, because such a provision is badly needed.

Another important feature of the Bill is that councils will be forced to make available for inspection by interested people the complete details of applications. That is very desirable; in fact, I think it is one of the best provisions to have been included in the Local Government Act for a considerable time.

Again I mention an instance in my own electorate. Recently a sporting body opened a clubhouse in a residential area. The application to the council merely said "for a sporting body". Persons in the neighbourhood did not mind a hall being built for a sporting body; in fact, they thought it was a good idea to have a hall for young footballers and other young people in the district. They did not realise that it was a clubhouse, and since then, of course, they have been trying to take action to have the noise reduced, and even to have the council's decision declared illegal. The problem arose because, in the first instance, they did not have proper access to all the details that the applicant submitted.

The inclusion of this provision in the Bill is a move towards more open government in the local authority field. "Open government" is a term that has been bandied round quite a lot in recent years. All honourable members know that at times both the State and Federal Governments are inclined to close things up; but things are never so blatantly kept away from the public eye as they are by local authorities. I have been trying for years to get a local authority in my area to send me a copy of the minutes of its meetings after decisions have been made. In that way I could keep myself au fait with what is happening in the area. But the council has point blank refused to do that. I concede that I could go to the town hall and go through the minute book with the town clerk whenever I wanted to—anyone in the community could do that—but it is a most inconvenient way of obtaining information. The provision that will force local authorities to make these details available to anyone requiring them will be a big help.

I urge that the Government give consideration to pushing local authorities into implementing the new building code in Queensland. Those of us who have been connected with this matter know how urgently this is needed. The introduction of the metric system will create considerable problems in the building industry. There will be a lot of headaches for local authorities over building sheeting. The new measurements for sheeting determined by manufacturers will not match up exactly with the present standard sizes of 7 ft. by 3 ft., 7 ft. by 4 ft., and so on. There will be big problems with repair work. Sheeting in metric measurements will be either slightly smaller or slightly larger than the present standard sizes. If, for example, someone wants to replace a 7 ft. by 3 ft. sheet of fibro, he will probably find that the nearest size he can get will be something like 6 ft. 10 ins. by 2 ft. 9 ins. This is a problem that local authorities will have to watch very carefully.

(Time expired.)

Mr. MILLER (Ithaca) (7.42 p.m.): The Bill makes many necessary changes, including a uniform building code, the right of appeal for local government officers, and environmental impact studies.

I am particularly concerned about one matter dealt with in the Minister's prepared notes. It is my intention to refer to what he said and ask him to clarify it. In particular I will be asking him how far the Brisbane City Council can go in using the powers that the Bill will give it. It will be recalled that last Tuesday I asked the Minister a question about the charge being imposed by the Brisbane City Council on certain builders when the blocks of land are being used for commercial or industrial purposes. It has been indicated by many builders that in respect of a corner block the charge for underground electricity connection can be $11,880 or more. As there is to be a public meeting next Tuesday, I wish to have the Minister clarify the situation tonight so that those who attend the public meeting will clearly understand just what the effect of the Bill will be.

What the Brisbane City Council is trying to impose on builders is downright dishonest. It will result in much higher charges being imposed on home units. We are encouraging senior citizens to move into units. I want to know whether they are going to have to contribute to the charge of $11,880. I know of no subdivider or builder who is prepared to carry that charge imposed by the Brisbane City Council. The Brisbane City Council is already demanding certain other charges, including $2,000 an allotment for roads and drainage; $370 for sewerage; $200 for water reticulation; $500, at present, for underground electricity; $200 for concrete footpaths and vehicle crossings; $200 to headquarters for sewerage; and another $200 for water headworks, making a total of $3,675. On top of these charges which the Council is imposing on these builders and subdividers, there is the cost of servicing this money, because at the present time, unless a builder or subdivider agrees to the imposition placed on him by the Brisbane City Council, the subdivisions can be held up for any length of time.

Mr. Porter: For up to four years.

Mr. MILLER: As the honourable member for Toowong says, they can be held for up to four years. I know of some cases that have been held up for an indefinite period.

It was reported in the Press during the week that the public meeting I have mentioned is being called. A number of applications for home units are being held up at the moment. I want spelt out in quite definite terms just what this measure means to subdividers and builders of home units. I am wondering whether this Bill will validate the very things about which I am concerned. If the Bill does validate the charges imposed by the Brisbane City Council, I will vote against it.

Mr. Burns: Will you cross the floor?

Mr. MILLER: I will cross the floor. Honourable members opposite talk about price control and rising prices. If they are "fair dinkum", they will join with me in opposing this imposition of $11,880 for underground electricity.

If this is what the City Council is going to do to people who want to buy home units, I expect every member opposite to vote with me against it. If they are concerned about rising prices, they will do that. Competition exists everywhere else in this area, but it does not apply to the Brisbane City Council. It has no competition and, if it says it wants $11,000 per allotment, the person has to pay it or his application is not approved.

Mr. McKechnie: Let me relieve your mind. The matters to which you refer are not applicable to the City of Brisbane Act, but only to the Local Government Act.

Mr. MILLER: I want to read out what the Minister said because, as I understand it, it applies to the City of Brisbane as well.

Mr. Burns: What are you going to read?

Mr. MILLER: I will read from the Minister's prepared notes.

Mr. McKechnie: The City of Brisbane makes ordinances relative to this type of matter.

Mr. MILLER: I want this matter clarified. There is a public meeting on Tuesday and I want to know where I stand. Commencing at page 23, the Minister's notes read—

> "The Bill amends the provisions of the Act dealing with the subdivision of land by adding to the list of matters to be considered by a local authority when dealing with a subdivision application. The additional matters are—
>
> (a) The availability of essential services, including electricity, to serve the allotments into which the land is to be subdivided; and
>
> (b) Whether, in accordance with a by-law made by the local authority, the applicant should be required to supply electricity to the allotments by the undergrounding of such supply.
>
> "These are discretionary powers for the local government to exercise in the particular circumstances of each case. Item (a) should assist local authorities to ensure that premature development in advance of availability of water, sewerage, electricity and other services, does not occur. (I am not opposed to that). Item (b) will enable a local authority, after undertaking the procedure of making a by-law, seeking objections, and obtaining

the approval of the Governor in Council thereto, to require the undergrounding of the electricity supply in circumstances where such action is considered to be warranted. The Act confines such considerations to areas where, in the local authority's opinion, the land the subject of the application is being used or will, if the subdivision is effected, be used for residential, commercial or industrial purposes."

That word "residential" concerns me. I want to know whether people buying residential land will also have this imposition placed on them. The Minister's notes continue—

"All the provisions mentioned to this point are proposed amendments of the Local Government Act."

The Minister also said—

"In some cases, as I have mentioned, the amendments will have application to the Brisbane City Council."

It is on that comment that I should like to have some clarification. Unless it is cleared up tonight, at the second-reading stage I will be calling for a division on the motion. I am quite opposed to the imposition of charges of this type.

Mr. Burns: Are you opposed to it on principle or are you objecting only because it is the Brisbane City Council?

Mr. MILLER: I am opposed to it as a matter of principle.

Mr. Burns: Then you will vote against it?

Mr. MILLER: As I say, I am opposed to it not because it is the Brisbane City Council but because no local authority should have the power to impose upon a subdivider costs such as this.

Prior to the last Brisbane City Council election, the Lord Mayor, Alderman Jones, said that his main concern was to reduce the price of land to the home-builder.

Mr. Alison: Do you think he was "fair dinkum"?

Mr. MILLER: I would ask: does anyone think he was "fair dinkum"? I have asked a question, and received an answer. He is able to charge $11,880 in relation to a block of land with a frontage of 66 feet. Is such an imposition going to reduce the cost of housing? Of course not.

Mr. Harvey: Under the site approval they have the right of appeal to the Local Government Court, because they have to supply electricity whether they want to or not.

Mr. MILLER: The honourable member has made the valid point that there is a right of appeal to the Local Government Court. But he would know more than anyone else how applications are held up by the Brisbane City Council even after the Local Government Court has found against it. Unless people who subsequently lodge applications are prepared to toe the line, their applications, too, will be delayed. And it must not be forgotten that subdividers and builders are borrowing money at high interest rates, and any delay costs them money.

We are well aware of cases in which builders or subdividers have won their appeals in the Local Government Court and, in spite of that, other almost identical applications have been delayed deliberately by the Brisbane City Council. In a number of cases the Brisbane City Council has gone as far as the door of the court before saying to an appellant, "We give in. You win." Does anyone consider the cost up to that stage to the subdivider or the builder? More importantly, has anybody thought of the cost to the purchaser? After all, the costs do not come out of the pocket of the subdivider or the builder. Rather are they passed on to the purchaser.

As I say, I want this particular aspect clarified. I refer to the case of a small developer at Wooloowin who is planning the development of four units on a corner block with a frontage of 170 feet. He is required to raise an additional $10,200 before plans for the project can be approved. In other words, his plans are being delayed until he is able to find an additional $10,200. And, as I have said, he is a small developer.

There is no doubt that this type of thing goes on, so I am strongly opposed to any provision in this legislation that will in any way validate the action of the Brisbane City Council in this regard. I believe that by demanding this money the Brisbane City Council is acting illegally.

I congratulate the Minister on his proposal to introduce uniform building regulations. Although I doubt whether they will reduce building costs, they will certainly enable building materials to be supplied more easily than at present.

Before the Prime Minister was elected to office on 2 December 1972, he claimed that within six months of the A.L.P. gaining office in Canberra it would introduce a uniform building code, which, in turn, would reduce the cost of construction of a home by at least $600.

Mr. Burns: So it will.

Mr. MILLER: I very much doubt it.

My only point is that, although a uniform building code is being introduced in Queensland and has already been introduced in some States, I have seen no reduction in the cost of building homes in those States where they have been introduced. Instead of reducing the cost of building homes by $600, the A.L.P. Government has actually increased costs by 33⅓ per cent.

A Government Member: Anyone building a home today can tell you that.

Mr. MILLER: That is true.

Mr. Wright: Where did you get your figures?

Mr. MILLER: The figures are readily available. I do not know whether this article came from "The Courier-Mail" or "The Telegraph" and, unfortunately, it is not dated. The honourable member is quite at liberty to read it later.

Mr. Wright: In Canberra there has been a reduction of about 8 per cent.

Mr. MILLER: The honourable member must be asleep.

Environmental impact studies are essential because subdividers quite often enter areas and denude them of all natural growth. I hope that the proposals outlined by the Minister have a bearing on land at the foot of Mt. Coot-tha which, at the present time, is under consideration by the Brisbane City Council. It is presently zoned as future residential land, but the Brisbane City Council is considering an application to rezone it as residential "B" land so that town houses may be constructed on this very beautiful area. I regard it as a necessary part of the Mt. Coot-tha reserve. It will be disgraceful if this application is approved, seeing that the Brisbane City Council is fully aware of what the Government is doing. I hope that the Brisbane City Council takes cognisance of what is happening and that no rezoning is approved before environmental impact studies are carried out.

Like all honourable members, I applaud the step we are taking to grant a right of appeal to local government officers. I think it was the honourable member for Redlands who said, "Pay up, or shut up," when the honourable member for Maryborough was talking about the Lord Mayor, Alderman Clem Jones. It is not a matter of "pay up, or shut up", but rather, "We pay up, and you shut up." Officers in local government will now have the same appeal opportunities as officers in the Brisbane City Council.

Like the honourable member for Stafford, I am concerned that a local authority does not have to accept a decision of an appeal court. Many people who are induced to leave a good job to enter local authority service find that, unless they are prepared to toe the line—perhaps for political reasons—they can be dismissed. A man who is induced to leave a good permanent job to enter local authority service, and is dismissed because he cannot agree with other officers, receives compensation of four weeks' pay for every year of service. I should like something to be done about that. I hope that the Minister will look into that matter in the very near future.

In his reply tonight I should like the Minister to refer to the comments on pages 23 and 24 of the document I read out, because I want to be able to give the people who attend the public meeting a definite idea of where they stand in the matter of charges for underground electricity reticulation.

Mr. McKechnie: So far as Brisbane is concerned, that matter is not covered by this Bill, but can be dealt with by the Brisbane City Council by ordinance.

Mr. BURNS (Lytton) (8 p.m.): The honourable member for Ithaca referred to the cost of housing. I have just been handed an October 1973 document headed, "Shelter; Housing solutions from the Capital", by Peter O'Reilly, who says—

> "The cost of building a government home in Canberra has risen only 4 per cent in the last 10 years, compared with rises of up to 86 per cent in the States.
>
> "This is according to figures published in 'Housing Quarterly', a journal compiled by the Department of Housing. The statistics were prepared by the Bureau of Census and Statistics."

I think that the honourable member's figure of 30 per cent is well out. I hope he is "fair dinkum" when the question on this Bill is put and that his vote indicates he is interested in supporting the principles behind what he said tonight and in not just simply opposing the Brisbane City Council. The Minister has said clearly that the principles the honourable member opposes exist in relation to the other local authorities, but not the Brisbane City Council. If he is against the principle, he will divide the Committee and cross the floor. He will not worry about the Brisbane City Council, because the Minister has already given that assurance. It will only apply to every other local authority.

I personally oppose the Bill. I have not contacted the Opposition committee and will wait to see what my party decides. I will vote with the party, don't worry about that. I oppose the Bill because it is the greatest example of duck-shoving and side-stepping I have ever seen. For years the Government has been saying that it will do something about clearing up our environment. We have had the 1959 study on the environment, the 1963 Clean Air Act, and in 1965, 1967 and 1968 we introduced Acts or regulations dealing with clean water and clean air. The Government has been talking about clean this and clean that, but it has dodged and jumped from one foot to the other and side-stepped faster than any Rugby League centre or winger in an effort to foist the responsibility onto some other body. It has never faced up to the question.

I have received letters from the Minister for Health and other Ministers on air pollution in my electorate. The Minister for Health has said he can do nothing about it and that the local citizens will have to learn to live with it. That is why the Government is ducking on these environmental impact studies. In 1971 the State and Regional Planning and Development, Public Works

Organization and Environmental Control Act was introduced, and we were told that the Government would act to protect the environment.

Mr. Hughes: You want to impose "Big Brother" on local authorities.

Mr. BURNS: I do not. You are doing exactly the other thing. You want "Big Brother" to dodge behind the local authority. You haven't got the guts to stand up and stand by what you said in the 1971 Act. You now want to place the responsibility on local government. You did it over the cement works.

The CHAIRMAN: Order! The honourable member will please address the Chair.

Mr. BURNS: Yes, Mr. Lickiss.

The Government did it with the cement works. It ran away from responsibility on the question of the cement works. On 7 June the chairman of Queensland Cement & Lime Co. Ltd. was reported in the financial pages of the Press as saying, "We are going to build a cement works at Parker Island, on the Brisbane River. The site is being developed for us by the Department of Harbours and Marine." The Government must have approved it and decided to develop the site at that particular stage. Cabinet must have said, "We will allow the cement works here," or it would not have proceeded to develop the site for the cement company. When the Government realised there would be a great storm of protest from those people who did not want a cement works on the Brisbane River in that location, and did not want sea breezes blowing dust all over the city destroying its environment, as the company destroyed Darra for years, it suddenly found that section 27 (a) of the Clean Air Act was no longer its much-vaunted strong right arm to stop polluting industries from commencing operations.

Suddenly the question of prior approval of the site, buildings and any extensions was no longer of value. The Government discovered how to pass the blame onto the Brisbane City Council and said, "Before you come to us for prior approval, you must go to the council and get site approval." That is what you are doing here. You are running away from the question, which is whether this Government will act to protect the environment. Is the Government going to stand up and enforce the Clean Air Act, the Clean Waters Act and the environmental control legislation? You know, and Sir Gordon Chalk is shaking his head——

The CHAIRMAN: Order!

Mr. BURNS: The Acting Premier is shaking his head as if to say, "No"—and I want that recorded in "Hansard". Of course he does not want to enforce it. Of course he does not want to take any action in this regard, because this is what the Bill is all about. Put the blame on someone else. Pass the buck. You are not interested in acting in this matter. You are running away from it.

The CHAIRMAN: Order! I again remind the honourable member that he is continually using the pronoun "you". The Chair has no part of this. The Chair merely adjudicates the sitting of this Committee. The honourable member will please address the Chair.

Mr. BURNS: Whilst you are adjudicating the sitting of the Committee, Mr. Lickiss, the Government is running away from this issue. Let that be made quite clear. What you are saying here is that the council will accept the responsibility. What about regional planning? You nodded your head for regional planning and supported me when I spoke about it in this Chamber.

Mr. Hughes interjected.

Mr. BURNS: Wait a moment before you open your mouth now, because you might find your foot in it. Are we going to allow a council to approve a cement works on the border of a city? Are we going to say, "The council will make the decision", even though it might affect the environment of all the people in the nearby council area? Are we going to allow the Redcliffe City Council to make a decision in respect of a site on the border between Redcliffe and Brisbane? This is what regional planning is all about. You should be able to say, "It is in the interests of a whole region that these industries should be sited in a particular spot."

A Government Member interjected.

Mr. BURNS: Never mind about "Mr. Burns". I was lucky to get 20 minutes to speak tonight. I was gagged about four times previously, and I am not going to give up any of my time.

Sir Gordon Chalk: Five minutes was your undertaking.

Mr. BURNS: Well, I will take six minutes. That will be about the same sort of deal that I generally get from you. The situation tonight is that by passing the buck you are going to override all previous legislation.

The CHAIRMAN: Order! Will the honourable member please address the Chair.

Mr. BURNS: I am sorry, Mr. Lickiss. The members of the Government are going to duck away from their responsibilities under the 1971 Act, the 1963 Act, the 1965 Act and the 1959 environmental inquiry. I say that this is not in the best interests of the people.

Some of the suggestions that the Minister has made have some value, but this legislation will protect, rather than act against, the polluters who destroy our environment. If the Minister would like me to name them, I will name one after the other all the dirty, foul, stinking, rotten industries in

Lytton that are polluting the air and forcing people out of their homes. It is impossible for them to bring visitors home for a barbecue because the foul, rotten stink forces them out of the yard.

If, every time such an industry wants to extend, an environmental impact study has to be made, and it has to be made known to the public and debated before approval is granted, I will support you. But you know you are not going to do that. The Treasurer said that the Department of Harbours and Marine required an environmental impact study into the proposed cement mill in accordance with the lease. He was reported to that effect in "The Courier-Mail", and he has never denied it. Now it is said that, in future, the Brisbane City Council must order one. If the Government intended to publish those environmental impact studies and allow the people to inspect them and debate them, then I would support you. But if the Government is going to say——

The CHAIRMAN: Order! The Chair is not looking for the honourable member's support. Will he please address the Chair.

Mr. BURNS: I did, Mr. Lickiss. I just referred to "the Government" twice. I am not doing too badly. That is the best I have done in the last five minutes.

Mr. R. E. Moore: Can't you speak in the third person?

Mr. BURNS: Well! Well! Well! In he comes! I am told that empty vessels make the most noise. I have also been told that hair will not grow where there is nothing underneath. I have seen the honourable member in operation in the 18 months I have been here, and both statements have been proven. I hope he stays here for a long time, as he is great value to the Labor Party.

My view is that this is a buck-passing Act. It is another clear example of what the Government has done in a number of other Acts. As soon as a difficult question arises, the Government does not want to face up to it. This is a Government that runs away from tough issues, and it has run away again tonight. It says that councils should produce suggested policy statements on the environmental aspect, and that they should make them public. If that is fair enough for local authorities, why is it not fair enough for the Government to do the same in the matter of water quality? Why won't the Minister tell us the names of all the polluters to whom he has given licences to pollute in this State? After bringing down the Clean Waters Act, why won't he tell us how much filth polluters are allowed to discharge under Government permits? On the one hand, he says that the local authorities are to produce statements and make them public, but on the other hand he says in answer in this Chamber, "I won't tell you the names of the polluters to whom we have given licences. I won't tell you how much they are allowed to discharge, or what it is. I won't tell you the readings taken by my officers when they carry out inspections."

The Government plays the old "ducks and drakes" trick—local government will have to publish statements that the Government will not. Why the different attitude? On another occasion it was said. "The Brisbane City Council will not be covered by this legislation on underground electricity, but the other local authorities are." That was the Minister's defence. As soon as he found one member on the Government side of the Chamber standing up to attack him, suddenly we heard him saying, "I can assure you that it is not the Brisbane City Council we will allow to do this. All the other local authorities can make these charges, but not the Brisbane City Council."

Let us face this issue squarely. Let us not try to dodge it and put the blame on someone else. If some action is to be taken on the environment, let the Government face up to its responsibilities and act.

Mr. AHERN (Landsborough): I move—

"That the question be now put."

Question put; and the Committee divided—

AYES, 34

Ahern	Knox
Alison	Lee
Armstrong	Low
Camm	McKechnie
Campbell	Miller
Chalk	Murray
Cory	Neal
Frawley	Newbery
Gunn	Porter
Herbert	Rae
Hewitt, N. T. E.	Small
Hewitt, W. D.	Sullivan
Hinze	Tomkins
Hodges	Wharton
Hooper, K. W.	*Tellers*:
Houghton	Moore, R. E.
Hughes	Row
Kaus	

NOES, 28

Baldwin	Jones, R.
Blake	Jordan
Bousen	Leese
Bromley	Marginson
Casey	Moore, F. P.
D'Arcy	Newton
Davis	O'Donnell
Hanlon	Tucker
Hanson	Wallis-Smith
Harvey	Wood, B.
Hooper, K. J.	Wright
Houston	*Tellers*:
Inch	Burns
Jensen	Melloy
Jones, N. F.	

PAIRS:

Bird	Yewdale
Muller	Dean
Bjelke-Petersen	Wood, P.
Fletcher	Sherrington

Resolved in the affirmative.

Motion (Mr. McKechnie) agreed to.

Honourable Members interjected.

The CHAIRMAN: Order! I call for decorum in the Chamber.

Mr. Burns: He wasn't game to answer.

The CHAIRMAN: Order! I warn the honourable member for Lytton under the provisions of Standing Order 123A.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. McKechnie, read a first time.

TOWNSVILLE CITY COUNCIL (SALE OF LAND) BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (8.20 p.m.): I move—

"That a Bill be introduced relating to the sale of certain land by the Council of the City of Townsville."

The purpose of the Bill is to empower the Townsville City Council to develop and sell for residential purposes certain land held by the council in the suburb of Douglas.

The land concerned is situated adjacent to the James Cook University and the Townsville Teachers' College. The council's proposal is that the land, which comprises some 1,000 acres and was acquired by the council many years ago at low cost, will be fully developed for residential purposes and allotments sold at a fixed price to cover the cost of the land, development costs, interest, selling and legal costs, plus a margin for risk, realisation and administration. The intention is that allotments will be sold only to genuine home-builders who do not own their own homes or premises in which they can reside and on terms and conditions ensuring that homes are built on the allotments within a specified time. If there are more eligible applicants than one to buy a particular allotment or more eligible applicants than there are allotments, the council proposes to hold a public ballot to determine the purchaser of an allotment.

The council intends that a certain portion of the development will be made available for medium density housing and for commercial purposes. Sales of allotments for these purposes will not fall within the scope of the Bill and such sales will have to be conducted by tender or by public auction at current market land prices.

The council has already arranged finance for the development of the land with full services such as water supply, sewerage, underground electricity, etc. It expects to be able to sell the land for single dwelling house purposes at prices considerably less than are presently being paid for land in Townsville which the council considers to be of inferior quality. Notwithstanding this, the council expects to make a reasonable profit on the venture. We feel that there is merit in the council's proposal to provide cheaper land for the erection of private dwelling houses, particularly by younger people desirous of erecting their first homes.

The proposal, however, does not conform with the provisions of the Local Government Act regarding the sale of land by a local authority. Under the Act, any sale of the type envisaged by the council would have to be effected by public auction or tender, with the acceptance of the most advantageous offer being required. A sale price could not be fixed in advance and purchasers determined by ballot as proposed.

In view of the proposal's merit, we have decided to introduce special legislation authorising the council to give effect to its proposal concerning the sale of the land at Douglas, which is described in a schedule to the Bill.

Mr. Casey: Why couldn't the Local Government Act itself be amended to allow all local authorities to participate in such a scheme?

Mr. McKECHNIE: It would be possible, but this is a pilot scheme that may, in time, be adapted in the manner suggested by the honourable member.

Sales of other land held by the council will have to be effected in accordance with the normal provisions of the Local Government Act. We view the Townsville proposal as a pilot scheme and, in the light of results, will consider extending the power to other local authorities if they so request.

I will now give honourable members a brief summary of the provisions of the Bill. It provides that the Townsville City Council may sell allotments of the scheduled land by private contract without complying with the provisions of the Local Government Act, which requiries a local authority to sell either by public tender or by public auction.

Every sale of land to be made by the council under the Bill shall be for the purpose of the purchaser erecting thereon a single unit dwelling house for his own occupation and enjoyment. The Committee will notice that I have stressed "single unit dwelling."

Before the council calls for applications to purchase any particular allotment, it will be required to submit its proposal concerning the sale of that allotment for the approval of the Governor in Council and, at that stage, the council will be required to specify the terms and conditions to which the sale will be subject.

The Governor in Council, in approving any proposed sale, may impose terms and conditions to which such sale shall be subject, and he may, on the application of the council, vary such terms and conditions and, if in his opinion the case requires it, may

also on application of the council, revoke his approval and grant a fresh approval in its stead.

Any agreement to sell entered into pursuant to the Bill will be subject to the terms and conditions, if any, imposed by the Governor in Council and will be for such consideration and on such terms and conditions, not inconsistent with those imposed by the Governor in Council, as the council determines by resolution.

An intending purchaser may be required to furnish to the council such security as the council thinks sufficient to ensure compliance with the terms and conditions of any agreement to sell.

The procedure for selling allotments in terms of the Bill will be initiated by the council publishing in a newspaper published in the city of Townsville a notice calling for applications to purchase a particular allotment or allotments. Applications will be required to be in writing in a form acceptable to the council and accompanied by such information as the council requires. If it appears that an applicant to purchase an allotment is not an eligible applicant, his application will be rejected.

Where, in relation to the proposed sale of a particular allotment, there are more eligible applicants than one to purchase that allotment, or there are more eligible applicants than there are allotments of land available, or any other circumstance exists which makes it necessary or desirable to determine which applicant shall become the purchaser of a particular allotment, the determination shall be made by lot amongst the eligible applicants by a public ballot conducted on behalf of the council in such manner as the council directs by resolution.

The Bill provides that it is an offence for any person to falsely represent himself to be an eligible applicant for the purchase of an allotment of land when he is, in fact, not an eligible applicant. The penalty for an offence against this provision is a fine of $1,000 or imprisonment for 12 months, or both. It is provided that it is a defence to a charge of this nature that the defendant did not know, and could not have ascertained by the exercise of reasonable diligence, that he was not an eligible applicant.

The Bill provides that, where the council is satisfied that a person with whom an agreement has been made to purchase an allotment is not an eligible applicant, the council may rescind the agreement, whereupon all money paid by the purchaser under the agreement is forfeited to the council. This power is exercisable whether or not the purchaser is prosecuted for an offence.

Prosecutions for an offence under the Bill are by way of summary proceeding under the Justices Act, and the Bill provides that a complaint for an offence may be laid at any time within one year after the commencement of the offence or within six months after the offence comes to the knowledge of the complainant, whichever period is the later to expire.

The Bill provides, finally, that its provisions do not prejudice any powers already available to the Townsville City Council under the Local Government Act in selling any of the subject lands. This means that the council, when selling part of the scheduled land for multiple-dwelling purposes or for commercial purposes, will be subject to the normal provisions of the Local Government Act, that is, sale by tender or public auction.

The proposals contained in the Bill were initiated by the Townsville City Council and are, I understand, supported by those honourable members who represent parts of that city.

I therefore commend the motion to the Committee.

Mr. BALDWIN (Redlands) (8.29 p.m.): For some time many honourable members have been aware that sooner or later a proposal of this nature would come forward in the form of legislation. Of course, some honourable members might also have the details of what is involved in Townsville. However, the principles that have been enunciated by the Minister are those of the Australian Labor Party. For many years it has proposed that local authorities should have the power to sell land directly to the people for housing purposes.

Mr. McKechnie: They did have that power, but this legislation is designed to give them power to sell at a lower figure than would be received by tender or auction.

Mr. BALDWIN: The Minister could not have realised that I intended to make the same point.

I listened attentively to the reasons given by the Minister for introducing a special Bill on this occasion, but I fail to see why the same purpose could not have been served by an amendment to the Local Government Act that could be used generally by local authorities who must have, or will have, land available to be sold at their own price, or margin of profit, regardless of the market price of land. I know that I am not on my own in believing that. I must therefore look for, or guess at, the reason why the Minister has tackled the problem in this way.

The Minister said that this was only a pilot scheme. I suppose we must infer that if it works all right—we do not know what that means—it is possible that a later amendment to the Local Government Act could give the same general power to local authorities that are in a position to act similarly. As I say, we can only guess at what the Minister might mean, but it is evident from what he said that he tried to cover all possibilities of wrongful applications and wrongful sale to protect generally the council's property in the land.

The penalties that can be imposed as a result of incorrect information from ineligible people are very high when compared with penalities for similar offences in other fields. Anyone being aware of the possible penalties and fearing that he might have made a mistake, could be deterred from applying without having recourse to legal advice. If this means that an extra cost could be imposed on applicants—we do not know what the regulations will be, and too many things could crop up—people may not gain very much by buying land from the council in this way.

The Minister said that at any time the council can apply to alter the terms. If I understood him correctly, he also told us that the Governor in Council, of his own volition, may alter by Order in Council the terms of application, purchase and contract in general. This seems to be a very insecure, or highly fluid, approach. In the light of the two matters I have referred to, if I were an applicant I should think very carefully about where I might finish up.

I am not crying stinking fish. As I said at the outset, this proposal is in accord with Labor's policy. What I am challenging is the over-cautiousness of the whole approach to it. It caused me to study the two sections of the Local Government Act that already cover this matter. Section 30 sets out the functions of local government, one of which is the provision and promotion of housing. Section 19 places a restriction on how far a council can go in its approaches to providing houses on land, etc. This is evidently the crux of the matter. So far as I can see, section 19 of the Act needs amending. I would have preferred to go about it in that way rather than introduce special legislation.

It is to be hoped that the profit will be very high, and I have a feeling that it will be the margin of profit that will be the major force in the decision of the Minister, or the Government, on whether the venture is worth while and whether it should be introduced generally—or perhaps even in part—in other shires, towns, or cities.

If I were in Government and had got local government into its present parlous financial position, I would welcome a scheme such as this. The area involved is 1,000 acres and, on the prices mentioned by the Minister that the council is prepared to ask of applicants and knowing the percentages assessed by developers and architects, and legal expenses, on a very cursory estimate I would hazard a guess that the Townsville City Council stands to make perhaps $2,000,000 to $3,000,000 on the deal. I hope it makes $4,000,000 or $5,000,000, and that whatver profit it makes will be put to good use by the council as a whole.

Looking at the whole financial structure of local government, it is quite possible, if this were put into operation in general and local authorities made larger profits, that not much of those profits would find their way back to the ratepayers as material gain, such as the establishment of amenities. Instead, from my knowledge of local government financing and the history of this Government in the whole structure, I would think that such moneys would be used to reduce the debt of a local authority. This has to be done sooner or later. This is a financial duty that must be faced not only by local government but by all three sections of government. Incidentally, Mr. Hewitt, you might notice that I avoided the hierarchical-status approach of honourable members opposite and their terminology, "tiers of government". To me, they are partners in government and are co-planers in their general principles of action.

We should be embracing other offers of financing local government, such as the offer by the Australian Labor Government. If land is sold and a profit is made by the local authority—in this case, the Townsville City Council—such profit will accrue to the council and be used to provide extra material benefits for the people who, in common, own all the land in the sense that society owns the land in a local authority area. I, as one member, support the principle contained in the Bill.

Mr. TUCKER (Townsville West) (8.41 p.m.): When the Minister was introducing the Bill this evening, he said that the members from Townsville were in agreement with it. I suppose that reference included me.

Mr. McKechnie: I would assume so.

Mr. TUCKER: I also noticed in the Press that it was stated by the Mayor of Townsville that we were also in agreement with the proposal. I am in fact in agreement with it, but I have never been approached by the Townsville City Council or the Mayor in a straightforward way to either look at the scheme or be briefed on it. I think it is a pity that the Mayor did not do that before issuing any statement. Nevertheless, I am in agreement with what the Bill proposes.

This land was bought cheaply many years ago, and it is quite rightly the heritage of the ratepayers of Townsville. As the Minister has said, the scheme is situated in the new suburb of Douglas, near the university. Of course, there are other associated buildings there. Initially, about 200 home sites will be involved in a type of progressive development. There will be a residential area extending along the Ross River between the Angus Smith Drive from Nathan Street to the city boundary. I think it is right to mention at this stage that there will be a strip of park land 3 chains wide, which will separate the home sites from the river bank. I think the development has been very well designed.

Ultimately, there will be 1,800 blocks in the low-density development, and they will support a population of approximately 6,000. The residential part will be some 403 acres in extent.

In the medium-density area there will be a population of about 1,000, and on 12 acres of land it is hoped to have 480 units. All in all, when the whole scheme ultimately comes to fruition, it should support a population of approximately 7,000, and it will involve 630 acres of land, or possibly a little more.

It is interesting to note that 700 blocks of residential land were sold in Townsville in 1972. Based on sales in the first six months of 1973, it would appear that the number of blocks of residential land to be sold this year in the city of Townsville will be about 1,000. The number of dwellings completed in 1972 was 390, and, again basing the figure on the number of completions in the first six months of this year, there should be 600 new homes completed in Townsville in 1973.

I agree, as the Minister said, that the Townsville City Council was told by its legal advisers that it had no authority under the Local Government Act to sell allotments by the ballot system. It could, of course, have sold them in the manner prescribed by the Local Government Act. Any other method of disposal would have been ultra vires the Act and the powers and authorities of the council. That was good advice, and the Minister had to act on it; hence this enabling legislation that we are now debating—a special Bill empowering the Townsville City Council to carry out this scheme. I suppose that is what one might call it.

I agree with the shadow Minister for Local Government (Mr. Baldwin) that it could have been done by an appropriate amendment to section 19 of the Local Government Act. I do not think there was any need to introduce a special Act empowering the Townsville City Council to carry out the scheme. I have looked back through the Act and found that in about 1971 a new subsection—I think it was subsection 4—was added to section 19, so I suggest that it would have been possible to again add something to that section.

I concede that, as the Minister has said, this is a pilot scheme, and he said that he wanted an enabling Act. That can be viewed in two ways. It might be claimed that it is a pilot scheme and that similar power will be given to other local authorities if it is successful. On the other hand, it might be said that if power is granted only to the Townsville City Council, no other local authority in Queensland will be able to carry out such a scheme unless the Local Government Act is altered. It makes one a little bit suspicious when the Minister does not seek to amend the Local Government Act, because if it is good for one city to be able to do this, it is also good for the other cities in Queensland. I cannot see any reason why the scheme should fail. Was the Minister afraid to allow all local authorities to act as the Townsville City Council is acting? Is he against that procedure? The Minister says, "No", but it is something that we ask ourselves when in fact it could have been done in that way.

The Australian Labor Party has consistently urged the introduction of schemes that will facilitate the availability of low-cost residential land to young people. From the Federal sphere down, the A.L.P. has been advocating that over quite a long period. In this Chamber, both the Minister for Lands and Forestry and the Minister for Local Government and Electricity have been pressed for some time to divulge State Government schemes for low-cost land. In many questions and many speeches I have asked what the Government is prepared to do to provide low-cost land for people who wish to build homes.

Mr. Hughes: The Housing Commission does a pretty fair job now in that regard.

Mr. TUCKER: I mentioned recently—I shall do so again—that some authorities in Brisbane are now saying that the cost of a house and land is about 50/50—that if they both cost, say, $32,000, the land alone costs about $15,000. It is no good the honourable member shaking his head, because even in ordinary areas in the provincial cities a block of land now costs about $12,000. I am prepared to argue with anyone who says that it is fair and reasonable for young people to have to put a millstone of that size around their neck. That is why the Opposition has been asking what the State Government is prepared to do to provide low-cost land. Naturally, the Australian Labor Party, and I personally, will support a scheme that achieves such a purpose.

Before beginning to pat himself on the back, the Minister should realise that neither he nor the Government can claim any credit for initiating the provision of low-cost land for young married couples or couples desirous of building their first home. In fact, I should say that the scheme now being debated came as a result of an initiative taken by the Australian Labor Party in the local authority election campaign in Townsville earlier this year. If the Minister reads the policy outlined by the A.L.P. in Townsville during that campaign, he will see that the scheme proposed by the incumbent council is merely a modification of the scheme then put forward.

If it is not a modification of that scheme, I wonder whether it was motivated by the threat of the Australian Labor Party Federal Government to acquire and develop land. If it is not a modification of the scheme put forward at that time, I wonder whether those in authority were prodded into action

by the thought that the Federal Government might be prepared to acquire and develop certain land in their area.

Members of the Australian Labor Party examined a model of the Perth scheme. They concluded that it had considerable merit. I respectfully suggest to the Minister that he should closely scrutinise the Perth scheme before he goes very much further. It is a very good one. I understand that the Townsville City Council scheme is modelled fairly closely on it.

The Bill will provide for the subdivision ultimately of nearly 1,000 acres of land acquired by a previous council many years ago for £16,000. That was a very good buy for our city. Whoever was responsible for buying that farm at that price showed great foresight. Instead of developing the land at cost, plus a reasonable working margin, the Townsville City Council envisages that it will ultimately make something like $5,000,000 out of the deal. I am talking about the full development of something like 1,000 acres of land.

A Government Member interjected.

Mr. TUCKER: That is what the Mayor, Alderman Max Hooper, stated in the old Theatre Royal in Townsville in February this year when he announced the scheme as part of his party's policy. I am only repeating what he said at that time. He suggested that, when it was fully developed, it would return a profit of something like $5,000,000 to the council.

Already the Townsville City Council has provided for receipts and disbursements of $400,000 in its 1973-74 Budget. It is known as the A.C.D. It has a defeated Country Party candidate and some other equally conservative members in its ranks. In anticipation of this scheme, and in order to facilitate it, the council has already increased the rates in Townsville by 20.7 per cent. Apparently the council was able to get an assurance from the Minister that this legislation would be passed. Accordingly it increased the rates, because it had to find money for it. The rate increase is a heavy burden on the ratepayers of Townsville.

Several questions have to be answered. As the land is to be sold at 70 per cent of market value, how can it be said to be cheap land, particularly as the market value has already been over-inflated by demand factors? If necessary, I can bring evidence to show that land prices have increased in Townsville in the last 12 months by as much as 75 per cent. If the council sells the land at 70 per cent of the market value—probably it will not be sold for some time yet because a period of time will be taken up in development—it could not be classed as cheap land. Does 70 per cent of the market value mean 70 per cent of the valuation placed on each allotment by the Valuer-General? I did not hear the Minister mention how the land was going to be valued or the authority that was going to decide what value should be placed on each of the allotments.

Mr. McKechnie: It will be the Townsville City Council itself.

Mr. TUCKER: I thank the Minister. Then I suppose it is reasonable to say that the council is going to take the present market value of surrounding land. Even at two-thirds or 70 per cent of that figure, it could not be classified as cheap land. If land is selling in that area for about $10,000, this land will still cost $7,000. Admittedly that will be some help.

I ask again: Is the $5,000,000 profit on the transaction to be credited to a special fund to be used for similar developments in years to come or is it to be credited to the revenue fund? I do not know whether the Minister has clearly stated what is to be done with the funds. I think it is necessary that we know this. Or is it to be used for rate relief, because as I have already pointed out, rates rose by 20 per cent this year? Is it to be used for rate rebates for pensioners? Townsville imposes one of the highest rates in Queensland on pensioners. Has any consideration been given to leaseholding the land in order to provide what we call really cheap land?

If we are really wanting to provide cheap land and put it in the hands of young people so that they will not be burdened with a cash purchase, leaseholding is the way to do it. A minimum reserve could be set, with rental of 5 per cent of that price, and the purchaser could be decided by ballot. This would provide really cheap land for young home builders.

Mr. Hughes: Do you think the ratepayers of Townsville will agree to their council doing this at their expense?

Mr. TUCKER: I do not know. We will have to wait to see how it works out. And I suppose we have to be prepared to take some degree of risk. Nevertheless, I am pointing out that the scheme involves certain risks and certain heavy imposts on the people of Townsville. This is not a matter of black or white. The people have to finance this scheme, and, because of it, rates have been increased. I am asking, therefore, where the money will go when the flowback comes. I think we should know.

Getting back to the question of leasehold, I point out that young persons needing a home would not have to put out a great deal of money. They would not have to pay $10,000 for the land. This is one way in which we could provide cheap land and, instead of buying a piece of land at inflated value, they could use whatever cash they had in building a home.

Another question arises. Will the tenancy conditions allow bona fide home-seekers priority over persons merely seeking cheap

land on which to build before reselling and moving from Townsville? Is it to be an auction among those in need of a home? The answer would appear to be "Yes", as the Minister has detailed some of these matters. I believe that only genuine home-seekers who do not own their own homes should be allowed to participate. I think the Minister might have mentioned that. It is one of the things I want to see in the Bill. A purchaser must erect a home within three years or sell the land back to the council for the original price. I was told that those were some of the things that would be in the Bill. I hope they are.

What provision is made for the resale of the land and house in three years' time, so that excessive profits will not be made from the resale of houses? The Minister mentioned three years, but three years goes fairly quickly. Is there some provision to ensure that a person does not build, wait for three years and then sell the home at an inflated price? Are there some safeguards in that regard?

I am happy to know that the land will be developed as a complete neighbourhood. There will be shopping facilities and a tavern, which will occupy something like 15 acres. There will be a branch library, and some 170 acres will be set aside for recreational purposes. That is a very generous area of parkland. As well, there will be a primary school situated on 20 acres. Of utmost importance is the fact that all allotments will be fully serviced and will have underground electricity.

Finally, I support anything that can be done to help ease the burden imposed on would-be home-owners. However, if this effort is not to be a continuing one, it could turn out to be nothing more than an exercise in futility. Land developers only need to wait until all the land is taken up—I have mentioned that approximately 1,800 allotments are involved—and, at the present annual rate of consumption in Townsville of something like 1,000 allotments, this whole project could disappear within the short period of two years. At the end of that time the land developers could sweep in, with the result that we would be in the position that faced us previously.

I have no doubt that all this land will be snapped up, because, as the Minister has said, it will be offered at prices lower than those charged for surrounding blocks. It appears, therefore, that when all this land is sold, we will again be faced with high land costs. I stress that point; nevertheless, because I think this scheme will help some people, I support it.

Mr. LICKISS (Mt. Coot-tha) (9.2 p.m.): I rise to support this measure. I was very interested to hear the comments of the honourable member for Redlands and the Deputy Leader of the Opposition, who represents the electorate of Townsville West. I suppose it could be said that, these days, the price of land receives the headlines in the Press. It is a topical subject in Queensland as well as in the southern States. This could be attributed to the rising costs of land and also to the inability of some people to establish themselves in their first home. Of course, there are those who are setting themselves up in their third, fourth or even fifth home, but I have little sympathy for this section.

In this matter of the availability and price of land, we should isolate the problem that confronts the community. This, I believe, is contained in the supply-demand ratio of residential land. One of the things Governments have to do if they are in any way to alleviate this problem is to ensure that the supply of land slightly exceeds demand so that the speculators will be taken out of the market. If people have the right of choice and can bypass a highly-priced block for one that is priced at a more reasonable level, there will be nothing to speculate on. Of course, there will always be a variation in the price of land, lot by lot. It has ever been thus, and always will be thus.

As I say, we should look first at the supply-demand ratio with a view to increasing the supply of land. Secondly, we should isolate the problem of the inability of a person to assemble his first home. Once a person has assembled his first home he has his foot on the bottom rung of the ladder into the market place. But until he has his first home he is confronted with enormous difficulties. This is the area in which Governments can help most.

I was introduced to this present proposal by the honourable member for Townsville, Dr. Scott-Young. He explained to me what the council wanted to do and strongly supported its actions. In approaching the State Government, the honourable member for Townsville acted in both a fitting and a responsible manner, because, after all, sovereignty in urban affairs lies with the State Government, not with the Federal Government.

The honourable member for Townsville West went to great pains to outline what the Federal Government intends to do. But I am sure he is embarrassed by what the former Federal Leader of the Opposition—the present Prime Minister—said he would do in his first term in Government. In his policy speech delivered in November 1972, Mr. Whitlam said—

> "In our first term of office a Federal Labor Government will concentrate its own initiatives and endeavours on two areas—Albury-Wodonga and Townsville."

I should like to know at this juncture where these initiatives and endeavours are to be found in relation to Townsville—there simply have not been any.

In the same policy speech, Mr. Whitlam emphasised the need for close co-operation and consultation with local government. That

statement is more than passing strange when we realise the intention of the strong advocacy by the Federal Government through its Cities Commission. It is difficult to reconcile that statement with the intention of the Cities Commission—a Federal Department—to establish development corporations which are to wrest control of planning and development from local authorities. So much for the Federal Government's willingness to get together and work with local authorities. What a joke!

The Federal Government is already bypassing local government in its open advocacy of establishing development corporations to wrest control from local authorities, and to take from them the role they should rightfully play and put such functions in an area where these corporations would not be responsible to grass-root local governments, such as that in Townsville, where there is obvious co-operation between the city council and the State Government. That is the way these two arms of government in the State, local government and State Government, should work and do work—in partnership. But, if the Federal Labor Government has its way, control is to be given to corporations so that neither the State nor the local authority has a say. The absolute say would lie in the corporations established by the central Government in Canberra, and hence in that Government. That is the pattern proposed by the central Government.

I have here an extract from the "Telegraph" of Tuesday, 4 December 1973, which refers to the recommendations of the Commission of Inquiry into Land Tenure. It reads—

> "The report says it is essential that the Corporations take over the power to grant development consents from the local councils so the future development is free from political pressures or any imputation that vested interests are in a position to receive favoured treatment."

What did Mr. Uren say when that report was introduced into the Federal House? He said, "I will accept the report." So much for the Commonwealth's attitude towards local government. It speaks with tongue in cheek. When the honourable member for Townsville West said that the Commonwealth will do this and that, my reply is that the Commonwealth is hell bent to centralise all sovereign power in Canberra, to do away with local authority, to regionalise and, where possible, form corporations that are answerable only to the central Government. In this Federal Government scheme the States do not count, and local government will count even less. This is the sorry situation that honourable members opposite have to live with. However, it is the fact. Honourable members opposite should be congratulating the Minister on introducing this legislation. This is the type of legislation that hammers home the validity of the Federal system, which we on this side respect.

Local authorities are the creation of State Governments. Let us get away from all the hullabaloo and baloney that Opposition members go on with. Under the Constitution, sovereignty in this country vests equally and separately in the Federal Government on the one hand and the State Governments on the other. To further the administration of the States, the State Governments created local authorities. Sovereignty is vested in the State Government in relation to them.

To come to the point of this legislation, it is clear that the State Government has the responsibility to develop the State, and the State Government has sovereignty in urban affairs in this State. All that we require from the Federal Government under the Constitution, which makes it the collector of the public purse, is an equitable disbursement of money so that the State can get on with the job of State development—its rightful sovereign role. This legislation typifies the fact that the State Government and local government are getting together in the development of Queensland in spite of, and not because of, the Federal Government.

If we want to go further, so much for Federal election promises! Mr. Whitlam said that to assist in growth areas he would deal, within his prerogative, with matters such as telephones and communications, and that he would reduce costs. What happened to Townsville in the Federal Budget? The honourable member for Townsville West, who supports the Federal Government, should be screaming because he has been left out in the cold. No relief was given to Townsville in relation to communications, and that was an election promise. In fact, costs increased. So much for the rubbish we hear from the other side of the Chamber.

I want to make this point strongly. Land within Queensland, and particularly land held by local authorities, is held under the realm of the State of Queensland, not of the Commonwealth. In this regard, up to the present, the State has had a responsibility to ensure, in keeping with its responsibility when local authorities wish to dispose of land, that they do so either by auction or tender. But, because a certain restriction is placed on some of this land when developed, these will be special sales of land. This is not a sale in the open market-place any longer.

It is reasonable to assume that this land for residential purposes would attract a much higher price if it were put to auction. The Government, in partnership with the Townsville City Council, is endeavouring to rationalise the sale of land in Townsville to increase the supply of land quite dramatically so that, in the supply-demand ratio situation, speculators will automatically be cut out and this residential land will be allocated in accordance with predetermined conditions.

Anybody who knows anything about the subdivision of land will be aware that an area of 1,000 acres of land would not be cut up into solely residential allotments. It would encompass a very large suburb, and possibly more than one suburb. It would provide not only single residential allotments, but also residential "B", residential "C", commercial, industrial, and light industry land. It would include the alienation of land for educational and other social purposes. This total subdivision will form an integral part of the city of Townsville.

The honourable member for Townsville West gives faint praise to the proposal, and then points out what his masters in Canberra would do. Canberra has done nothing, and intends to do nothing. All its attempts in urban affairs have been 99 per cent political activity and, by mistake, 1 per cent substance in achievement. At this moment, the Federal Government has made no contribution of funds to assist in the development of urban affairs in Queensland.

Opposition Members interjected.

Mr. LICKISS: It is all very well for Opposition members to interject, but they cannot give tangible facts. These are that, so far, Queensland has received not one red cent from their Federal colleagues. So much for their election promises. The Federal Labor Government is one-third of the way through its term of office and it has done nothing but talk. If activity counts for anything, the Federal Government has demonstrated a tremendous amount of activity—I will admit that—but jumping up and down on the one spot does not achieve anything, particularly if the spot happens to be Canberra. What really counts is achievement, which to date has been nil. I compliment the Minister on the introduction of the legislation. This is a pilot scheme, and it will succeed. As a result, we will obtain a fairly clear picture on how to assist other local authorities.

An Opposition Member: Who owns the land?

Mr. LICKISS: It is already owned by the Townsville City Council. It is a disposal of land presently held by that council.

As I say, I compliment the Minister on the introduction of the Bill. I think this matter has been handled in a very wise manner. I feel sure that when news of this legislation gets back to Townsville, it will be well received by the community. This scheme will enhance that fine city of the North.

Mr. HARVEY (Stafford) (9.16 p.m.): I support the comments of the Deputy Leader of the Opposition and the shadow Minister for Local Government (Mr. Baldwin). In envisaging a scheme such as the one under discussion, Townsville comes to mind as the most appropriate place for it, because of its population growth, its location, and the developments in the adjourning centres of Ingham, Ayr, Home Hill, and Charters Towers. The whole area is therefore seen as ideal for this type of experiment. Between 1966 and 1971 the work-force in the Townsville area increased by 20.5 per cent, and, in the adjoining areas, by 18.5 per cent.

Mention has been made of the 1,000 acres that was acquired some years ago and is now ready for development. It was asked what benefit the Townsville City Council would receive, and whether the expenditure of money in this development had been approved. I am quite sure that not a great deal would be contributed to the coffers of the local authority by way of rates from this area of 1,000 acres as it stands now. However, once it is developed to provide 1,800 allotments, it will add a great deal in annual recurring contributions to the general rate revenue of the local authority. Therefore, the local authority has much to gain.

It was also said that the best way to bring about a reduction in the price of land is to ensure that there is an adequate supply of land available. In areas adjacent to Brisbane, such as Mt. Crosby and Maleny, people are buying land and allowing it to lie idle for years. Farmers are leaving the land, and townships are dying. I was in the Maleny area only a few weeks ago, and there I found that even the fine butter factory may have to close because there are not sufficient dairy farms to support it. However, we are not speaking about that area; we are dealing with the Townsville region.

What the Bill proposes will not establish a precedent until the outcome of this exercise is known. That is indeed a very sensible line of approach. It will be necessary to exclude speculators who would buy up the land and subsequently re-sell it at an inflated price. A term of years is therefore provided. I should like to know if those who go to this area will be permitted to buy the land on time payment. I know that in Brisbane, if people do not have cash to pay for land they can pay for it in 12 equal quarterly instalments, plus interest at the current rate applicable to the loan raising of the local authority. I do not think anything could be more generous than that.

Reference was also made to the actions of the Commonwealth Government in the Townsville area. It is supporting the James Cook University; it is paying a subsidy on the construction of the Ross River Dam; and it also intends to establish an international airport at Townsville. The statement by the previous speaker that the Commonwealth Government is not contributing one cent to the development of the Townsville area is shown to be incorrect by the points that I have just made. The Federal Government is in fact assisting the Townsville region. I understand that in the study of the three regional areas in this State, the Townsville regional area has been given first priority and the West Moreton regional area

second priority. Therefore, I do not agree with the comments of the honourable member who preceded me in the debate.

I understand from the report of the Co-ordinator-General that Townsville is in the process of being declared a development area under the State and Regional Planning and Development, Public Works Organization and Environmental Control Act of 1971, which could lead ultimately to a regional co-ordination of all the councils in the area. Therefore, if comment is made about the Australian Government standing over the Townsville City Council, I point out that the Co-ordinator-General's Department is carrying out a similar exercise in order to co-ordinate all the councils in the Townsville area, particularly because of the supply of drinking water, which I understand is causing some concern. The discharge of effluent has been restricted because of a shortage of drinking water.

The Queensland Government is already providing, through the Department of Commercial and Industrial Development, cheap land and cheap building sites for industrial development in various parts of the State. I do not condemn it for that; rather do I commend it. But if cheap land is being made available for decentralisation and development of industry, it should also be made available to those who are really suffering in our society at present—those who wish to own their own homes. Undoubtedly there is an inflationary spiral, and the ones who feel it most are the youngsters who are preparing to build a home for themselves.

I commend the Government's support of this project, which will give the Townsville City Council an opportunity to set a pattern which, if successful, will be used by local authorities in many other parts of the State. I have seen areas in which land has been cut up into 16-perch allotments and a local authority has had to acquire them, and then redesign and redevelop them. In the electorate of the honourable member for Mt. Coot-tha, land in Dido, Fida and Gimba Streets, Mitchelton Heights, was cut up into 16-perch allotments. That subdivision proved to be completely unworkable and the land was acquired for redesign and redevelopment, and the community benefited as a result.

I commend the Minister on the approach he has made to this proposal.

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (9.24 p.m.), in reply: I appreciate the contributions that have been made by the honourable members for Redlands, Townsville West, Mt. Coot-tha and Stafford. They have all approved the basic principle of the action to be taken under the Bill to give reasonably priced home sites to young people, in particular, and also to anybody who does not own land in the Townsville area.

The honourable member for Redlands indicated that he thought the penalties provided are too high. I do not believe they are. After the honourable gentleman thinks the matter over, I am sure he will agree with me that all possible precautions should be taken to prevent speculators getting hold of this land, and that is precisely why the penalties have been designed in this way. In my opinion, we must do the best we can to assist the mayor of Townsville, Alderman Max Hooper, and the aldermen of the city to implement the scheme they have evolved in conjunction with the State Government, as the honourable member for Mt. Coot-tha said. I am sure that the Bill will achieve its purpose.

Mr. Casey: The council will also receive a tremendous amount in rates from what is now unrateable land.

Mr. McKECHNIE: It will, eventually.

At this stage I should like to raise the point that the honourable member for Townsville West mentioned. He referred to a profit of $5,000,000. I am not aware of this.

Mr. Tucker: I have the report.

Mr. McKECHNIE: I have not seen it. I cannot see that there would be a profit of that magnitude. Although the council will be selling the land, there will be no great profit in it. It might be said that about $4,000 or $5,000 is a lot of money to pay for a block of land which, on the commercial market, would be worth $8,000 or $9,000. But the council has pointed out that its various costs make up most of the amount it is seeking from prospective landowners. It is very intensive development.

Mr. Tucker interjected.

Mr. McKECHNIE: According to Alderman Max Hooper, the development costs will be about $2,500 by the time kerbing, bitumen surfacing, water reticulation, sewerage, underground electricity and all the other amenities are provided. It will be a very good set-up.

The honourable member for Townsville West asked a lot of questions about market values. I will give him a more detailed reply at the second-reading stage. I could only give him estimates at the moment, and I want to do better than that.

I should like to deal briefly with the matter of Commonwealth finance. This is not really relevant to this Bill. It is a State-Townsville matter that has been successfully concluded. I shall not deal with the Commonwealth plan to provide money other than to say that the State was quite happy to go along with the scheme provided the Commonwealth bought the land at today's values and paid for it today. We were very happy to go along with that, and I am sure the Treasurer would support me in that statement. We would not freeze the land. That was our argument. That is what the

Commonwealth wanted us to do initially. It has now come around more to our way of thinking.

I had the privilege of representing the Treasurer in Canberra about a fortnight ago in the discussions about the sum of $3,100,000 that was to be made available to four local authorities in Queensland for sewerage works. In reply to a question without notice, I indicated that this was very dear money, and I know that the Treasurer has made similar statements. I am not enamoured of the Commonwealth's way of helping local authorities to reduce their rate burden. I said on that occasion that, under the Commonwealth's terms, it would cost $117 per tenement to provide sewerage. Under the State arrangements, with all the benefits that the State offers, it could be done for $58.

I always understood that grants represented free money, but the Commonwealth Government regards them as interest-bearing, repayable loans. Therefore, when local authorities have to borrow at the bond rate, which is 8.5 per cent at present, and repay the whole amount over 30 or 40 years, it is not cheap money.

Mr. Harvey: If the sewerage work was done as a local authority project, would the Government be giving the local authority subsidy?

Mr. McKECHNIE: The agreement in relation to sewerage is that any new scheme that is approved by the Local Government Department, and by the Treasury, will receive subsidy. In the final analysis, it is a matter for the Treasurer to decide.

I thank honourable members for their various contributions. I will not comment to any great extent on the contribution of the honourable member for Mt. Coot-tha. He covered the position very well. His remarks were particularly relevant to Commonwealth finances, and what local authorities can expect. I am not very happy about the so-called grants that local authorities were promised by the Commonwealth Government. I can only see dear money, which has to be repaid in toto, being made available to assist them at the present time.

Once again, I commend the Bill to the Committee.

Motion (Mr. McKechnie) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. McKechine, read a first time.

VETERINARY SURGEONS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. W. D. Hewitt, Chatsworth, in the chair)

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (9.32 p.m.): I move—

"That a Bill be introduced to amend the Veterinary Surgeons Acts 1936 to 1964 in certain particulars."

The passage of the original Veterinary Surgeons Bill through this Parliament in 1936 was in recognition of the need to afford protection to both the qualified practitioners and the public. In the absence of a registration system for practising veterinary surgeons, the stockowner was, and indeed would still be, at a serious disadvantage.

Of course, the system must be such as to ensure the possession of satisfactory qualifications by persons before they are authorised to practice veterinary surgery. And then, too, we must not forget the animals' interest in the matter. From the humane point of view, it is very important that only persons with appropriate training and facilities be entrusted with the treatment of sick and injured animals. In addition to having prescribed qualifications, registered veterinary surgeons are required to observe standards of conduct and behaviour befitting professional people. This requirement affords further protection to the public.

However, in recent years the present Act has been revealed as deficient in regulation-making power relating to professional conduct, and this is one of the matters the Bill seeks to correct.

The other side of the coin is represented in the Bill by measures designed to eliminate the illegal practice of veterinary surgery by unqualified persons. For quite some years past the board has found it virtually impossible to prosecute successfully persons who, while not registered as veterinary surgeons, engage in the practice of veterinary surgery. As a consequence, the board has drawn a lot of criticism from within the veterinary profession.

The Bill seeks to make less onerous the board's required task of confining practice to registered veterinary surgeons. All the States, the Northern Territory and the A.C.T. have registration requirements for veterinary surgeons, and in no two are they the same. This has reacted seriously on veterinary surgeons with overseas qualifications who wish to practise in Australia. While they have been able to register in some States, with or without prior examination and a residential qualification, there has been little or no reciprocity by the several veterinary surgeons' boards. As a consequence, a Commonwealth Department of Immigration group known as the Committee on Overseas

Professional Qualifications has been discussing with these boards proposals for uniform requirements for registration throughout Australia.

At the present time there is no provision in the Queensland Act for the registration of overseas veterinary surgeons by examination. Unless a person is the holder of a prescribed degree he cannot obtain registration here. The Bill seeks to correct this situation by authorising the Queensland board to conduct examinations. Graduates of a substantial number of overseas veterinary schools and colleges who would not otherwise be able to register here will have the opportunity to do so after passing the prescribed examination.

This is not to say the door will be flung wide open to overseas people. Standards will be carefully preserved, and only graduates of approved schools will be given the opportunity of sitting for the examination. In the case of some schools, the board, at its discretion, will be able to dispense with the examination. In the case of other schools, the examination will be mandatory.

A related provision is that in appropriate cases there will be a prescribed residential period, and during that period it will be allowable that the overseas graduate be employed in an existing practice. He will be able to work in the practice under the supervision of a registered veterinary surgeon. He will not be able to charge fees on his own account, but can accept a salary. In this way he will be afforded the means of acquiring experience under our conditions and supporting himself in the process, and his prospects of passing the registration examination will thereby be greatly improved.

The Bill will provide the Veterinary Surgeons Board of Queensland with substantially increased control over the operation and management of veterinary hospitals, clinics and centres. In the first place, the use of these terms in relation to premises will be subject to approval by the board. In a number of ways the board will have a greater influence than heretofore on the manner in which a veterinary surgeon conducts his practice.

This being so, it has been considered proper to increase the number of elected members of the board and reduce the number of Government nominees. The Bill provides that three members will be elected and two nominated. This is in contrast with the present board structure of two elected and three nominated members. I think this should be acceptable to all honourable members.

Looking a little into the future, the Bill provides for the making of regulations relating to qualifications for animal nurses and animal attendants, and their functions and duties.

In a number of ways the Bill updates the existing Act, which, except for amendments relating to the identity of the president and frequency of meetings of the Board, has not been altered since first it was commenced in March 1937. That should indicate to honourable members that it is time the Act was amended. In the intervening years the size and scope of the veterinary profession have increased markedly. The evident changes have been in keeping with a greatly increased and more wide-ranging public demand for veterinary services.

I believe the Bill will do much to ensure that, on the one hand, the veterinary profession in Queensland will be soundly based and able to progress, and, on the other hand, that the public have available to them a veterinary service conforming to high professional standards.

I commend the motion to the Committee.

Mr. BLAKE (Isis) (9.42 p.m.): Veterinary science is a very old, very honoured and very skilled profession. The "Encyclopaedia Britannica" tells us that the Greek veterinarians of the Roman armies during the Byzantine period demonstrated a high level of proficiency, superior in some respects to that of medical practitioners. It is fair to say that, during that period at least, in many cases it could be truthfully said that certain medical practitioners would not make decent horse doctors. The legal code of the Babylonian kings of 1800 B.C. prescribed fees for doctors of asses and oxen. No doubt the legal codes covering veterinary surgeons have been amended many times since then to keep abreast with changing demands and developments, and the Opposition accepts the need for further amendments today.

In more serious vein, I doubt that many people fully appreciate the advanced skills of present-day veterinarians, or the enormous contribution made by them to our present rural economy. I have been unable to obtain any precise Australian figures, but, by way of illustration, it is conservatively estimated that in the United States of America yearly losses from animal diseases represent 10 per cent of the total value of that nation's livestock. This illustrates the great importance of efficient veterinary services, whether they be private-practice or Government services. In Australia there is no single veterinary service. Separate services are maintained by the Commonwealth Government and the State Governments. All are important custodians of animal health.

The amendments now before the Committee apply, of course, to Queensland's registration requirements and other conditions of the profession. Dr. H. R. Seddon, the first Dean of the Faculty of Veterinary Science at the Queensland University, which was set up in 1936 by a Labor Government under Premier Forgan Smith—incidentally,

it closed in 1942 because of war-time conditions—referred to the aims of the faculty in these terms—

> "Briefly, the aims are to prevent or cure disease and suffering in all domestic animals, and to raise the productivity of our animal industries by sound breeding, feeding, and management."

This, then, is the meat of the matter. As most animals in this country are privately owned, the question of the standard of service to the owners of stock is also of paramount importance. In his introduction, the Minister said we must not forget the animal's interest in the matter. Likewise, we must not forget the owner's interest. This is of equal importance.

In looking at this Bill, we must be sure that its provisions not only update the wishes of the profession but are also in the best interests of the public whom the profession serves. Some of the provisions are obviously of an updating, machinery nature. Some are obviously designed to define the grey areas of professional care. Some appear to close the industry for its protection. There is no evil in this, provided the closure or the definition is to maintain or improve veterinary standards and does not develop a select or exclusive profession which does not or cannot cater for the increasing needs and higher standards required by the present-day community.

The Minister said it is virtually impossible to successfully prosecute persons who, while not registered as veterinary surgeons, engage in the practice of veterinary surgery. This is accepted. We do not want what might be termed "quacks" masquerading as qualified veterinarians. This is one of the grey areas I referred to. Many men in the field of stock care have a lifetime of experience but no academic qualifications, yet they are very capable of looking after stock. Many people resent the fact that these people are not permitted to handle drugs, give injections, and this type of thing. This will always be a grey area. If qualified men are to look after highly valuable stock, there will be borderline cases in which we will not be able to satisfy everybody on every occasion.

The proposition that we must have qualified men is sound, as long as sufficient veterinary surgeons are available to cater for all our needs. It is therefore desirable that an avenue be created, as the Minister has foreshadowed, by authorising the Queensland board to conduct examinations for the admission to registration of graduates from overseas veterinary colleges, as long as they have the necessary qualifications.

At this stage I am not quite clear on the Minister's statement that graduates from some colleges will be exempted from examination by the board, at its discretion, while others will not be. I assume, however, that if applicants have certified credentials from colleges of world-wide reputation, those credentials will be accepted at the discretion of the board without further examination, whereas if applicants have credentials from colleges of doubtful credence, the board will conduct an examination to see if they meet Queensland standards. Is that what is intended?

In his introduction, the Minister said that in the intervening years since the inception of the board in 1937, the size and scope of veterinary services, and the demand for them, have increased markedly. I think we can accept that statement. This seems to have been advanced, however, as a reason for increasing the number of elected representatives on the board. I must confess that the Opposition views this proposal with a certain amount of doubt and, I admit, suspicion.

The original board was established by a Labor administration, and it consisted of two elected members, two Government members, and a chairman who was—and I think still is—the Dean of the Faculty of Veterinary Science at the University of Queensland. The merits claimed for the new constitution of the board could be accepted if its mandate is correctly used. However, if the increased elected representation is used to close the field and make the profession an exclusive preserve, the result could be high fees and a completely inadequate service to a more sophisticated and expanding livestock industry.

At this stage the Opposition will not oppose the alteration to the composition of the board. We realise that, if it is used correctly, it could improve the functioning of the board and the standard of veterinary services in this State. However, I am sure all members realise that a great responsibility rests on the Government because, in our opinion, there will be an imbalance on the board. Although the expansion of veterinary services might warrant increased representation on the board, an imbalance is produced between Government appointees and industry representatives. We therefore say that there is a great responsibility, not only on the Government but also on the appointed and elected members, to see that the Government's intention to improve veterinary services is brought about, and that the alteration does not become a means of producing costly and inadequate veterinary services.

That is all I wish to say at this stage. I reserve the right to speak further when we have examined the Bill in detail and are more conversant with what it proposes.

Mr. CORY (Warwick) (9.53 p.m.): I support the introduction of the Bill, and, basically, I am in agreement with what it contains. There are, however, a few matters that are of concern to many people in the field of veterinary services in Queensland. The previous speaker mentioned some things that are of concern to me and to others who from time to time require the services of

veterinary surgeons. One thing he mentioned, which I also have in mind, is the hope that the Bill is designed to provide better veterinary services rather than merely make things better for veterinarians. This needs to be watched carefully, as in this matter the professionals and those who require their services are of equal importance. I shall make further reference to that point as I proceed.

It is true that there is an increasing need for the services of veterinarians, and there will be a problem in finding sufficient of them to meet the demand. It is also true that very definite guide-lines need to be laid down so that the profession knows where it is going and can play its important part in the community.

We need veterinary surgeons who are interested in their job and who have a feeling for the animals with which they are dealing. Unfortunately, some members of the profession are only out to make a "quid" and are not interested in efficiency. Although there are not many of them, they bring a certain amount of discredit to the profession as a whole. I think all honourable members have seen instances of academically qualified veterinary surgeons who are unsuited to their profession. It is obvious from the way in which they treat broken bones or extract teeth from animals, or perhaps from the fact that an animal inoculated for milk fever later dies from a tick. Even a layman can usually recognise what has happened. I hope, therefore, that the progressive upgrading of the profession will assist in attracting those who are genuinely interested in it and will give to it the little bit extra that is needed.

Although a person treating animals has a certain amount of latitude, when one pays a veterinary surgeon to attend to an animal one expects thoroughly professional service, not the slackness that one sees creeping in from time to time. In effect the proposed Bill tightens the rules in favour of the qualified veterinary surgeon against the man who has no qualifications, and another honourable member has already referred to that. It is true that the qualified man needs and deserves some protection. However, we must not forget the very excellent service that has been given to the stock industry over the years by interested people who, as a result of their experience, have been able to save many animals from suffering and dying.

Mr. Jensen: You are leaving them out in the cold now, are you?

Mr. CORY: I am saying that, under an Act such as this, problems arise once a charge is made for services. I reiterate that we must not forget the good job that these people have done, and are still doing, in many areas. In many instances the cost of veterinary services are prohibitively high. A person who lives in the locality and has only a short distance to travel can make his time available much more cheaply to protect and assist the stock industry. In some instances, of course, the stockowner has no option but to take a punt and hope that the animal lives, and that happens now. Perhaps the most important part of a veterinary surgeon's equipment is his motor-car, and the mileage allowance he charges makes running that motor-car a fairly lucrative business. However, it also makes veterinary services very expensive when he has a number of miles to travel, and stockowners must bear that in mind.

Many stock inspectors, particularly those in the Department of Primary Industries, have played a very important part in the districts in which they are stationed. Their skill and experience is equal to that of non-qualified vets, and I think it would be a great pity if the industry was not able to make use of their services.

Mr. Jensen interjected.

Mr. CORY: They are not diploma men. They are farmers, graziers and others who have lived with stock all their life. They have learned to treat stock diseases and stock injuries.

Mr. Jensen: You want to chop out the good practical man.

Mr. CORY: Certainly not. He is the man I am defending.

Mr. Jensen: You couldn't emasculate a cat.

Mr. CORY: I could actually.

The TEMPORARY CHAIRMAN (Mr. Wharton): Order! The honourable member is interrupting a good speech.

Mr. CORY: I would be much better on a cat than on a stick of sugar cane!

The T.B.-eradication scheme we have in Queensland is a very good one. We need to bring about a situation which encourages people to have their herds tested for tuberculosis. Compensation is paid only for stock that react to the test, but not for untested stock that are found to be suffering from T.B. when they are slaughtered. The basic idea behind that is to encourage the industry to have stock tested. The stockowner receives a reward for having his stock tested. It is not paid for untested stock, and this is the right approach.

One case that was drawn to my attention concerned a beast that was showing obvious signs of sickness. The stock inspector directed that it be slaughtered. When it was slaughtered it was found to have T.B. No compensation was allowed for that beast because its slaughter had not been authorised by a veterinary surgeon. If the district veterinary officer had authorised the slaughtering of the beast, the owner would have been eligible for compensation. Those are the only circumstances in which compensation is payable, other than for reactors to T.B. tests.

Perhaps we can get too tight with our rules. Because some people hold veterinary degrees, that does not mean that others do not have certain knowledge and ability in this field.

An Honourable Member: Is the amount of compensation satisfactory?

Mr. CORY: The amount is not entirely satisfactory, but it is the first move in the right direction. It is a very important step forward. It is not too hard to increase something, but it is impossible to double nothing. The principle has been accepted, and we can work on it. I think it will be difficult to get the payment increased while the present Federal Government remains in office. When the 50-25-25 formula was worked out, it took into account the Commonwealth Government's contribution, which has now been withdrawn. Its 50 per cent will now have to come from increased slaughtering taxes on the beef industry.

We are becoming too theoretical in the administration of veterinary services. Chemists are not allowed to sell certain veterinary products to stockowners. We know that some have been selling them for many years, but they are not legally entitled to do so. The stockowner is supposed to telephone a veterinary surgeon and ask him to visit the property. The stockowner has to pay for his mileage, time and everything else. The vet will give a prescription, and the owner then has to drive back to the town from which the vet had just come, pick up the drug from the chemist and then drive back and administer it to the animal. This happens at times, but in most cases the stockowner does not bother. He simply allows the animal to suffer and live or die as nature determines.

I think we should think a bit more about allowing a qualified chemist to sell penicillin and streptomycin products, which are used extensively for anything from mammitis to foot-rot in sheep and cattle and various pig complaints. I think we should have a system under which the stockowner can keep on hand many of these products so that he can use them promptly and immediately when the need arises, instead of having to suffer, firstly, unnecessary expense and, secondly, unnecessary delay.

We know that this is happening now, but it is illegal. I think it is a pretty poor set-up when people have to do these things illegally in order to run their business efficiently. It is completely uneconomic to have to pay professional fees and mileage when both the stockowner and the chemist know exactly what the problem is and what should be done for it. I hope these things will be looked at and that the academic, theoretical sort of procedure will not get completely out of hand. I hope we will have something that is workable and useful not only to the veterinarian, but also to the industry.

Mr. O'DONNELL (Belyando) (10.7 p.m.): There is no doubt that veterinary science has definitely taken many advanced steps in the last 30 or 40 years, and any young person who attends university soon realises that the course is a very difficult one indeed, requiring intense application to study not only from the theoretical side but from the practical side as well. Therefore, anyone who graduates with any form of distinction is a great asset to the community.

I think we must realise that there are now two sections of the community in receipt of extensive services by veterinarians. We have, first of all, what is most obvious to people in the cities, namely, services to the pet industry. Naturally, however, members of this Assembly will speak more of the services that extend to the primary industry field. It is a matter of great concern to Queensland that there are highly qualified graduates in veterinary science, and as many of them as are required to meet the needs of the State. Because of the tremendous acreage of the State, this is of the utmost importance.

Over the years we have endeavoured to service various districts, and from time to time veterinary officers have had to be withdrawn from certain areas. No doubt Mr. Clay, the Director of Animal Husbandry, will remember the many protests that came from people who were demanding services locally and who were temporarily deprived of them.

The honourable member for Warwick has raised some conspicuous problems. I refer to them as conspicuous because in this vast State we lag far behind in the number of veterinary officers we need, whether departmental or graduates in private practice. The rural areas have become dependent for qualified personnel on the Department of Primary Industries.

In the rigid application of the rules in prescribing medicine for the animal kingdom, the vastness of the State presents a difficult problem. From time to time certain chemists stipulate that medicines required in the treatment of animals cannot be supplied unless the prescription is accompanied by an authority from a veterinary surgeon. Just as in the treatment of human beings, so, too, in the treatment of sick animals is the time factor of utmost importance. Consequently, because certain chemists insist on such authority, and also because of the remoteness of certain parts of the State, stock losses from sickness do occur.

Throughout Queensland there are a number of studs. The death of any animal as a result of sickness causes financial loss to the owner, more so in the event of a death of a stud animal. I cannot provide any ready solution to the problem. If, for example, a veterinary officer is stationed at Longreach, another at Emerald and another at Rockhampton, the result is that those three officers are required to service one-third of the State.

I am quite sure that the honourable member for Roma will support my contention that the present situation is grave. I simply do not know when there will be a sufficient number of qualified men to provide the veterinary services that this great primary-industry State requires.

In passing, I mention that in the Primary Industries Department there are lesser-qualified personnel, such as sheep and wool advisers and stock inspectors. They have been a great asset to primary industry by offering both practical advice and help to the man on the land.

If I might digress for a moment, I should like to refer to surveyors, who, a few years ago, attempted to have introduced into this Chamber legislation similar to this. They endeavoured to protect themselves as an organised group. But where did their proposals finish up? The answer is, of course, in the waste-paper basket. Although the legislation was listed on the Business Paper, because of lack of agreement, of which the Opposition was not cognisant, it was not brought forward. Tonight we are debating a proposal that has been put forward by qualified veterinarians.

On what the Minister said in his very brief introductory speech, it is obvious that the legislation is designed to serve a very restricted purpose, that is, to consolidate the position of veterinarians in this State and to offer them as much protection as possible. It will therefore meet with some reaction, as was evident in the contribution made by the honourable member for Warwick, who spoke of "back-yard" men—men with experience in the dairy, cattle and sheep industries—who, because of the desperate shortage of qualified people, give a veterinary service to various people in their localities. It cannot be denied that there is a shortage of qualified professional men, whether they deal with the health of humans or of animals. Perhaps the effect of this shortage is not so serious in the more closely settled States of Victoria and New South Wales, but the vastness of Queensland makes it an almost insurmountable problem.

It is very important that we should closely scrutinise this legislation, which obviously affords very strong protection to people who, at this stage, need virtually no protection because, professionally, they dominate the situation through lack of competition.

Mr. N. T. E. Hewitt: Are you suggesting that those who may come to Queensland shortly will be disadvantaged?

Mr. O'DONNELL: No, but I do say that this is very protective legislation.

The honourable member for Isis referred to the proposed change in the composition of the board. I can understand the change from a veterinarian's point of view. He would like to see professional strength on the board, claiming, as he does, that he is a professional man. We are faced with a similar problem in virtually every calling that demands specialised knowledge, be it a profession or a trade. It is very hard for people who are not versed in a calling to argue the point with a professional man or a tradesman. Under the measure, three qualified men are to be elected to the board and, naturally, they will be deeply and closely involved in their profession. One person is to be nominated by the Government, and the professor is to be the chairman. He, too, is a qualified man, so the professional men will dominate the board by four to one. Under the old system, the ratio was three to two. We must examine this very important point to determine if the ratio of representation is in line with that on boards of a similar character.

Another important factor relates to assisting qualified people from overseas to participate in this work, which is so important. I am sure no-one could object to that. The board may well consider giving migrants who have equipped themselves properly, and can speak our language, the opportunity to prove themselves by taking the qualifying examination. This is good. It is only common sense that, in a nation like Australia, we should use, for our own material benefit, the professional migrants that we seek each year. Anything that will lessen the trials and tribulations of migrants is worth fostering.

It is essential that we should study the Bill. I sincerely hope that this work will advance and expand the number, quality and standard of graduates. I want it clearly understood that most of what has been said tonight has been worthy of saying.

In conclusion, I should like to refer to the question of compensation. Under present circumstances in Queensland, where we have a definite shortage of these professional people, we may have to find an intermediate alternative to ensure that the man on the land can receive, in respect of losses, the compensation to which he is entitled. This is important. As I pointed out to one honourable member this afternoon, there is not much sense in my wanting a prescription or a certificate from a veterinarian if he is at some watercourse or other attending to someone else's cattle, thus making it completely impossible for me to make even telephonic contact with him. We must face up to this problem. We must provide some alternative to having the professional man make decisions on compensation cases so that people on the land will appreciate that they are receiving reasonable consideration when things are very worrying to them. I need not weary the Committee with the number of occasions on which this can happen.

I should like to see the Bill before committing myself any further. Judging by the remarks of the Opposition shadow Minister for Primary Industries (Mr. Blake), he is of the same opinion. When we see the Bill,

I hope we will be able to say that something worth while has been done for veterinary science.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (10.24 p.m.), in reply: It appears that the honourable members for Isis, Belyando and Warwick have accepted what is contained in the Bill. When the honourable members have seen it and studied it, they may have some criticism to voice at the second-reading stage.

As I pointed out in my introduction, this is the first time that this legislation has been amended since 1937. In that period there have been many changes in the techniques of husbandry, control of disease in stock and farming practices generally, so that it has become necessary for the department, and for me as Minister, to update the legislation. That is all we are trying to do. I do not think the honourable members who spoke indicated any major objection to the Bill.

Mr. Tomkins: They couldn't.

Mr. SULLIVAN: No, but let us not be provocative. It's too late for that.

Honourable members have indicated that they accept the Bill. They want it printed so that they can study it. If there are some provisions in it with which they do not agree, they can be considered at the second-reading stage. That is all I need to say now.

Motion (Mr. Sullivan) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Sullivan, read a first time.

PROPERTY LAW BILL

INITIATION IN COMMITTEE

(Mr. Wharton, Burnett, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice) (10.28 p.m.): I move—

"That a Bill be introduced to consolidate, amend, and reform the law relating to conveyancing, property, and contract, and to terminate the application of certain imperial statutes."

Under its approved programme, the Law Reform Commission was required to examine the law of property with a view to preparing a modern Law of Property Act. The report of the Law Reform Commission upon property law reform is a comprehensive document of some 130 pages which was produced in February 1973 and tabled in this Chamber on 6 April 1973. The report, which embodies the recommendations of the commission for the codification, updating and reform of the law relating to property in Queensland, comprises a draft Bill and a detailed commentary on the provisions of that draft Bill. Prior to the preparation of the report, the commission released a working paper which was circulated widely to interested persons and bodies. The recommendations of the commission reflect the comments, criticism and suggestions received from interested persons and bodies to whom the working paper was distributed.

The principal object of the Bill is to assimilate in one statute, so far as possible, the rules of law applying to land, whether it be freehold or leasehold, and whether registered or unregistered. It is desirable that uniformity should be attained where possible, and the proposals go a long way towards achieving this without interfering with the essential provisions of particular Acts. Added to this is the fact that the provisions of the Bill will, unless inappropriate, apply to property other than land, thus producing an element of uniformity in the law of both real and personal property.

The Bill is the product of over two years of investigation, inquiry and research by the Law Reform Commission, involving an examination of property laws statutes and reports of Law Reform Commissions from various overseas countries and Australian States. In this way the commission has been able to extract the best of what has gone before, as well as to introduce improvements and innovations which have not been attempted (although in some cases suggested) in other places.

Fundamentally, the proposals contained in the Bill are based on well-tried provisions of legislation which have been in use for long periods, with the consequence that there are numerous judicial decisions and texts providing expositions of particular sections.

It is, indeed, one of the principal disadvantages of the present state of the laws in Queensland that decisions and standard texts and precedents appropriate for legislation elsewhere cannot safely be relied upon by legal practitioners, and that the difficulty, and therefore the expense, of ascertaining the existing law becomes daily greater and greater. In the end, it is the community as a whole which bears the cost of an inefficient law and legal process, and it is therefore the community that will principally benefit when the proposals contained in this Bill become positive law.

Except where otherwise provided, the Bill will bind the Crown. Previous reports and recommendations of the commission in relation to statutes of frauds and perpetuities and accumulations resulted in Acts being passed in 1972. The commission now proposes the re-enactment, with one minor change, of the Perpetuities and Accumulations Act 1972 and the Statute of Frauds 1972 without change.

The Real Property Acts provide the method of registration of title of freehold land known as the "Torrens system". This system has greatly simplified conveyancing, and today almost all freehold land in Queensland has been registered under it.

However, there remains approximately 1,700 to 2,000 acres of "old system" land scattered throughout Queensland. The commission recommends provisions to compel registration of all such "unregistered land" held under the "old system".

Provisions contained in the Bill will replace the Termination of Tenancies Act. The general policy of this Act has been preserved.

An explanatory note on the provisions of the Bill has been prepared and attached as a front cover of the printed Bill. I do not propose to elaborate further on the provisions of the Bill. If it is to be seriously considered, then its several provisions will have to be given detailed and serious study.

Although the Law Reform Commission report on the Bill was tabled in this Chamber some seven to eight months ago, because of the complex and detailed nature of the provisions of the Bill, and to give all honourable members an opportunity of making themselves fully conversant with its provisions, I do not propose to proceed with the second reading of the Bill until the March session next year. In the interval between the first and second readings of the Bill, I invite constructive comments on its provisions from all persons and bodies interested in the reform of our property laws. Any suggestions for amendment to the proposed Bill which are received by me on or before Friday, 8 February 1974, will be considered fully, and amendments will be made to the Bill where it is considered desirable to do so.

For the assistance of honourable members, I have made available in the Parliamentary Library additional copies of the Law Reform Commission's report upon which this Bill is based. I also have additional copies of the report that I will table so that honourable members who have mislaid their own copy of the report may refresh their memory.

Whereupon the honourable gentleman laid the documents on the table.

I indicate at this stage that at the second-reading stage amendments to the Bill could well come from the Government. Substantially it is the draft Bill recommended by the Law Reform Commission, but there have been some amendments to it. The Government parties have not yet considered the Bill in detail, but they think it should be printed and exposed in its present form and made freely available to the community so that adequate comment can be made on it.

Mr. WRIGHT (Rockhampton) (10.35 p.m.): On a number of occasions I have spoken in this Chamber about the need for the Government to adopt a positive approach to the consolidation and codification of the law in Queensland. It is certainly very pleasing to me that at long last something is being done about the law relating to conveyancing, property and contract. I must admit that in the past I have been somewhat constructively critical of the progress in law reform in this State. However, having spent many hours going through the Law Reform Commission report to which the Minister referred, I must congratulate the members of the commission on the work they have done. I do not agree with their every point or comment, but I firmly believe that they made an in-depth study of the law in this field.

Time will not allow a complete canvass of all the areas that the Minister mentioned, or all those that the Law Reform Commission studied, so I intend to confine my remarks to the specific area of property law pertaining to landlords and tenants. We all realise that the property law in this State ranks as one of the most archaic in the English speaking world. This is a point that was well made by the Law Reform Commission. It goes back to pre-Norman Conquest times. I think we all realise that there has always been a real need for simplification of property law, and, moreover, consolidation of that law. It is noted, too, that legislative action was taken in England in 1959, and also in the Australian States, except Queensland to this point.

The Law Reform Commission makes the pertinent comment in its report that "only Queensland remains faithful to a system which as long ago as 1646 was declared by Oliver Cromwell to be a godless jumble". I think we would all agree with that when we try to study law in this State as it pertains to property.

On reading the report, I noted that it covers many aspects—deeds and covenants, instruments and contracts, future interests, corporations, perpetuities and accumulations, concurrent interests, freehold estates, mortgages and leases and tenancies. The report I have runs to 133 foolscap pages.

I am very pleased to hear that the Minister intends to leave the second-reading of the Bill until the latter part of the session next year. However, I do wish to mention some aspects of the Termination of Tenancies Act as it has been called since the previous Act, the Landlord and Tenant Act, was repealed in 1970. Many questions have been asked in this Chamber about this Act. It has been open to interpretation, much to the detriment of landlords and tenants alike. Wrongs have been perpetrated by both parties, and rarely has any redress been available or possible in law. I think the obligations of landlords and tenants have been most unclear. I have asked the Minister to outline, as have honourable members on both sides, exactly what a tenant could depend on when exercising his rights at law.

There has been legal argument over the responsibility of tenants or lessees in the area of keeping premises in good repair. There has always been a need for clarification as to whether or not a written agreement is required. We need to get in our Statute Book some very clear provisions so that we know the obligations of both parties when it comes to rents, the duty of care of premises, the obligation to maintain rented

premises in a condition—to use the terms of the commission report—fit for human habitation.

I am sure that we have all seen some of the houses in which people are forced to live. It would not be too much to say that many of them are pigsties. Many of them are dangerous in structure. Many are white-ant-eaten. One man in Rockhampton—I have been waiting to comment on this aspect—only recently was renting a disused dairy, which had broken masonite and fibro walls. Another house in the area had no electricity, and there was not one pane of glass in the windows. It had only one door. If I make a comparison with some of the houses I saw on Thursday Island, then Rockhampton is well off. One house I saw on Thursday Island had three families living in it. Some of the houses had dirt floors. Very few of those I saw had electricity. One had an earth closet that was an earth closet in the real sense. It was no more than a hole in the ground with a fruit box on top. Many houses all over the State lack proper facilities.

Action has been taken in other countries. In England, the Housing Act of 1957 required that houses be fit for human habitation. Similar provision was made in Canada where the Landlord and Tenant Act imposes such an obligation on landlords, namely, an obligation of providing and maintaining rented premises in a good state of repair and fit for human habitation during the tenancy. Under the old Landlord and Tenant Act in this State there was a provision which prohibited the letting of dwellings not being in a fair and livable condition. But let me point out to the Committee that this protection was repealed by this Government in 1970. I think we must admit that a provision like this is surely required to protect tenants and ensure that a reasonable standard of living conditions is maintained for those people in our community who, for some reason or another, do not own their own homes. Recent statistics I have seen show that something like 20 per cent of the people of Queensland do not own their own homes and are living in rented dwellings.

I accept that tenants also have a responsibility; let me make that point very clear. But I believe that their obligations or responsibilities to care for premises should not be too stringent because, after all, they are paying hard cash for the right to live where they do.

Mr. Kaus: It does not give them the right to destroy.

Mr. WRIGHT: I will take that point. It has been said that they have no right to destroy. I think they have an obligation to avoid causing damage. I might even go so far as to say that I agree that tenants have somewhat of a moral obligation to keep the place in reasonable order. But this surely should not include doing up the plumbing, repairing the electric wiring in the house, interior painting and many other things that some are expected to do. Many a problem has confronted tenants and they have had to do these things. They cannot complain, because, if they do, up goes their rent. I am sure most honourable members realise this. If the tenant says to the landlord, "I want this done or that done", the landlord says, "I will do it for you, but the rent will go up $5 a week."

I believe that we should set out in our statute books definite standards, stating exactly what we in this Assembly believe should be the condition fit for human habitation. These should cover all aspects of safety, wiring and structure. I recently went into a house whose steps were almost falling down. I asked the lady what was wrong and she said, "The landlord will not fix them." I said, "Why not?" She said, "Because if he has to, I have to pay for them." I will not go into the further things that happened about this, but hers is the general attitude.

I also think that the standards we set should allow for certain comforts that we all take for granted. We should provide for electricity and water—for that matter, hot water. And houses should be weather-proof. Many rented homes are not. I think we also need to look at the rights of landlords and tenants in the area of entry and repossession. We have had complaints of landlords entering premises at all hours of the night and ridiculous hours of the morning. We have had them entering at mealtimes without due notice. Questions have been asked about this in the House and the Minister for Justice has endeavoured to explain the situation to us. He has emphasised that the landlord naturally has the right to enter a home if it means protecting his property. I do not think there is anything wrong with that, but I think it is common sense that due notice should be given to all tenants. It is not fair for a landlord simply to enter. I believe that the Act stipulates that he must give 48 hours' notice or something to this effect.

Mr. Hughes: Sunrise to sunset and never on Sunday.

Mr. WRIGHT: I see. I think we have to let landlords enter premises if in fact the rent has not been paid, but I think only if it has been owing for an excessive period. I think we should look very carefully at this.

Mr. Murray: What do you suggest?

Mr. WRIGHT: I am going to cover this point further when we deal with ejectment and things like that. I know landlords who continually pressurise their tenants. The moment the tenants fall a day or two behind in their rent, in go the landlords. This may be reasonable if a tenant continuously does

not pay rent, but I think this is abnormal and I feel that people should be protected against the abuse of entry.

I have always thought that the law has been there to protect the tenant against the aggressive landlord, but I do not think this has been so in practice—at least, it has not been implemented. I do not think that tenants should have things all their own way because I have come across some tenants whom I can describe as professionals. They are leeches. Some of them are "beauties" the way they get into a dwelling and stick to it. I came across a case in Emu Park. I was called upon by our consumers association to help the landlord, and I was happy to do so. The lady involved was a great old dear. She paid one week's rent and then proclaimed she would not pay another cent until some quite unreasonable provisions had been met. She wanted a new hot-water system, a new electric stove and a new clothes line—and she was paying $7 a week. She was being totally unreasonable, but it took the landlord six months to get her out.

Other tenants adopt the tactic of simply not moving until the eviction notice comes. A day or two before it arrives, out they go, without paying, say, 30 days' rent. Others become squatters and believe that landlords should provide them with free accommodation.

I heard of a fellow in Rockhampton who had a Housing Commission Home. He kept the outside looking beautiful, but inside he tore down the walls. Landlords have rights that we need to protect. However, we need to clarify the obligations of both tenant and landlord, especially in relation to damage caused by tenants.

Mr. Hughes: This could be on the lease.

Mr. WRIGHT: It should be on a written contract. I know of a case in Rockhampton in which a landlord said to his tenant, "You have damaged my stove, and I have to buy a new one." I point out that the tenant had been in occupation for only 12 months and the stove was 11 years old. The landlord was taking legal action against the tenant, who was extremely worried.

I come back to the point of landlords holding tenants' money. Without doubt this is the greatest weapon that a landlord holds over a tenant's head. I refer, of course, to bonds. In many instances the bond is a racket. There seems to be no limit at law to the amount of a bond required by a landlord from a tenant who desires to rent his dwelling. Numerous disputes have arisen over bonds. The landlord holds on to it very tightly, because he wants to ensure that everything has been done properly. I do not blame him for that, but what is the situation if the tenant has carried out his duty of care and has paid his rent? Even then he experiences tremendous difficulty in having his money returned to him.

It has been said that a tenant can have such a dispute heard in the Magistrates Court. I point out, however, that in order to retrieve a bond of, say, $50, the tenant could be faced with court costs amounting to $150. Reasonable limits should be imposed on the quantum of bonds.

We should stress this point because the payment of bonds causes so much hardship to tenants. No-one would deny that the vast majority of people who rent houses are not wealthy. Admittedly, many highly paid public servants rent homes when they are transferred, but usually the person who continually rents a home is one who does not have a great amount of money and finds it extremely difficult to pay the $50 bond as well as the first fortnight's rent in advance, which is sometimes one month's rent in advance.

I believe that a bond does give a landlord protection against wilful damage and also against the fly-by-night tenant. Although I believe it is only right that we should afford such protection to a landlord, I also think that the system is open to abuse. Until we impose limits on the quantum of bonds, we will not protect the tenant.

The landlord's hand is strengthened by the lack of clarity about a tenant's responsibility for repairs. He does not know exactly in law what he has to meet by way of repair. On many occasions a landlord will say to a tenant who is about to vacate the premises, "You have to fix this and that, and if you don't I will keep your $50 bond." This aspect should be examined very closely.

I know of a landlord in Rockhampton who charged his tenant a cleaning fee when the premises were vacated. That might be quite in order, because the tenant may have left the premises in an untidy state. However, the landlord then imposed a cleaning fee on the next tenant. Although this may be an isolated case, I am told that it arises quite often when rental accommodation is scarce.

Another aspect of the existing law that is what I might term a grey area is the notice that must be given to terminate a tenancy. Very few tenants sign written agreements, and therefore their rights are extremely vague.

In 1970 the Government brought forward a number of provisions in the Termination of Tenancies Act, the aim of which was to simplify the termination of tenancies by notice to quit. I believe, however, that the Act was poorly drafted and is open to wide interpretation. As well, it has been the target of severe criticism from the legal profession.

At common law a notice to quit may be either oral or written. However, I note that the Law Reform Commission recommends that a notice to quit should be in writing and in fact should not be enforceable unless in writing. I see great merit in this recommendation. All these points should

be made extremely clear. We should ensure that, when a person is to be given a notice to quit, it is not simply put in his letterbox, passed on to a friend with the admonition, "Give this to so-and-so", or given to a 16-year-old, or a 6-year-old child, as is often the case. I have heard of instances in which a child who answers the door is told by the landlord, "Give this to your mother." Notices to quit should be served personally on tenants.

Mr. W. D. Hewitt: And they must be in proper form.

Mr. WRIGHT: That is so. I believe they should state the reason why the tenant is being evicted, although the Act does not require that.

Mr. D'Arcy: At this time of the year on the Gold Coast, tenants have been thrown out in the street because the landlords can get higher rents.

Mr. WRIGHT: That is criminal, and I intend to refer to it. Notices to quit are often back-dated. The landlord simply writes a letter and backdates it. It is very difficult for a tenant to get alternative accommodation within a week, let alone three or four days. I am pleased that the Law Reform Commission has made some very forthright recommendations. Knowing that the Minister is interested in the commission's recommendations, I hope he has heeded them.

The situation is often aggravated by tenants not paying rent on the due date. Very often the rent period starts on a Monday, and the tenant gets behind a couple of days, and then a few more days, and eventually he is paying his rent on a Friday. It then becomes difficult for the landlord to serve a notice to quit on the day of the week on which the tenancy started. It is wrong that tenants should not be given sufficient time to get alternative accommodation. If a tenant has a month-to-month tenancy, he should be given a month to quit; if he has a fortnight's tenancy he should have at least a fortnight to quit. On a logical basis it could be said that, with a weekly tenancy, the tenant should have a week to quit, but at this point we should stray from this idea. People who have a weekly tenancy should be given an extra week in which to get out, because of the extreme difficulty they face in finding other accommodation.

I think it was the honourable member for Bundaberg who spoke about a landlord raising the rent in order to get a tenant out. I was told of a case in Mt. Isa where the landlord threatened to increase the rent to $200. The tenant raced to a solicitor and asked him if the landlord could do that. The solicitor said, "I am afraid so, and, if you stay for a month, you could be up for $800 because the landlord could go to law to claim the back rent." It is a great pity that we repealed the provisions pegging rents. I realise that, in this inflationary time, with escalating costs, a landlord cannot be bound to a weekly rental for a year. However, tenants should receive due notice before rent is increased. That does not happen. A person with a month-to-month tenancy is told by the landlord a day or so before the rent is due, "I am very sorry, but your rent is to be increased by $5." In Rockhampton, an old lady pensioner had her rent increased from $12 to $27 a week because the landlord wanted her out, believing that he could get a far better rent. I admit that he intended to extend the building, but that is how he tried to evict the tenant. The lady had nowhere to go. We should re-introduce reasonable rent control.

Mr. W. D. Hewitt: One of the problems is the relationship of rent to unreal valuations.

Mr. WRIGHT: I would not recommend that anyone should buy houses for rental, because I do not see how he could get his money back.

The whole situation concerning landlords and tenants has been a grey area, wide open to interpretation. I doubt that many solicitors in Queensland could tell anyone the proper grounds on which a landlord can ask someone to quit premises. It is not good enough to serve a notice to quit when a person is one week behind in his rent, but that excuse is often used. Somehow we must eliminate the excuse—which is often a falsehood—that the house is to be sold. Tenants are told, "You must get out because I am selling the house." At the same time, they are often told, "If you want to stay, it will cost you an extra $10 a week until I sell." We should examine these tactics very carefully.

I have referred to a number of the problems facing landlords and tenants. I reiterate that the rights of both landlords and tenants have been very vague. The Minister has not been able to clarify them in answers to questions directed to him. This is no doubt the reason for these recommendations and the legislation.

Mr. Bromley: He might give you a legal opinion in the Chamber.

Mr. WRIGHT: I think he would probably try, if he was able to. We must admit at this point that this is an area of law in which solicitors and even our top silks could not help.

(Time expired.)

Mr. BURNS (Lytton) (10.55 p.m.): I apologise for not being in the Chamber to hear the Minister's introduction. However, I should like to speak briefly on the question of conveyancing. I feel that this is a problem that adds a large sum of money to the purchase price of a home and places an intolerable burden on young people. They

see a home advertised in the Press for $20,000. They then go to a real estate agent, who takes them out to have a look at the house. If they decide to purchase it, they approach a building society and, if they have saved $6,000, they borrow $14,000 to purchase the home. Little do they know that the advertised price of $20,000 is only the start, and that there are many hidden costs to be added to it.

The Queensland Law Society lays down certain charges under which the solicitor who is acting for the purchaser is able to charge $140 in conveyancing fees on a home valued at $20,000. In addition, he is entitled to charge a fee of $41 on a $14,000 mortgage.

Mr. Hughes interjected.

Mr. BURNS: I do not know what the Bill says; it has not yet been printed. I am talking about conveyancing, which is clearly mentioned in the title of the Bill. I speak on this problem because it is very important.

Up to this stage, the purchaser is up for an extra $181. The solicitor acting for the building society also charges a fee on the mortgage. According to this booklet, his fee is $121. On the purchase of a home through a building society, which must be the most common financial arrangement, the conveyancing fees have now reached $302. But the purchaser has not finished yet. In some cases the purchaser could be lucky because, if he went to one of a couple of building societies which lay down that their solicitors charge only two-thirds of the fee, the conveyancing fees would be reduced to $261. If a young couple have saved $6,000 and borrow $14,000 and, as well, have to meet conveyancing fees, they would have no money left for furniture when they have met these additional legal charges. It must be remembered that conveyancing fees are a charge that appears suddenly out of the blue. It is a sudden impost and burden on a purchaser.

Mr. Murray: Nobody warns him.

Mr. BURNS: That is right. The advertisement says that the price of the home is $20,000, not that it is $20,000 plus solicitors' fees.

Mr. Hughes: And they aren't allowed to do it for themselves.

Mr. BURNS: That comes back to the question of conveyancing kits.

I have not finished yet. The purchaser still has to pay the outlays, the largest of which is State Government stamp duty. I know what the rates used to be. I do not know if they were increased in the recent Budget. To be quite truthful, I did not look at that part of the Budget. However, as I will be shifting in the next few days I will be able to know from personal experience just how much all these fees amount to.

Mr. Murray: It is 1¼ per cent.

Mr. BURNS: Let us assume it is $1.25 per $100 or part thereof on the contract price, and 25c per $100 or part thereof on the mortgage. On top of the other charges, the purchaser has to pay $250 to meet those costs. In addition, he still has to pay Titles Office fees, transfer registration fees, Bill of Mortgage fees, land-tax search fees and, in some local authority areas, the fee for a search for rate enquiries.

Mr. Murray: He could also have to insure with the building society's insurance company.

Mr. BURNS: That is right. He might also have to insure his life, his home, his future and just about everything else. But he is up for $600 before he reaches the insurance company.

To my mind, conveyancing fees create a problem for the average man and woman. They are too high because they are based on a sliding scale. The charge rises with the price of the house, although the amount of work does not vary. It is exactly the same. It must cost exactly the same to convey a house, whether it is worth $10,000 or $40,000. However, a reference to the Law Society's little book that I have in my hand shows the conveyancing fees on a house worth $40,000 are $229, and $106 on a house worth $10,000. There is a difference of $123 simply because one house is more expensive. No additional work is involved.

In South Australia, where the legal profession's monopoly on conveyancing has been broken, land brokers perform conveyancing at a flat charge, which is lower than a solicitor's fees. There is nothing political in what I am now saying, for what is happening in South Australia today under a Labor Government has been going on for many years, What I am advocating is the breaking of the legal profession's monopoly on conveyancing in this State. In South Australia, the documentation and searches involved in transfer can be performed by land brokers, or by solicitors. There is no prohibition on solicitors doing this work; it can be done by land brokers or solicitors.

I am told that the main advantage of the South Australian system is found in costs. An additional advantage is that the land broker is quicker than a solicitor in having this work carried out. Of course, speed of operation has never been one of the great features of the legal profession in Queensland.

Mr. Murray: They work on the principle, "This year, next year, some time, never."

Mr. BURNS: That is right.

The South Australian system had one weakness in that real estate agents could have themselves appointed as land brokers, too. This produced situations in which the vendor also acted as agent for the purchaser, which reduced his commitment to the purchaser to the extent that he could ignore

small irregularities in the vendor's title that might affect the settlement. I think the right of real estate agents to be land brokers has recently been withdrawn in South Australia. In Queensland, in theory the purchaser is still protected by a solicitor acting on his behalf, but in practice the same solicitor too often acts for both the purchaser and the vendor. The only possible advantage in this arrangement is speed, and, as I have said, this is not a notable feature of the legal profession.

Mr. Hughes: This is usually by arrangement with both parties.

Mr. BURNS: Not always. If one goes to a real estate agent, he will produce a contract and say——

The CHAIRMAN: Order! I would be pleased if the honourable member would include the Chairman in the conversation.

Mr. BURNS: Yes, Mr. Lickiss. The stage is reached at which the real estate agent says to the prospective purchaser, "Have you a solicitor?" Most young people have never had any dealings with solicitors, and they say, "No." The agent then says, "Well, act through ours," and they recommend a certain solicitor. The solicitor earns the conveyancing fees that he charges in his capacity only as an independent interpreter of the fine print. Many solicitors live in the pockets of estate agents, and many of those who act day in and day out for real estate agents may find their moral scruples influenced by a need to build up a business, and by their starving wives and children at home. Often the work of the big housing companies, and the interests of those who purchase houses from those companies, are handled by the same solicitors.

Many builders and land developers have a lengthy building contract heavily weighted in their favour and drawn up by their lawyers. Examples of such contracts are readily available. As a matter of fact, I could bring some of them into this Chamber. People have from time to time approached me on such matters. As a matter of fact, I have written to the Minister about some of them. These contracts place the onus to find finance clearly on the shoulders of the buyer, although a clause does provide that the company may seek such finance for the owner. It "may", but it does not have to. The contract then reads, "Subject to finance being found." If it is not, the purchaser forfeits his deposit.

This clause then appears—

> ". . . which shall be treated by the parties hereto as a guarantee of good faith and shall not be refundable in the event of this contract failing to proceed for any reason whatsover."

What sort of good faith is that? It is a rather one-sided guarantee of good faith when the purchaser is to lose his deposit irrespective of what happens under the contract.

The contracts contain clauses providing that the purchaser shall obtain council permission within a certain period. If he does not, either party can cancel the contract but all the expenses of the contract are to be met by the purchaser. The vendor has virtually no obligations under the contracts, and these are property contracts, drawn up by the legal profession, which, for many years, tie many young people, with most of their savings, into home and land deals.

The particular builder to whom I am referring says he will "use his best endeavours to ensure the due and punctual execution of the work". That is rather vague. Talk about fine print! It does not have to be in fine print; it can be in big print. One could drive a Queensland train through the loopholes in his contracts.

I could go further, but I suggest that unless we review the whole question of contract forms, the tendency for contracts to be loaded against the purchaser will increase according to a type of Parkinsonian fine-print law. I remind the Committee that the fine-print-loaded contract traps many non-English-speaking—perhaps I should say "non-English-reading"—migrants, who are heavily disadvantaged by their lack of knowledge of the English language.

Mr. Murray: You are in good form tonight.

Mr. BURNS: I think you must be in good form.

Let me turn now to item 4 on the business note, which refers to "conveyancing, property and contract". I look with disgust on the type of contract that the Real Estate Institute of Queensland is using for its multiple-listing service. It says, in essence, that the vendor shall give a 60-day period of sole agency to the multiple-listing service or to the R.E.I.Q. "Board" and a greater crowd of crooks were never gathered together under the one roof, other than in Boggo Road. It says that the vendor will pay commission "if the said property is sold by the agent or any other agent or by the vendor himself". He is the fellow who owns the house, and if he sells the house himself he has to pay the commission on the sale to the R.E.I.Q. agent. That is the contract form they ask him to sign.

The CHAIRMAN: Order! I think the honourable member is dealing with a matter that comes under another Act and is not incorporated in this Bill.

Mr. BURNS: I am dealing with conveyancing, property and contract, and I take that to be a contract concerning property and conveyancing.

The CHAIRMAN: Order! The honourable member is advised that that comes under a separate piece of legislation and is not involved in this legislation.

Mr. BURNS: Let me say to you, Mr. Lickiss, that the people who are dealing in conveyancing of property and the people in the R.E.I.Q. who have used this form of contract and other systems to rob young people, to rob vendors of their commission, and to rob other agents who have sold the property, are writing contracts and using the legal profession to produce contracts in an effort to make a quick dollar for themselves. This is something we should not run away from. We should face up to it.

On the question of conveyancing, I say that if the Law Reform Commission, the Minister or anyone else is bringing Bills before Parliament to deal with conveyancing, let them begin by doing something about the real problem associated with conveyancing—the additional charges with which young people, or, for that matter, old people, who are buying a home are slugged. We should look seriously at the question of land brokers. We should break the legal monopoly on conveyancing in this State. If we do that, we will be doing much more for young people buying homes than many of the Bills that have come before this Assembly have done for them.

Hon. W. E. KNOX (Nundah—Minister for Justice) (11.9 p.m.), in reply: In the light of the views expressed, I think I should make some comments in reply. I wish to say first that I am pleased that the work of the Law Reform Commission has again been recognised. The Bill is principally the work of Dr. Bruce McPherson. Even though other members of the commission have played their part, Dr. McPherson was the main researcher and the gentleman who gave most time to the preparation of the documents. I think it should be generally known that his dedication has made it possible for honourable members to see the Bill earlier than otherwise would have been the case.

There are, of course, enormous social consequences involved in this legislation. One of the difficulties in presenting legislation of a highly technical nature such as this is that possibly one can overlook the social consequences because one becomes involved in all the legal jargon that surrounds the various social arrangements which have to be formalised in legislation. Some of the social consequences have already been touched upon by the two speakers who have taken part in the debate. I think these matters, along with many others, will be of considerable concern to honourable members when the Bill is discussed on a future occasion.

I do hope that honourable members will give their attention to this legislation, and not be discouraged from reading it simply because it has a long and involved title. The explanatory notes in the green pages on the front of the Bill have been prepared with some care. They cover quite a number of pages, and from them honourable members will know where to look in the proposed legislation for any particular matter of interest. The Bill covers a huge range of social arrangements and transactions in the community, and I trust that honourable members will give me the benefit of their comments so that we can prepare meaningful amendments to the Bill, should they be desired. The list of those who have already commented on the draft legislation is fairly formidable. Not all the suggestions made have been accepted, as no doubt honourable members will discover. That is not to say that those matters should not be reconsidered by this Parliament, because ultimately the Parliament must take responsibility for the legislation. Merely because a suggestion has been made in the past two years and has been rejected is not to say that it should not be included when we come to reconsider the Bill. One has to keep in mind that should there be any desirable amendments there may well be consequential amendments throughout the legislation.

I propose to have a number of people in the community comment on the Bill, and I will get the benefit of their advice. In due course the Government parties will meet in the usual manner and discuss the Bill in some detail. I have no doubt that there will be a number of amendments to present to the Parliament in due course.

I thank honourable members for their interest, and I trust that the Bill will receive their earnest attention over the next few months.

Motion (Mr. Knox) argeed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Knox, read a first time.

REAL PROPERTY ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. W. D. Hewitt, Chatsworth, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice) (11.16 p.m.): I move—

> "That a Bill be introduced to amend the Real Property Act of 1861, as subsequently amended, and the Real Property Act of 1877, as subsequently amended, each in certain particulars."

Delays in the registration of transactions in the Titles Office have been subject, from time to time, to some adverse public criticism. Honourable members will be aware of the tremendous increase in land dealings in recent times and will readily appreciate that the principal cause of delay would be related

directly to the increased number of documents lodged. This, however, is not the sole cause. Experience has shown that a major contributing factor has been the number of documents lodged which, in the opinion of the Registrar of Titles, are erroneous, incomplete or defective.

The present remedy in these cases is for the Registrar to issue a requisition to the person who lodged the document, or to his solicitor, conveyancer, attorney or agent, to have the deficiency corrected. The Registrar may refuse to deal with any document until the requisition is complied with, but he has no power to reject the document. As an estimated 50 per cent to 60 per cent of documents freshly lodged are being requisitioned, the result is that the Registrar's office is cluttered with documents which cannot be dealt with. The main reason for many documents being requisitioned appears to be the lack of attention and diligence of lodgers in their preparation.

The principal aim of the Bill before the Committee is directed at this problem. It is considered essential that documents be correctly prepared so that this type of delay is removed. In an endeavour to reach this ideal situation, the Bill will give the Registrar power to fix a time within which satisfaction of a requisition is required after which the document can be rejected and returned to the lodger. It is further proposed that where a document is rejected, the fees shall be forfeited. However, if that document is subsequently lodged the fees payable on that lodgment will be only half of the fees currently payable. In other words, when there is no subsequent lodgment all fees paid are forfeited but when there is a subsequent lodgment the effect is that only half the fees would be forfeited. The client is not to be penalised for any default in the lodgment of documents and, in essence, failure to lodge properly prepared documents could result in penalties to the lodger.

The rejection provisions will enable the Registrar to return documents at present held in his abeyance section and provide much needed space. I think the number of documents is about 30,000. The Registrar will also not be required to receive any document which, on the face of it, is not capable of being registered. The increase in the number of documents, together with the number of incorrect documents, has brought about another problem in the Titles Office. This is an imminent lack of filing space, not only in that office but also in the archives. Although the measures I have mentioned will substantially assist it is not the complete answer.

A number of other space-saving as well as time-saving provisions are included in the Bill, the principal of these being to permit the Registrar to destroy any folio or instrument that does not evidence a subsisting interest. On the aspect of time saving, it is proposed that the Registrar be empowered to correct patent errors. He will also be able to withdraw, of his own motion, documents which are lodged in the incorrect sequence and lodge them in the correct sequence.

Another measure will allow the Registrar to issue separate certificates of title to tenants in common only upon request and upon payment of the requisite fee.

The Bill also contains provisions which will allow a caveator to permit, with his attested consent, the registration of a document which the caveat otherwise forbids, will permit the Commonwealth to take easements in gross, and will amend the advertising provisions of the Acts and a number of other ancillary matters.

Honourable members can be assured that the proposed amendments will not only remove a number of causes of delay in the Titles Office, but will also speed up its operations and simplify a number of procedures.

I commend the Bill to the Committee.

Mr. WRIGHT (Rockhampton) (11.20 p.m.): The problems arising from delays in the Titles Office have been raised by honourable members on numerous occasions and in many ways. They have been raised by way of questions to the Minister, by speeches, and by written representations to the Minister as well as to the various branches of the Titles Office throughout the State. As the honourable member for Bundaberg has said, the Opposition is very pleased to see that something is being done.

We are aware that this matter was under review by the Public Service Board and that recommendations were to be brought forward. Notice of this fact was given in answer to questions asked in this Chamber. The delays are caused mainly by the massive number of documents filed. I am not quite sure which honourable member asked the appropriate question but in answer we were told that over the past year the number has increased by approximately 40 per cent. As the Minister has said, the problem has been aggravated by errors that should not have happened. These errors have occurred in documents lodged and are generally the result of lack of knowledge on the part of solicitors and other persons who handle conveyancing matters.

We should look carefully into these errors, because I am concerned at the amount of money that people pay by way of conveyancing fees. Generally the work is done by the law clerks or semi-trained personnel in solicitors' offices. I realise, of course, that many mistakes are made in the real property descriptions given by agents involved in land sales, and that not all the requirements set out in the statutes are met.

It is unfortunate that not all real estate agents understand or appreciate the role that they are required to play. They fail to realise that their task is to act totally on

behalf of the vendor and that they have the responsibility of ensuring that all disclosures are made on his behalf.

Many problems have arisen from the conversion to the metric system, but we must take these matters in our stride. Of all the problems, however, the greatest arises from the lodgement of incomplete or incorrect documents as well as from the total number involved. The Minister has said that these documents have to be sent back for re-execution or correction.

I suggest that the problem has been aggravated further by the lack of staff. I have studied a number of the questions asked by honourable members, and I notice that the honourable member for Toowoomba West asked certain questions and also put forward suggestions as to the creation of branches of the Titles Office throughout the State. The Minister has not referred to this matter, but I sincerely hope that in due course a branch office will be opened in Toowoomba and another on the Gold Coast. While on the need for more offices, let us consider the filling of vacancies that presently exist at Townsville and Rockhampton, as well as in Brisbane. Because of lack of staff, it is impossible for employees in the Titles Office to handle the vast number of documents expeditiously. Obviously emphasis should be placed by the Minister on the recruitment and training of officers to carry out duties in the Titles Office, because I do not believe for one moment that there will be any reduction in the number of documents lodged with the office. Careful consideration should be given to the ways of recruiting officers to perform what I might term these semi-professional tasks. Let us look at the lack of staff together with the vacancies, and also the backlog that exists.

The Minister has referred to the overtime that is required to be worked by the Titles Office. I am led to believe that the Public Service Board has considered this matter. A large amount of overtime has been worked by the Titles Office staff, and it will not be eliminated unless more trained officers are appointed.

Mr. Frawley: They want to work overtime.

Mr. WRIGHT: I do not mind anyone working overtime. However, on this point the honourable member is way out.

Mr. Frawley: You wouldn't know how to work. You couldn't even raise a sweat on your brow.

Mr. WRIGHT: I am beginning to understand why the honourable member for Murrumba is described as "Dangerous Desley".

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order! The honourable member will continue with his speech.

Mr. WRIGHT: I support the idea of a time limit being imposed on the return of documents to the Titles Office. Perhaps the Minister would care to explain whether he said that there would be a fine.

Mr. Knox: There would be a forfeiture of fees.

Mr. WRIGHT: That seems to be a very good idea.

The Minister also said it was proposed to destroy some old files because of problems experienced by the Titles Office. In general principle, we support that idea.

Mr. R. E. Moore: It took you a long time to get around to saying that.

Mr. WRIGHT: It is a wonder the honourable member gets around to saying anything. He is asleep half the time.

I am very pleased that action is being taken, and the Opposition supports the principles outlined by the Minister.

Mr. JENSEN (Bundaberg) (11.26 p.m.): I support this measure. As a member of Parliament I have dealings with a number of Government departments, but the Titles Office is the main department with which I seem to be concerned. I congratulate Mr. John Bennett and, as well, Mr. Bill Maddock, who has just retired. On every occasion that I have approached the Titles Office on behalf of a constituent, I have found that a solicitor is at fault. Both the gentlemen to whom I have referred can verify my statement. When I asked Mr. Bennett to "do over" the solicitors in Bundaberg, he wrote them a letter saying that it would not help them to approach the local member of Parliament but, if a case was urgent, they should ring him up.

When people complain to me about land dealings, they always blame the Titles Office. Last Monday morning, when a constituent told me that his application for a title deed was lodged in May last—if necessary, I can prove what I am saying by referring to my notebook—I said, "Is that so? Are you sure the survey has been completed?" He replied, "It was lodged in August." I said, "Go back to your solicitor, get the dealing number and the plan number, and come back to me. I will bet that your solicitor is wrong." He said, "I may be able to come back tomorrow." I said, "I leave for Brisbane tonight. If it is very urgent come back this afternoon." He came back to the office and left a note on my table. I said to my secretary, "Look at that! I 'cop' this all along the line." The application was lodged on 5 November. Immediately after I spoke to my secretary the gentleman came back to my office to apologise. I said to him, "I told

you earlier that your solicitor had not handled this matter properly, yet you expect me to "do over" the Titles Office."

Mr. R. E. Moore: If you had obtained the dealing number, you could have solved the matter in a few minutes.

Mr. JENSEN: I have just said that I told the man to get the dealing number or the plan number. The only information he got from the solicitor was that it was lodged on 5 November.

Mr. R. E. Moore: I am on your side now. I did not hear you say that.

Mr. JENSEN: If the honourable member wants to stay here, I can speak on this matter all night.

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order! I have news for the honourable member. He may not speak on it all night.

Mr. JENSEN: I would if you would allow me to, Mr. Hewitt.

It is about time the Minister put some solicitors in their place. I do not believe that conveyancing is difficult. I would like to take a course in it, there must be a lot of money in it. When this man told me that he had paid the solicitor $32, I said, "He lodged the application on 5 November and told you that the Titles Office was holding it up. You wanted me to take this matter up with the Titles Office when your solicitor held it up for three months." It is about time the Minister did something about this sort of thing. He has two officers who are trying to handle 50,000 documents a year. That is more than 1,000 a week. In addition, there are the requisitions and letters that are sent out. I was told that 60 per cent of the documents have to be returned with requisitions. As far as I am concerned it is 100 per cent, because in every case I have checked a requisition has had to be sent out. The Minister has done the best thing he could to straighten out some of the solicitors who cannot do conveyancing.

The honourable member for Rockhampton spoke about training staff. Everybody wants a Titles Office branch established in his city. I have asked for one in Bundaberg, and I have spoken to Mr. Bennett about it. He told me it was impossible to get staff in the Brisbane office and that it is difficult to train staff. He said that if a branch was established in each city, the work would only get further behind. I agree with him; I can see his point. Until the Brisbane office catches up on its work, more branches cannot be established in other cities. I have asked for both a Titles Office branch and a Public Curator Office branch in Bundaberg. We have a clerk of the court who is supposed to handle these matters, but he has plenty of other work to do.

I can relate one case in which the Woongarra Shire Council sold land to three people. Their solicitors wrote to me and the people came to see me. I contacted Mr. Bill Maddock. These cases had been held up in the Titles Office for months because some officers there did not know that regulations were promulgated years ago cancelling the deeds and that new ones had to be issued. It was only because Mr. Maddock had been there long enough to know that this had happened that anything was done. A young chap with five years' experience would not have known anything about it. This has been going on for months. Someone had these documents on his desk and did not know what to do with them. He was not game to go to the boss, which he should have done. Mr. Maddock issued new deeds the week I rang him. The Woongarra Shire Clerk should have known this from his records.

Mr. Murray: There is another point. It is half past 11.

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order! The honourable member will proceed with his speech.

Mr. JENSEN: I will keep them here. They keep me here many a night. I want to speak some common sense. If you people over there——

The TEMPORARY CHAIRMAN: Order! The honourable gentleman will proceed with his speech.

Mr. JENSEN: Most of the problems I have had with Titles Office and Public Curator Office matters have been the result of solicitors not knowing their job. I do not mind "doing over" any Government department if it is not doing its job. As I have often said, I worked in the Government for 13 years. I know there are bludgers in the Government just as there are in any other industry.

As I said, all these problems have been caused by solicitors, and it is time something was done about them. They are robbing people hand over fist, every way they can. Solicitors tell people that the Titles Office is holding things up. I say to them, "Get your plan number, and I will tell you what is holding it up." In every case, it has been a requisition. I have to ring John Bennett tomorrow. I would not like to ask him to do something that has been outstanding for a month. However, he would do it for me. In fact, he would do anything for me, because I am fair and I like to do the right thing by people.

I want to mention what causes some of these delays. They are caused by the "land sharks". They open up land and sell it, and they tell the purchasers they can get

their deeds within three or six months. Sometimes the subdivision has not even been approved by the council or the Irrigation and Water Supply Commission. Their solicitor tells them that the whole transaction is held up in the Titles Office. When I look into matters such as these, I often find that the subdivision has not even received council approval.

Estate agents—I call them "land sharks"—open up land and tell buyers that they will get their deeds within three to six months when they know it is not possible for them to get them for 18 months. People who have purchased under these arrangements come to me and say they have been promised the deeds, and that the bank will advance the finance but will not make it available till they have the deeds. I then find that the subdivision has not even been approved by the council for sewerage, water supply or channelling. I then have to ring the estate agent and tell him, "If you do this sort of thing any more, I'll put it in the newspaper. I'll say what I think of you in the paper."

In my opinion, that is the only way a politician can cope with this problem. He has to stand up to these "land sharks", estate agents and solicitors. I know that some honourable members opposite are not game to do that, because they are in league with these people. They are in the land game, and they can get away with this sort of thing. But I have to take the brunt of the problems of my constituents, and I also have to support Government departments. I do not mind supporting public servants when they are in the right. I have to support the Titles Office, because I have not yet encountered a case in which it could be blamed for delays. The only exception was a matter involving the Woongarra Shire Council. I ring every week or fortnight on various matters, and only one matter had been held up—the Woongarra shire matter—simply because some officer would not go and see his boss.

I have been told that I have to wind up my speech, but I want to tell the Minister that his officers are trying to do the right thing by me. They have got in touch with solicitors in Bundaberg. It is the Minister's place to protect his officers, and to get in touch with solicitors and get them to train their conveyancing clerks. The Minister could confirm that, with 60 per cent of documents lodged, requisitions have to be issued. Each year 40,000 letters are received.

Mr. R. E. Moore: Why don't you write a letter and sit down?

Mr. JENSEN: If the honourable member wants to keep me going, I can do so for a long time. I have had a lot of experience in four years in these matters, and I just love taking solicitors and "land sharks" apart.

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order! I can assure the honourable member that I know the rules dealing with tedious repetition. He will break new ground, or I shall cut his speech short.

Mr. JENSEN: I was waiting for that, Mr. Hewitt. I will sit down.

Hon. W. E. KNOX (Nundah—Minister for Justice) (11.39 p.m.), in reply: I thank honourable members for their comments on officers of the Titles Office. They are very dedicated public servants who work long hours at a very exacting task. With the thousands of documents that pass through the office, it can be understood that the staff, particularly the senior officers, have great responsibilities. It is true, unfortunately, that they have been blamed for many mistakes and errors that are not necessarily theirs. Occasionally, of course, some are, but the great bulk of the delays that result from requisitions cannot be laid at the door of the Titles Office.

Mr. Jensen: Documents not signed.

Mr. KNOX: If these matters are investigated, it is seen that an enormous amount of human error is involved, and I defy any member of the Committee, including the honourable member for Bundaberg, to consistently produce documents without an error.

Many documents contain only minor errors, but the Registrar cannot correct them because the law does not allow him to do so. One of the amendments I am now proposing is that the Registrar and the Deputy Registrars be given the opportunity of correcting minor errors in the documents.

Mr. Jensen: The Registrar had to go to the bank for me and get a duplicate of the mortgage because the bank had delayed it. The solicitor should have done that, but the Registrar had to do it.

Mr. KNOX: I do not think we should blame even the solicitors for all the errors. Although errors occur, they can be expected to occur. The deficiency has been that there is no simple method of correcting them and a tedious process has had to be followed, and I am trying to eliminate that tedious process.

Mr. Murray: The only human error we have at the moment is the honourable member for Bundaberg.

Mr. KNOX: That is something over which we have no control. I do not wish to add anything further, Mr. Hewitt.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Knox, read a first time.

LIQUOR ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice) (11.44 p.m.): I move—

"That a Bill be introduced to amend the Liquor Act 1912-1972 in certain particulars."

Since the amendment to the Liquor Act in 1970 and the small amendments in December 1972, submissions have been received from various bodies and associations of persons requesting that further amendments be made to the Act. These submissions have been carefully examined and considered. This Bill will give effect to those suggested amendments which are considered to be desirable in the interests of the community.

The Bill provides for a commission consisting of five members, one of whom is to be the executive officer of the Licensing Commission, such person being the sub-department head. It also sets up a Licensing Court consisting of one District Court judge.

The new commission will be set up to handle purely administrative matters and to carry out the requirements of the Licensing Court. The commission will deal with ordinary applications such as transfer of licences, granting of permits etc., and will make recommendations to the court on other matters.

The Bill sets out the procedure to be followed by both the Licensing Court and the Licensing Commission.

Local option polls are to be abolished. The results of these polls conducted over recent years have indicated that public opinion is in favour of the hotel placements proposed, and "Yes" votes have been carried in each poll conducted. In fact, since 1958, when the local option provisions were re-introduced, only one "No" vote has been carried.

In view of the proposed set-up of the Licensing Court and the Licensing Commission, any objector will be able to put forward his case in writing to the commission itself and then by an appearance before the Licensing Court.

The lawful age for the sale, supply and consumption of liquor in all licensed premises will be reduced from 21 years to 18 years. This will also apply to membership of licensed clubs.

A source of complaint by both licensed victuallers and the public is the tied-house system, under which licensed premises are by covenant bound to either breweries or spirit merchants for an extraordinary length of time. In this system at present is the tying up of the premises for many years after any mortgage debt has been discharged, and the inheritance of the covenant by an incoming licensee who owes nothing to the brewery or spirit merchant.

Under this Bill it will not be possible to tie up the licensed premises in respect of wines, spirits or packaged beer; nor will it be possible in respect of draught beer unless the brewery or spirit merchant retains a proprietary interest in the licensed premises, or the owner or licensee is indebted to the brewer or spirit merchant under a mortgage in respect of the licensed premises.

Packaged beer has been defined as beer that is supplied in sealed bottles, cans or like containers, and does not include draught beer stored in a cask, barrel, keg or like container in which bulk beer is stored.

Trading in relation to bowling and golf clubs will be allowed to 8 p.m. seven days a week. The present hours of trading are 10 a.m. to 7 p.m. Power is given to the Licensing Court on the recommendation of the commission for these hours to be restricted to 7 p.m. only, if there is found to be a nuisance caused by noise etc., either from the licensed premises themselves or from the environs of such premises, for example, car parks.

Permits for functions of licensed bowling clubs or licensed golf clubs or of a member of such club for late trading after 8 p.m. to 12 midnight are increased from 26 per calendar year to 52.

Provision is made in the Bill to allow a casual visitor playing at a golf course or bowls club, who pays a fee normally charged for such privilege, to consume liquor at such club. The Liquor Act provides that the only persons to whom liquor may be sold or supplied at bowling and golf clubs are members of the club, members of another bowling or golf club, and the guests of a member. The casual visitor who particularly frequents golf clubs cannot lawfully, at present, obtain liquor.

Trading in respect of licences held by registered clubs, ex-servicemen's clubs, workers' clubs and principal sporting clubs will be allowed on Sundays similar to the other days of the week, that is, 10 a.m. to 10 p.m., or as varied by the Licensing Court. Power is given to the Licensing Court on the recommendation of the commission for these hours to be restricted to 7 p.m. only, if there is found to be a nuisance caused by noise, etc., either from the licensed premises themselves or from the environs of such premises.

The Liquor Act is to be amended so as to permit associate membership of ex-servicemen's clubs to brothers, sisters and spouses of a serviceman, ex-serviceman or member of the permanent forces. Associate membership presently is confined to the wife, father, mother, son or daughter of a serviceman, ex-serviceman or member of the permanent forces.

The present provisions and character in relation to bistro licences is to be changed. Provision is made in the Bill for bistro licences to apply to establishments providing meals and to allow the sale, supply and consumption of Australian wine only. Present legislation provides for the Licensing Commission to grant a bistro licence where an application for a restaurant licence has been made in respect of premises providing a speciality in either food or drink. Actually, there is no difference, at the present time, as to whether a restaurant licence or bistro licence is granted to the applicant.

A new type of licence is to be introduced, namely, a vigneron's licence, so as to allow the sale and supply of wine produced on the premises and made from fruit grown in Australia. The Bill will allow the sale of wine in single bottles. The present legislation allows the Licensing Commission to grant a permit for the sale of wine produced from fruit grown in Australia in quantities of not less than two gallons at a time. In order to foster this industry, it is desired that a sale by single bottle be allowed.

Provision is made to extend theatre licences to allow the sale, supply and consumption of liquor in properly set up lounges attached to cinemas. The legislation will ensure that these premises satisfy proper standards of design and that the liquor lounge is in a position on the premises which is not readily accessible to persons who are not attending the performance.

The legislation will allow the sale, supply and consumption of liquor one hour before any performance and one hour thereafter and also at intervals, but will not provide for liquor to be sold, supplied or consumed prior to 10 a.m. Presently, the legislation provides for the grant of theatre licences only in respect of "live" theatres such as S.G.I.O. Theatre and Twelfth Night Theatre.

The more important of the other amendments concern:—

(a) Ball permits;

(b) Trading hours in cocktail bars in hotels;

(c) Public notification of all licence applications;

(d) Record of convictions and payment of fees;

(e) Licensees' obligations to sell drinks;

(f) Repeal of the section providing for international-class hotels;

(g) Repeal of the provision relating to renewal of licences;

(h) Tender for licences by breweries;

(i) Caterer's licences;

(j) Historic inns; and

(k) Seafarer's canteen.

I commend the motion to the Committee.

Mr. WRIGHT (Rockhampton) (11.52 p.m.): It is a great pity that such an important piece of legislation has been brought on at 8 minutes to midnight. I believe many members on both sides of this Chamber want to speak at length on the recommendations and the provisions the Minister is bringing forward. It always amazes me that amendments of the Liquor Act seem to be cast in this image of being far-seeing. I think it is time we had a darn good look at the way we approach liquor laws in this State.

Mr. B. Wood: It is the most amended Act we have.

Mr. WRIGHT: It certainly is. I think too much emphasis has been placed on alcohol in the community. I think we are over emphasising the role that alcohol plays, and its importance, in the community. We see nothing but high-pressure tactics used by the producers of these beverages, and this pressure is getting harder and harder. When the Minister speaks about groups that approach him or come forward with recommendations, I think we can isolate these mainly as breweries.

Mr. Knox: That is not true.

Mr. WRIGHT: I can understand clubs such as the bowls groups and golf clubs wanting extended hours, and I would agree with this. But I think the main pressure does come from the manufacturers, and we know why. They have some very real interests in this.

We seem to be pushing the idea that liquor should be part of our social, business and domestic life. Society has been gradually conditioned to the view that liquor is very important to us. Every liquor advertisement we see depicts young people holding a glass of liquor or beer. This seems to be part of the sporting and every other world. We see athletes like some members of this Chamber profess to be, whether well-known golfers or stars in other sports, who, because of their sporting prowess, seem to be able to make a lot of money by promoting liquor in advertisements.

I think it is a great pity because too often we forget the problems that alcohol has brought to this nation of ours, and, indeed, to the world. Too often we forget the carnage on the road, and the loss of life and limb. Too often we forget the loss of work output and production which is costing our nation millions upon millions of dollars. We seem to say, "No, these are far-seeing, far-reaching ideas that must be implemented." I wonder how many homes in this State have been destroyed because of the over-use and abuse of alcohol. I wonder how many family units have been disrupted, and how many husbands have left their wives and families because they have become alcoholics.

I wonder what would be the cost to this State of the care that has to be given to alcoholics, and the pensions and financial assistance that must be given by way of rehabilitation and maintenance for those who have been injured as a result of this problem.

Mr. B. Wood: Wouldn't it have been practical to amend the Traffic Act at the same time?

Mr. WRIGHT: It certainly would have been. Undoubtedly, the pressure has been exerted by the breweries. In view of the massive profits made each year by them, we can well understand the reason for this. Of course, from time to time, certain persons claim that the breweries make a fantastic contribution to sport. But such a contribution does not offset the mal-effects.

Mr. F. P. Moore: They contribute a lot to the slush funds of the Government, too.

Mr. WRIGHT: I take the honourable member's interjection. Both directly and indirectly the breweries of this nation employ approximately 15,000 people. They also use huge quantities of agricultural products. For example, in 1969-70 they consumed nearly $30,000,000 worth. Moreover, they are a source of income to the Commonwealth Government, which this year expects to receive the vast sum of $416,000,000 by way of beer excise duties. Last year the sum was $339,000,000. These facts can be used as a measure to gauge the role that liquor plays in our community. In the light of the sums collected by way of beer excise duty, it is not difficult to imagine the huge profits that are being earned by the breweries.

There is nothing wrong with liquor itself. Like the gun, it is harmless until it is used or abused. People will claim that there is a time and place for the consumption of liquor. Perhaps some honourable members hold more liberal views than others. Our main concern, however, seems to revolve around when and where liquor should be consumed. Tonight we are concerning ourselves with by whom it should be consumed. It is our right to be interested in these areas, more so when it comes to judging the effect of liquor on the community. Whilst we could leave to this Assembly the questions of when and by whom, we should not leave to it the question of where. Because we, as an Assembly, represent all the people of Queensland we can well decide the issues of "when" and "by whom," but we should leave to them the question of where liquor should be consumed.

I am amazed to learn that the Minister is introducing a provision to remove local option polls. I am simply astounded by this. In discussing the matter of where liquor should be consumed, we are examining its intrusion into the home life and community life generally. We are giving consideration to noise, traffic hazards and the destruction of our environment. I am completely surprised, therefore, to learn that this far-seeing Minister, for whom I have high respect and whom I have commended for the introduction of far-reaching amendments, should condone the removal of local option polls, in other words, the voice of the people, in this very important matter.

I realise, of course, that the provisions relating to local option polls are at this present time totally unsuitable. For example, the three-mile limit is ridiculous. People who have nothing whatever to do with the siting of a hotel are required to vote on it. Unnecessary cost is involved in local option polls and, as well, some of the campaigns that are waged either for or against the proposals are, to say the least, distasteful. But in spite of all this, the local option poll must be retained. Whether or not it is retained in an amended form, such as I will be proposing, we cannot depart from the principle of giving the people a right to say what will happen and what type of liquor business will be established in their localities.

As I say, the three-mile limit is ridiculous. Some time ago I debated with the Minister what was meant by the term "neighbourhood" in relation to the transfer of a liquor licence. The Licensing Commission does not seem to have any trouble in defining a neighbourhood, so I suggest that the same type of term should be used in relation to the siting of a hotel. Why not let the commission designate a neighbourhood and define very clearly the area that will be affected by the siting of a hotel? I cannot see any reason why this cannot be done. It would certainly do away with the ridiculous situation in which people who reside three miles from the proposed site are required to vote in relation to a hotel that they will neither drive past nor drink at.

We should go further into this and stipulate the exact site of the proposed hotel, because too often people are told "A hotel is to be built in your area," but are not told exactly where it is to be. The Leader of the Opposition told me that one hotel which was to be sited in a certain place was built within 100 yards of people who did not vote in the local option poll. People should know exactly where a hotel is to go. They should be told that it will create undue noise and, that it will have some bad effects on the environment. If we are worried about the costs of local option polls or people voting who should not do so, let us use the postal voting system. In that way there would be no problem, because only people living in the defined neighbourhood would be able to vote. They would be the only ones to receive a postal vote. I stress that people should have a say.

I accept the idea of lowering the drinking age to 18, mainly because under-age drinking is very prevalent. As members of Parliament we often go into hotels to talk with our friends or have a drink. But how many honourable members could honestly say that they have not seen an under-age drinker? I have seen girls drinking in hotels not far from Parliament House, not 21-year-olds, but 13 to 15-year-olds. This has been happening for years. I think most honourable members agree that we should lower the drinking age, but let us be sure that the age limit is policed. Drinkers often walk out of a hotel and get into a car believing that they are the best and fastest drivers in the nation, and thus continue the havoc on our roads.

I agree with the proposal to break the tied-house system. It is ridiculous to say that a hotel is a Carlton hotel or a Fourex hotel. This restrictive trade practice should not have been permitted, but it has been in vogue for years. I am very pleased that something has been done about it, but I wonder if we are going far enough. Why should only beer in bottles and cans be sold? This is another matter that we will certainly examine when the Bill is printed.

Mr. Tucker: That will not break the tie completely.

Mr. WRIGHT: No.

We have changed drinking hours in race clubs, cricket clubs, golf clubs, and so on. I do not think that affects anyone, because minors do not frequent these places. I do not think society generally will be affected. In the circumstances, we should have permits covering longer trading hours.

I accept the idea of selling wines from vineyards, but, as a responsible Assembly, how can we condone the new idea of allowing liquor to be sold at cinemas? I doubt that one honourable member was ever asked about having liquor in cinemas until notice of this intention appeared in the Press. We are talking now about picture theatres to which we send our children for Saturday matinees. This seems to come within the realm of the Minister for Local Government, yet we are to allow liquor in these places. I could understand liquor being sold in a live theatre, which attracts a different type of clientele. The sale of liquor in cinemas is disgusting, ridiculous and unnecessary, and it has never been asked for. It is symptomatic, however, of the pressure applied by the breweries. The way we are going, we might as well have beer dispensers at every bus stop, because that is virtually what is happening in society now.