Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 7 AUGUST 1923

Electronic reproduction of original hardcopy

TUESDAY, 7 AUGUST, 1923.

The SPEAKER (Hon. W. Bertram, *Maree*) took the chair at 3.30 p.m.

MEMBER SWORN.

MR. W. J. WELLINGTON.

Mr. W. J. Wellington, having taken the oath and subscribed the roll, took his seat as member for the electoral district of Charters Towers.

QUESTION.

ACTION OF COMMONWEALTH GOVERNMENT IN RE INCIDENCE OF LEAD POISONING IN CHILDREN IN QUEENSLAND.

Mr. MAXWELL (*Toowong*) asked the Assistant Home Secretary—

"Will he lay upon the table of the House the whole of the correspondence between the Federal Government and his department dealing with a proposed commission of inquiry to investigate the incidence of plumbism in children in Queensland?"

Hon. F. T. BRENNAN (*Toowoomba*) replied—

"Copies of the correspondence will be laid on the table of the House."

PAPERS.

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

Report of the Director, State Children Department, for the year 1922.

Report of the Under Secretary for Mines for the year 1922.

The following paper was laid on the table:—

Orders in Council under the Brisbane Tramway Trust Act of 1922, dated 9th February, 1923, 23rd March, 1923, 27th April, 1923, and 31st May, 1923.

UPPER BURNETT AND CALLIDE LAND SETTLEMENT BILL.

INITIATION.

The SECRETARY FOR PUBLIC LANDS (Hon. W. McCormack, *Cairns*): I beg to move—

"That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to make better provision for the settlement and development of lands in Upper Burnett and Callide, within the State of Queensland."

Question put and passed.

DINGO AND MARSUPIAL DESTRUCTION ACT AMENDMENT BILL.

THIRD READING.

The SECRETARY FOR AGRICULTURE (Hon. W. N. Gillies, *Eacham*): I beg to move—

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

Question put and passed.

NERANG RIVER BRIDGE AND SOUTHPORT-BURLEIGH ROAD BILL.

INITIATION IN COMMITTEE.

(*Mr. Kirwan, Brisbane, in the chair.*)

The SECRETARY FOR PUBLIC LANDS (Hon. W. McCormack, *Cairns*): I beg to move—

"That it is desirable that a Bill be introduced to validate certain agreements entered into by the Secretary for Public Lands with certain local authorities and persons relating to certain road and bridge improvements and a certain quarry site near Southport, and for other consequential purposes."

This is a Bill to validate an agreement that has already been signed and sealed between the Department of Public Lands and the Southport and Nerang Shire Councils. Briefly, the history of the undertaking is this: There is a considerable area of Government land facing the beach beyond the Nerang River, south of the town of Southport. The councils concerned were not able to undertake the construction of the road and bridge, and the Department of Public Lands has a definite interest in opening up this piece of land for residential purposes. As hon. members know, one sale has already taken place, and the prices obtained were very satisfactory.

Mr. ELPHINSTONE: It fetched about £2,000 an acre.

The SECRETARY FOR PUBLIC LANDS: It fetched very high prices. Of course, those are the upset prices, and the owners only pay a certain percentage as rental on the perpetual lease allotments.

Mr. KELSO: No profiteering?

The SECRETARY FOR PUBLIC LANDS: No profiteering. (Opposition laughter.) The whole of the proceeds go to the Crown. You cannot profiteer on yourself. The agreement, of course, is between the shires concerned and the State. The Government have undertaken and are carrying out the work. They are finding the whole of the money, and the councils have to find a certain proportion of that money, to be repaid over a period of fifteen years, and they will pay 5½ per cent. interest.

Hon. W. H. BARNES: Does it include the bridge?

The SECRETARY FOR PUBLIC LANDS: I will briefly give the details of the agreement, so that hon. members will be able to read it in the report. The agreement provides—

"(1) That the department should construct a bridge 19 feet wide over all with concrete substructure and wooden superstructure, over the river at Southport. This bridge to contain a movable span to allow the passage of shipping.

"(2) That the department should construct a metalled motor road from the end of the bridge to Burleigh, a distance of 9 miles.

"(3) That the cost of the work should be as estimated—approximately, £40,000.

"(4) That the Southport Council should bear £12,314 10s. of the cost; that the Nerang Shire Council should bear £5,450 of the cost; and that the department should bear the balance.

"(5) That the Southport Council should make itself responsible for paying the total indebtedness of the councils—namely, £17,764 10s., and that the Nerang Shire Council should pay its quota, £5,450, to the Southport Town Council.

"(6) That the Minister for Lands should carry out the work, and so far as the councils' proportion of the cost was concerned, should take up the position of contractor for the councils, and should accept payment by the Southport Town Council in fifteen equal annual instalments, with interest at the rate of 5½ per cent. per annum.

"(7) That the Southport Council should agree to construct a bridge at its own cost at Meyer's Ferry, should at any time the sea or the Nerang River break through at what is known locally as the Narrow Neck, about 1 mile south of the bridge at present under construction."

That is the basis of the agreement. Included in the agreement there is a provision for the taking over of a quarry. There is really nothing to say on the second reading of the Bill, so I will give hon. members particulars now. Provision is also made for the sale of the quarry to the councils after the work is finished. It is not intended to do anything further in road construction. At present the State has a very definite interest in the moneys expended, and we have no doubt that we shall be fully recouped for the expenditure, including the cost of building the bridge over Nerang River, in opening up the Main Beach portion of Southport for residential purposes. The people are anxious to get seaside residential sites there. I was down there a fortnight ago to see how the work was progressing. The bridge is halfway across the river now, and the road is getting on towards completion, so there should be no difficulty in disposing of the whole of the land. This is merely a validating Bill. The necessity for the validation is that it is doubtful whether either of the local authorities concerned can enter into such an agreement, because it involves the expenditure of loan money. Although the State is finding the whole of the money to construct the road and build the bridge, as a matter of fact, the councils' portion that is spent is really in the nature of a loan to the councils, and under the Local Authorities Act it is not possible for the councils to borrow unless they carry out certain definite rules with reference to Government loans under the Local Authorities Act. The loan has to be advertised, and the electors may demand a poll upon it.

HON. W. H. BARNES (*Wynnum*): There are one or two questions which I would like to ask the Minister. If I followed him closely, I think he said that the total cost would be about £40,000.

The SECRETARY FOR PUBLIC LANDS: £40,000.

HON. W. H. BARNES: He also volunteered the information that the bridge which is in course of erection is about half completed.

The SECRETARY FOR PUBLIC LANDS: I think it is more than half completed.

HON. W. H. BARNES: I know that there is an impression that the bridge in question will be completed about Christmas. I do not know whether they still hope to accomplish that.

The SECRETARY FOR PUBLIC LANDS: Yes, they will.

HON. W. H. BARNES: Could the Minister tell us whether he expects the work to be completed for the estimated cost?

The SECRETARY FOR PUBLIC LANDS: Yes; the engineer tells me that it will be within the estimate.

HON. W. H. BARNES: That will be interesting. Generally speaking, I think the experience of most people in connection with these works is that at the end the estimated cost is very much exceeded. It will be interesting to us to know whether the Minister anticipates that the whole of the work will be completed at the end of the year.

The Minister made reference to the fact that the Government were lending money to the local authorities who could not legally get the money until certain steps were taken by them. Is there anything special in the Bill in the direction of giving increased borrowing powers to the Southport Council? I have an impression that the Southport Council have got right up to the limit of their borrowing power, and it might be necessary to make provision in the Bill to give them increased borrowing powers.

The SECRETARY FOR PUBLIC LANDS: I think you will find that there is a provision in the Bill for rating as the council's limit of borrowing is reached, and the inclusion of this new area will mean a big increase in their borrowing power, because the land is very valuable.

HON. W. H. BARNES: I am obliged to the Minister for furnishing me with that information. I wish distinctly to state that I have not risen in any spirit of opposition to the proposal, because I think it is going to be a good thing for Southport.

The SECRETARY FOR PUBLIC LANDS: I will give full information.

HON. W. H. BARNES: If the Southport Council give an undertaking of that kind, they will see that it is faithfully carried out. I hope that the venture will prove a success. I think that it will be a good thing for Southport.

The SECRETARY FOR PUBLIC LANDS: I think it will.

Mr. KING (*Logan*): I understood the Minister to say that, if the bridge was washed away, a new bridge would have to be built.

The SECRETARY FOR PUBLIC LANDS: If the sea or the river should break through the Narrow Neck, the Southport Council undertake to put the original proposal into execution, that is, build a bridge at Meyer's Ferry at the sole cost of the council.

Mr. KING: The Government have no obligation in future?

The SECRETARY FOR PUBLIC LANDS: No obligation whatever.

Mr. KING: Is there any provision in the Bill for the proclamation of benefited areas?

The SECRETARY FOR PUBLIC LANDS: Yes.

Mr. KING: Is there any provision dealing with the basis of valuation?

The SECRETARY FOR PUBLIC LANDS: Yes.

Mr. KING: That is embodied in the agreement?

The SECRETARY FOR PUBLIC LANDS: Yes.

Mr. KING: I would like to ask the Minister whether the provision as to the basis of valuation is not totally opposed to the principles of local government.

The SECRETARY FOR PUBLIC LANDS: It is not totally opposed to the existing principles, but it is not exactly in accordance with them.

Question put and passed.

The House resumed.

The CHAIRMAN reported that the Committee had come to a resolution.

The resolution was agreed to.

FIRST READING.

The SECRETARY FOR PUBLIC LANDS presented the Bill, and moved—

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

Question put and passed.

The second reading of the Bill was made an Order of the Day for Tuesday next.

LOCAL AUTHORITIES ACTS AMENDMENT BILL.

SECOND READING.

HON. F. T. BRENNAN (*Toowoomba*): Before moving the second reading of this Bill I should like to say that my position in introducing it is the result of a vote of members of this party, which is the highest honour that can be conferred on a public man. The Bill of which I have charge is a most important measure, and embodies proposals which have been discussed for a number of years by the local authorities at their various conferences. Some people think that these conferences merely provide a good outing for the members who attend them, but I disagree.

HONOURABLE MEMBERS: Hear, hear!

HON. F. T. BRENNAN: I think that they devote their time to very useful work and they do very good business. I also appreciate the fact that at times in their discussions they are not quite as deliberate as they might be, because some of them do not seem so much at home at their conferences as they do in their own little shire council halls. That is to be regretted, because it means that we do not at all times get the best that is in those men. On this occasion we find that the conference was friendly disposed towards the Government. I think the reason for that is that they were really apologising to the Government for the hard things they said about them when the Government set out to grant adult franchise in local government. You will remember that our opponents and every local authority throughout Queensland said that we were going to ruin local authorities and open a loop-hole through which hoboes—the scum of society (as our opponents used these expressions)—could get control of them.

We, as judges of, and with a knowledge of psychology, knew what was best for the community, and in our wisdom we knew that what was forecast by the Opposition would not come about. That principle was embodied in the Act, and to-day the various local authorities accept it and agreeably appreciate adult suffrage and welcome it in local authority affairs.

This Bill is very far-reaching. It is going to deal with matters which will be for the benefit of local government in Queensland. The local authorities in Queensland have greater power than any other local authorities throughout the world. We believe that the local authorities should shoulder the responsibility of doing work which would be too cumbersome and too unwieldly to be managed by the Government, and for that reason we intend to grant them certain concessions and give them powers and authorities almost equal to the powers and authorities possessed by the Government, in order that they may carry out their own affairs. I think these powers are necessary.

The first matter of importance in the Bill is the election of mayor. When the last Local Authorities Bill was before the House we decided that it was the correct thing to elect the mayor by a separate vote. The policy of the Government is to amalgamate the various shire and ward systems in order to reduce expenditure where there is this multiplicity of control, and for that reason we have decided that in places like Toowoomba and where there are single municipalities the highest vote received by an individual who is seeking election to the local authority concerned shall entitle that person to be elected as mayor. That will save duplicating elections. It is usual that the best men stand for election as mayor. When there are two men contesting an election one must lose, and, if he was not also standing for election as a member he would not be on the council. I think it is most essential that provision should be made so that men most suitable for local governing bodies and who are anxious to remain in municipal life should stand in the general election of members. For that reason the Bill provides that in single municipalities the highest at the poll shall be the mayor. In places like Brisbane, where the ward system exists, a separate election for mayor will have to be held. I may be asked who will be the mayor if there are just the required number of members. In Committee I am prepared to accept an amendment providing that in a case like that the mayor can be appointed by the council. The Bill also provides that, where there is a vacancy in the position of mayor, it shall be filled by the council, who can appoint some person —without an election being held—eligible to vote at a municipality election. In the smaller municipalities the cost of the preparation of a roll, etc., is too great. To save that expense, we have decided that in the case of a vacancy the council shall fill the vacancy.

Mr. ROBERTS: Will the next person on the ballot-paper be selected as mayor?

HON. F. T. BRENNAN: We have been considering that matter. If the council are wise, they will not necessarily take the next person. The next person on the ballot-paper may only receive 10 per cent. or 15 per cent. of the votes polled by the highest candidate, and it would not be a fair thing to elect as mayor a person who was not entirely acceptable to the people. That point has been raised, but I think it would be better to allow the council to exercise their wisdom in making the selection.

Hon. W. H. BARNES: Can they appoint someone from outside?

HON. F. T. BRENNAN: Yes. They can appoint anyone who is qualified to contest a municipal election. The Bill also provides

for the destruction of noxious weeds, impounding, and selling land for arrears of rates.

Involved in the question of elections is the matter of the electoral roll. The preparation of the electoral roll is a very expensive matter to local authorities. Take again the case of Toowoomba. Toowoomba is an exemplary city, and you can almost take it as an example on any matter. Toowoomba and East Toowoomba are embraced in the Greater Toowoomba scheme, and the electors are practically all the names contained on the two rolls of Toowoomba and East Toowoomba. To have to compile a fresh roll in such a case would be a very heavy expense, and an amendment under this Bill provides that electoral rolls shall be used for the purpose of municipal elections. That alone will save Toowoomba £150. The amendment also refers to other municipalities, and will mean a big saving to them. The principal object of the Bill is, where possible, to save expense to the local authorities.

The next point relates to borrowing powers. At the present time local authorities are hampered by certain red-tape regulations, and by the fact that only a limited amount can be borrowed from the Treasurer. The Government are of opinion that those powers should be extended. At the same time we reserve to the people the right to demand a poll as to whether the money shall be borrowed or not.

There is also a provision dealing with the question of valuations. That is an important matter which I will deal with later.

There are also clauses dealing with general matters and roads.

The Bill goes a step further than that which I have indicated in cheapening the cost of the elections. It makes provision that the elections shall be held in April instead of March, because the rolls cannot be issued in time to hold the elections in March. The rolls to be used shall be the electoral rolls as compiled up to the 31st December prior to the holding of the poll. To enable that roll to be used it is necessary to give sufficient time to the town or shire clerk, and we have decided to extend the time for a month to enable the roll to be compiled.

That also brings to mind another issue which our opponents at the time the Act was amended thought would be a danger in the matter of adult franchise. They said that certain people would have a vote and could clear out the following day. That is not so in practice. They must have resided at least a month in the place to qualify for enrolment. That is, they will have to be there in November in order to be enrolled on 31st December. That means that an elector must be there five months before he is entitled to vote. This certainly will disfranchise some people, but it cannot be obviated in view of the fact that this amendment is made in the interests of economy. People carrying a swag must be there five months before they have the right to vote. I do not think that any of these people are so keen on voting at municipal elections that they are going to wait in a city or town for five months to do so. That disposes of the bogey raised by hon. members opposite.

The next matter dealt with is the question of an extraordinary election to fill the office of mayor, chairman, or member. The local authority is empowered, at a special meeting called for the purpose, to appoint a qualified person to fill the vacancy. The council may thus appoint any member of the council to the vacancy, or may appoint any qualified member outside the council. The expense of conducting elections will be very materially reduced by this provision and an added responsibility will be conferred on local authorities.

The Bill also deals with the borrowing powers of local authorities. Clause 42 directs that no further loans shall be granted to a local authority under the provisions of the Local Works Loans Acts, 1880 to 1913. The Local Works Loans Act classified works for borrowing purposes and fixed the period of loan in respect of each class. This classification is now in many respects obsolete. The new provisions in clause 43 repeal the provisions of section 293 of the Local Authorities Acts, which limited the powers of the local authority to borrow from the Treasurer. There is no limit to the power of the local authority to borrow by the sale of debentures. The new provisions empower the local authority to borrow from the Treasurer, and the terms and conditions of the loans will be determined by the Treasurer according to the circumstances of each case. In addition, some useless procedure has been repealed which will save the issue of Orders in Council to cure irregularities in procedure which are constantly occurring. The local authority must apply for the loan and advertise its intention to borrow, and the right of the people to demand a poll still remains. All that has been done is to simplify the whole procedure in connection with loans and to remove the rigid provisions which now determine the terms and conditions of loans advanced by the Treasurer.

Dealing with the question of valuation, since the passing of the 1902 Act new tenures of land have been created. The valuation provisions have also been subjected to amendments and anomalies have crept in. The whole of the provisions have been re-cast, and the varying tenures have been definitely specified under the rules of valuation which are to be applied to the respective tenures. The first rule sets out the principle of valuation in respect of freehold, and includes the varying tenures, which have to be valued as if they were freehold. The valuation in such cases is the fair average value of unimproved land of the same quality and in the same neighbourhood. There is no change in this principle, but an additional rule has been added. This additional rule, which is to be found in subclause (8), provides that for the purposes of the rules of valuation the quality of land shall not be deemed to be affected by reason of the fact that it is infested with noxious weeds or plants, or that it is not cleared of its natural timber, or scrub, or other vegetable growth existing thereon. In the tramway case it was held that the test to be applied in valuing land was what a willing buyer would be willing to give for the land, after deducting the value of improvements. This was very unfair to local authorities. It has also been held that the clearing of noxious weeds and prickly-pear is an improvement, and that the infestation of prickly-pear is a detriment, which reduces the value of the land. In some municipalities we find some landowners keep their lands free from pear, while, on the other hand, others who are holding it for speculative purposes and putting it to

no use, permit it to become infested with pear, causing no end of inconvenience to Queensland by assisting the prickly-pear to spread. This inequality becomes manifest when it is realised that it is the work of the community and the local authority which gives land its enhanced unimproved value.

Hon. W. H. BARNES: Have the Government to keep their land clear?

HON. F. T. BRENNAN: The Government cannot be expected to keep their land clear.

Hon. W. H. BARNES: Why not?

HON. F. T. BRENNAN: Because it would take millions of pounds to clear the lands in the hands of the Government.

Mr. CORSER: A lot of that land has been re-infested by Government land.

HON. F. T. BRENNAN: The hon. member for Wynnum was in office years ago when the expense of a thousand or two would have cleared that land. I have recollection of reading of the first cactus brought from America, and where a man was sacked because he did not water it.

Hon. W. H. BARNES: That is long ago.

HON. F. T. BRENNAN: Not more than fifty years ago. While the continuous Tory Government were in power they allowed the prickly-pear to spread, but we have introduced legislation to attempt to grapple with the problem that confronts us through the apathy and criminal neglect of others in the past who have been in power.

Mr. CORSER: Why did you not deal with it as soon as you came into power?

HON. F. T. BRENNAN: When we came into power the problem had got beyond the power of any Government to deal with it except by special legislation. It is going to take millions of pounds to eradicate it. Those people who take up land as occupation licenses do so to get the best out of it, and throw it up afterwards. They do not take it up with the intention of clearing it of prickly-pear, but because there is some value in it. If it is good enough to take up as an occupation license, whilst using that land they will have to pay municipal and shire rates on that basis of valuation in order to keep the roads in repair. This Bill comes from the Local Authorities' Conference itself. The hon member for Murilla comes from a prickly-pear centre. He went out there because he saw a good thing could be made out of occupation licenses. He holds a number of occupation licenses.

Mr. MORGAN: I pay a big rent for them

HON. F. T. BRENNAN: But the hon. member is getting big profits out of those occupation licenses. If he was fair he would take up prickly-pear leases, but he does not do that. This important provision is most essential. It may affect Murilla and other areas, but the council will have power to give relief if the burden of taxation and rating is too heavy. We must deal effectively through the municipalities and the shires. Take Charters Towers, for example. What are they doing there to destroy prickly-pear? Nothing at all. I do not think that my opponents will object to this amendment, because it comes from the local authorities themselves. They want it, and we are only too pleased to give it to them, because, if they will co-operate with the Government in the destruction of prickly-pear, that co-operation will be a great national advantage.

The next thing is the question of the valuation of mining tenures. A provision is included in the Bill that in the case of miners' homestead leases, if there is no land held in fee-simple in the same neighbourhood, the value of the land is to be deemed to be the capital amount upon which the annual rental of such land is based.

With regard to grazing tenures, the basis of valuation is the same, viz., twenty times the annual rent, but an additional rule has been included to provide that, where the occupier is bound to eradicate and destroy noxious weeds and plants on the land and the rent payable is a quit rent, the value shall be deemed to be twenty times the amount of the rent payable under similar tenures for land of similar grazing quality in the same neighbourhood and free from noxious weeds.

There are certain general provisions in this Bill. Two or three other provisions should be mentioned. The present law limits the size of gas mains which may be rated to mains with a diameter of 3 inches or over. In some of the smaller concerns mains of less diameter are used, and thus escape rating. In addition, a poorer supply of gas is provided. Clause 33 removes this limitation.

There is also power in the principal Act under which the local authority may levy a differential rate for farm lands in cities and towns not in demand for building sites or residential areas, and of which at least half the available area is annually cultivated or otherwise used for the purpose of food production. The section is capable of a narrow interpretation—so narrow that it has been practically inoperative, only two local authorities having taken advantage of it. The new provision seeks to widen the section and if, in the opinion of the local authority, the land is being reasonably used for the purpose of primary production, the local authority may grant a differential rate.

Mr. MORGAN: Why not include shires?

HON. F. T. BRENNAN: The application would be similar. I think there may be some reason for an amendment on those lines, if the hon. member likes to suggest it. We are not sticking hard and fast to any particular portion of this Bill, because, after all, we recognise that it is capable of further amendment.

A provision has also been inserted to give the local authorities power to make by-laws regulating the weight of loads or of the use of vehicles likely to injure roads. The purpose is to give the local authorities power to adopt the weight of load regulations of the Main Roads Board, which a number of local authorities are desirous of doing.

The power of the local authorities to make by-laws for the payment of travelling expenses has been enlarged. In addition to travelling expenses, the local authorities may also make by-laws for the payment of an allowance not exceeding one guinea per day for each sitting day, but no such payment to any member is in any year to exceed in the aggregate £50.

Clause 15 requires that resumption agreements, if the compensation made or to be made is of the amount or value of £500 or

upwards, shall be submitted to the Secretary for Public Lands, who may direct that the compensation shall be determined by the Land Court.

I think that is a most important amendment, because it gives an opportunity for the public to obviate criticism where local authorities resume land under private agreements. I think those matters should be determined by the Land Court, so as to prevent suspicions which may be entertained at any time in matters of municipal government.

The powers of control of the local authority over existing roads are not altered or lessened, and that part of section 57 of the principal Act which declares that the local authority shall be charged with the construction, maintenance, management, and control of all roads, still remains. The Bill, however, contains entirely new provisions with regard to new roads and subdivisions of lands.

The existing law with regard to the opening of new roads and the subdivision of land by private persons is to be found in the Undue Subdivision of Land Prevention Act of 1885, and section 83 of the principal Act.

The idea of the Undue Subdivision of Land Prevention Act was to prevent land which was being used for other than business purposes from being cut up into portions of allotments of less than 16 perches——

Mr. KERR: How many houses can be put up on a 16-perch allotment?

HON. F. T. BRENNAN: And to prevent streets from being laid out less than 66 feet wide and lanes less than 22 feet wide; also to prevent a dwelling-house from being erected or being re-erected fronting a lane. The Act does not, however, further limit the use of the land, nor does it authorise any authority to regulate and control the subdivision of land or the location of roads. It was not until 1902 that the local authorities were given any power with regard to the location of new roads. This power was given to the local authority by section 83 of the Local Authorities Act of 1902. The power was not in any sense a complete power; it was uncertain and indefinite, and practically was limited to a power of approval or objection; but no power was given over subdivisions of land.

The Undue Subdivision of Land Prevention Act and section 83 of the principal Act are to be repealed and new provisions take their place. But the same restrictions which the Undue Subdivision of Land Prevention Act imposed are continued until the local authority exercises or takes other powers under the Bill. That is to say, 16-perch allotments will still prevail until by an Order in Council a certain area is declared to be a residential area. Then homes may be built on smaller areas than 16 perches, providing the town planning regulations are carried into effect.

Mr. KERR: Less than 16 perches?

HON. F. T. BRENNAN: Yes, if the area is in the form of a square and has been declared a residential area. In the square there will be a lane for foot traffic only, or for traffic propelled by human effort. Inside of that portion there will probably be a reserve, where children will have an opportunity of playing. That would do away with the idea of yard room.

Mr. KERR: On those residential roads, you have provision for passing vehicles?

HON. F. T. BRENNAN: Yes, there will be pathways.

HON. W. H. BARNES: Sixteen perches is too small under any circumstances.

HON. F. T. BRENNAN: That is why, where there is sufficient reserve in a square, it is thought by the Town Planning Association that there is no necessity for troubling about the size of the land or yard room. The Bill provides that the Undue Subdivision of Land Prevention Act shall still prevail. No title shall be issued for less than 16 perches; but once the Governor in Council declares a residential area, then a home may be built on less than 16 perches, provided that on that area there is sufficient space which children can use as a playground. I understand hon. members have a copy of this Bill, and I am simply giving an interpretation of its provisions.

Mr. ROBERTS: You are telling us a lot more.

The SPEAKER: Order! I hope the hon. gentleman will not go into details at this stage.

HON. F. T. BRENNAN: In introducing this Bill it is necessary to go into detail. It is very difficult to discuss the Bill without going into details. Hon. members say that they are learning a lot more about the Bill than they read in the Bill, but I cannot see it. Every important matter I am discussing to-day is contained in the Bill.

Clause 13 requires roads to be classified, and fixes the minimum standard widths of each class of road. The classification and minimum standard widths are as follows:—

Principal road	80 feet
Secondary road	66 feet
Residential road	66 feet
Lane	22 feet
Pathway	12 feet

In New South Wales, the term "Main Road" is used instead of the term "Principal Road," but the term "Principal Road" had to be adopted in the Bill because, if the term "Main Road" had been used, there would have been conflict with the Main Roads Act. A secondary road is a road used for general local traffic. As many roads had from time to time been laid out of varying widths before the passing of the Undue Subdivision of Land Prevention Act—and since under exemptions granted under that Act—provision is included to enable the local authority to assign such roads to a class, notwithstanding that they may be less in width than the minimum standard of the class. It will be noted that the minimum standard fixed for secondary and residential roads is 66 feet, and lanes 22 feet, or exactly the same minimums as were fixed by the Undue Subdivision of Land Prevention Act. But it will also be noted that there are new features introduced—amongst others (1) that a pathway may be provided at a road, and (2) that the local authority may permit a new residential road to be opened of less than the minimum standard width A pathway must not be confounded with a footway or footpath in a road. A pathway is a class of road not less than 12 feet wide for foot passengers or traffic propelled by foot passengers. Actually pathways are being left in subdivisions at the present time in the form of objectionable easements. These easements are, however, not roads, and are therefore not under the control of the local authority. It may be mentioned that some very objectionable things have been done by private owners by way of easements, causing many com-

plaints from local authorities. That is wrong. The easement still remains the property of the holder of the title deeds. People use that easement as they use a road, and the obligation to repair that road falls on no one. You cannot compel the owner to repair that road, and the owner is not going to repair it, because he gets no return from it, although he has an agreement with the purchasers of the subdivision that they shall have the right of ingress and egress over that road for all time without being disturbed. No improvements can be done to that road because the responsibility does not attach to any person, neither does it attach to the local authority. It is essential that there should be power to permit residential roads of a less width than 66 feet, and particularly is this so in rising or hilly country. By enabling narrower roads to be put in, land can be subdivided on the terrace plan—that is to say, allotments can all be made to face the same way and not be set back to back as is now the case, with the result that some houses are below the level of the road and the residents are compelled to look uphill. In addition, there is also the economic aspect. Wide roads are essential in their proper place, but where they are not essential they are uneconomical, and the wider the unnecessary road the more uneconomical it is. Take Warwick for example, and the width of the roads in Warwick. The man who laid that town out was the person who planned Melbourne, and we find a small town like Warwick with very wide roads, with the result that the Council is almost ruined by their upkeep. It is essential in towns like Warwick and other centres that consideration be given to the question of roads before the town is laid out and before any subdivision takes place, as roads are a most important part of any town

Clause 31 empowers the local authority to fix a maximum number of standard houses to the acre in residential districts which may be defined by the Governor in Council on the application of the local authority, or in a local authority approved by the Governor in Council. The fixing of a maximum number of standard houses to the acre is the method adopted elsewhere and advocated by town planners in preference to fixing arbitrarily the size of the allotment, which is the method adopted in the Undue Subdivision of Land Prevention Act. Under the new method the surveyor is afforded a far better scope to plan and utilise the land to the greatest advantage. But until the local authority obtains these powers, the restriction of the Undue Subdivision of Land Prevention Act —that no allotment of land shall be less than 16 perches—remains. In addition, the local authority is given power to make by-laws fixing the minimum area of land upon which a dwelling-house may be built. The question as to the class of building to be erected and all these matters will be a question for the local authority, and will be fixed on the town planning basis. The Act will be wide enough, as amended by this Bill, to deal with all these matters. Clause 16 deals with the procedure to be followed in lodging plans. That is another important matter. We find to-day in Brisbane in trying to carry out health regulations that there are sewers unregistered all over the city. The Water and Sewerage Board, in laying down their mains, have come across different sewers not registered on the City Council map, and there is no record in the office. It is a disgrace on past Administrations not to have a record of these sewers. At present it is very difficult to find where the sewers are. It is most important that the procedure to be followed in lodging plans and the powers and rights of local authorities should be closely adhered to. The procedure to be followed is definitely laid down. There is no need to explain the procedure in detail, but it might be mentioned that the local authority may require the contours and known flood levels to be shown on the plan, and there is a provision that, if such are required, the contours and flood levels have also to be shown on the sale lithograph or print. Take some of the subdivided areas in the metropolitan district. You find people rush in and purchase subdivided land. They pay £10 down, and, after erecting a building, the rainy season sets in and they find that the whole place is flooded. There should be a blue print showing these details. The public in these cases would not think of buying in a swamp area or flooded area were it not for the fact that they are led into it by booming advertisements. It may be objected that the expense of a contour survey should not be put on the owner. I am going to point out what has happened in this city in order to show that they can stand the expense. It may be said by our opponents that we are putting on to the person who is going to subdivide land too many expenses altogether. I have a table showing the number of estates subdivided in Brisbane during the last four or five years, showing the average purchase price per acre and the average selling price per acre, including land dedicated to roads—

Estate.	Average purchase price per acre.	Average selling price per acre (including land dedicated to roads).
	£	£ s d.
A	6	47 0 0
B	5	113 0 0
C	24	50 10 0
D	50	157 0 0
E	74	125 0 0
F	125	393 0 0
G	149	208 0 0
H	131	209 0 0
I	36	100 0 0

You see, therefore, they cannot complain that the person who is subdividing land is not in a position to pay a little more for the preparation of proper plans or for doing certain work before the resubdivision is completed and the land is put on the market for sale. I caused inquiries to be made from nineteen local authorities in the metropolitan area to find out the number of subdivisions that have taken place during the past five and a-half years, and nine of these local authorities have replied, and they give this astounding information that during the last five and a-half years there have been 243 subdivisions and the number of allotments created was 6,085, number occupied, 931, number unoccupied 5,154, and the subdivisions have required 20 miles of new roads. Those lands were subdivided into 6,085 new allotments, and only 931 of them have been occupied. The owners are all out for speculation. The prices [4.30 p.m.] paid for the land before subdivision are very small compared with the prices paid by purchasers of allotments for the purpose of building homes upon them. These speculations have been going on for a long time to the detriment of the people, and it is high time the local authorities were given

power to deal with these matters. There would be less subdivision if more drastic regulations were imposed on the speculators in land. I will explain that further as I proceed with my remarks. It may be objected that the expense of contour surveys should not be put upon the owner. The answer is that, if owners can now afford to have the contour surveys made and shown on the plan, as has been done in the Coronation Park subdivision at St. Lucia, without being asked, there can be no objection to giving the local authority power to require contour surveys to be made. Such surveys will be a valuable asset, and the showing of them on the plan will enable even the layman to understand the lay-out of the roads and subdivisions on the plan.

The matters which have to be taken into consideration in respect of applications for approval of new roads and subdivision of land are definitely set out. These include, amongst others, with respect to a road, the situation of the road, drainage, the character of construction required, whether or not kerbing, guttering, and footpaths are to be provided, and, if the proposed new road is a lane, whether or not a lane should be permitted.

With regard to subdivisions of land, some of the matters which must be considered are the size and shape of each separate parcel, length of road frontage, situation of each parcel in relation to public convenience, means of access, whether the land is low-lying and incapable of being drained or unfit for residential purposes, and the provision made for public garden and recreation spaces. As a case in point, I would refer to an estate at Auchenflower, where there is an acre of land with something like eighteen or nineteen houses built upon it. If a fire took place there, and the wind was blowing from a certain quarter, as big a fire might occur as that which has just taken place at Blackall. The local authority may also fix the position of water, gas, or electric mains in any new road, but this power can only be applied by Order in Council. The mains of the Metropolitan Water Supply and Sewerage Board are, however, exempted from the operation of the clause. Subclause (16) provides for an appeal from the decision of the local authority to the Home Secretary, or to an authorised surveyor appointed by the Minister. In case of the refusal of the council to register a plan, the owner may appeal to the Home Secretary or the Minister in charge, or to an authorised surveyor appointed by the Home Secretary, so that the owner of land will have protection in that way.

The new provisions do not apply to any approval given before 1st January, 1924.

There is a provision which forbids the Registrar of Titles to register plans of subdivisions, unless certified to by the proper officer of the local authority. There are certain exceptions which are set out. These exceptions were also provided in the Undue Subdivision of Land Prevention Act; but in that Act an additional exception was also included. This exception referred to grants of easements. If this exception had been left in the Bill, the Registrar of Titles would not have been forbidden to register the instrument which was a grant of easement. By omitting the exception, the position created is that, if the grant of easement is a subdivision within the meaning of the Bill, it must first be approved by the local authority. The local authority will thus have the opportunity of preventing many objectionable things which are happening at the present time. The easement power in the Real Property Act has been so used by owners of land that the purpose of the Undue Subdivision Prevention Act has been, in many cases, completely set at naught.

There are other new provisions relating to roads and subdivisions. A new provision is that which requires the local authority to cause to be prepared a road map and road register. This provision, however, only applies to cities and towns, and may be applied to shires or parts of shires. It is remarkable the lack there is of records with regard to roads. They may almost be said to be entirely lacking.

Provisions entirely new to Queensland are those contained in clause 16, giving added power with regard to the widening of roads.

In addition to the powers of resumption, the local authority may now widen a road by what are called the colonnading and realignment methods. By the colonnading method the footways or footpaths would be included in the carriage-way, and new footpaths provided by going in under the buildings. By the realignment method the street is widened by fixing a new alignment, to which ultimately new buildings must be built, when existing buildings are replaced by such new buildings. Suitable provisions for compensation are provided in both cases. By the proposed new section 83B, the local authority is given power to undertake planning, and the proceeds of lands in roads closed under such planning are to be paid into the local fund. There are provisions dealing with blind roads. A blind road cannot be permitted except in certain circumstances, and the local authority is given power to deal with exceptional cases. Blind roads are not necessarily bad—indeed, there are cases where they are exceptionally suitable, and in many cases the only thing possible.

The powers of the local authorities over buildings have been added to by the inclusion of provisions whereby the local authority may have areas defined by Order in Council as residential districts, and such Orders may prohibit the erection in such districts of any building for use for the purpose of such trades, industries, manufactures, shops and places of amusement as may be prescribed. I might refer to the case we saw recently at New Farm. In such a case as that the City Council would have authority to say, "This a residential area, and you shall not erect a sawmill here." It is quite right that they should have that power. In Tasmania they have declared what they call industrial areas. Under this Bill the local authorities have power to regulate residential areas and prevent industries being established in those areas. I think that is a most important amendment.

Mr. KELSO: Will that apply retrospectively?

HON. F. T. BRENNAN: No, it will not be retrospective.

Mr. KELSO: It might be.

HON. F. T. BRENNAN: We do not care for retrospectivity. (Opposition laughter).

The local authority may also prohibit the use of any building for any such purposes, and prohibit the erection or use of advertisement hoardings in such districts, and

regulate the class, quality, or description of buildings that may be erected or permitted to continue in such districts. But nothing in the clause is to preclude the continuance of the use of any building for any purpose for which such building was used at the date of the Order in Council, or for such other purpose as the local authority may in the circumstances deem reasonable.

A further provision will enable the local authority to take powers to zone its area or any part of its area. These powers can only be obtained by application to the Governor in Council for an Order in Council.

The local authority is also empowered to fix building lines. Hitherto the local authority has had power to make by-laws requiring that buildings shall not be erected or re-erected within 33 ft. of the middle line of the street. Also there was a provision in the Undue Subdivision of Land Prevention Act prohibiting the erection or re-erection of a dwelling house within 33 ft. of the middle line of a lane unless such dwelling-house was at the corner of the street and a lane. Until the local authority exercises its new powers under the Bill, any by-laws made by the local authority and the restriction imposed by the Undue Subdivision of Land Prevention Act have been preserved.

In addition, additional powers to make by-laws are provided. The local authority may now make by-laws fixing the minimum area and frontage of land upon which any building may be erected, fixing building lines and the distance from the middle line of any road within which buildings shall not be erected, and regulating or preventing the erection of dwelling-houses so that the front elevation thereof faces any lane or pathway; and also regulating traffic on footways.

Those are the main provisions of the Bill, which is one purely for the Committee stage. The Opposition have been given copies of the Bill, and the Local Authorities Conference has also been supplied with copies. I think that, on the whole, the Bill will be welcomed by the Opposition. If any amendments which are desired by the Opposition are in my possession by Wednesday or Thursday, and they are acceptable to the Government, I will have them printed, and accept them. I have much pleasure in moving—

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

Mr. MOORE (*Aubigny*): The Minister, in moving the second reading of this Bill, has given a great wealth of detail in regard to it. By going about from one part of the Bill to another as he has done, he has made it difficult for us to follow his speech; but he has stated that it is purely a Bill for the Committee stage, and I am glad to think that he has not brought the measure in to push it definitely through in its present form. There are many desirable amendments which will make the Bill better than it is at the present time, and make it easier to work. As local government plays such an important part in the welfare of the people who come into such close contact with it, great care should be taken in bringing in an amendment of the existing Act to see that we do not get hasty legislation. We should establish conditions which will be useful in local government work, and make it easy for local authorities to carry out their work but not to press too hardly on the individual ratepayer. Naturally, as a man who has been for a long time on a local authority, I want to see an efficient measure—one under which we can carry out work efficiently and economically—but we have also to look at the matter from the point of view of the individual who is to be governed under it. We do not want to impose restrictions or hardships on him merely to save a local authority trouble or to enable the community to avoid expense. We know that in certain cases individuals have to conform to certain rules, and we ought to make the burden of those rules as light as possible. In matters of health, for instance, the individual has to suffer disabilities for the benefit of the whole community, but in this Bill is a provision which places on the individual a burden which is altogether unreasonable, or which, at all events, may be made unreasonable. I think that in some cases the conditions I have in mind will have to be amended. The Minister said that, with the aid of restrictions on the individual who was cutting up land, you could make sure that only enough land would be subdivided to meet the needs of the people. You could go further. Under those provisions you could stop land being cut up at all by making the conditions impossible, and I do not know that that is a desirable situation to arise. We want to see that the individual cuts up land in an efficient manner, and in such a way that the local authority can work it properly; but we must not place on the individual the whole onus of making it fit for community settlement, particularly when the individual has to provide some of the roads and assume other burdens in the shape of putting the land in a fit condition for occupation. The conditions must not be too harsh.

The new provision with reference to the election of chairman is something for which we asked when the first alterations were being made by the present Government in our local authority laws—that is, that the council should be allowed to elect its own chairman. That is only allowed under this Bill where there is an extraordinary vacancy. Otherwise, the man who gets most votes is to be chairman. We do not agree with that principle at all. It is quite possible that the man who polls highest in a block vote is not suitable for the position of chairman at all. The Government themselves would never agree to the proposition that the man on their side who got most votes at an election should be Premier.

Hon. F. T. BRENNAN: He is Premier.

Mr. MOORE: He is Premier because he got most votes from members of the party opposite. That is exactly a case in point. We do not want the people outside to say in that way who is to be chairman of a council. We want the man who gets most votes from the councillors to be their chairman. The electors generally will elect the council, and the councillors themselves should choose their own chairman.

The HOME SECRETARY: In the old days it might mean that the whole progress of a district could be brushed aside by an election by the councils.

Mr. MAXWELL: Absolutely wrong.

Mr. MOORE: The hon. gentleman cannot take an extraordinary case or two and frame from them a rule of general application. What he suggests happened in very isolated

cases, and he cannot say that the exception is going to provide the general rule. After all, the people who have to work on a council and know the people they have to work with are the most suitable to select the mayor or chairman. The Government go so far as to allow the councillors to do so in the event of an extraordinary vacancy, and even to go outside their own ranks.

The Home Secretary: That is done to avoid expense.

Mr. MOORE: It may be done to avoid expense, but it is a sound principle none the less, and one we have advocated from the beginning, and we see no reason to depart from it now. We think it should be extended to all cases. Another thing which I am sorry to see has been left out of the Bill is a provision that a man shall be entitled to vote in the area in which he has property or where he resides, whichever he likes. It would not be departing from the principle of one man one vote, but it would give him an opportunity to register his vote in a way that would enable him to say how his money shall be spent. I do not think that that would be unreasonable, and it would, in any case, meet a great deal of criticism which has been levelled at the Local Authorities Act.

The Home Secretary: How would it affect the compilation of the rolls?

Mr. MOORE: It would make no difference at all. Such an elector would give notice before the 31st December before the election that he wished to vote where his property was, and, if he did not give that notice, he would have to vote in the area in which he resided.

I think that the abolition of by-elections is a step in the right direction. To my mind, it will not impair the usefulness of the Bill in any way whatever and it will certainly be a great convenience.

Several new principles are introduced into the measure, for instance, with regard to the making of a map showing all roads within the area and their classification. The Minister instanced Warwick as being a place where they had very wide roads. The only disadvantage in the Bill in that respect is that it does not allow us to decrease the width of a road, and that is one of the greatest difficulties with which some local authorities have to contend. In some places there are three-chain roads, and we have at present to resort to all sorts of subterfuges to overcome the disability of having enormously wide roads which we have not the money to maintain. The Bill provides methods of increasing the width of roads in three or four different clauses, but it does not provide any method of decreasing it.

I am not quite clear about the scope of the definition of "road." The Bill in clause 2 says that it is to include all roads within the meaning of the Diseases in Stock Act. So far as I remember, a road within the meaning of that Act includes anything upon which people drive stock, even stock routes. If stock routes are to be included as roads under the Local Authorities Act, tremendous hardships will be imposed on local authorities and others, because, for instance, in some places certain conditions are imposed upon people living alongside roads, and if the roads are very wide, such a provision, I am afraid, will be more honoured in the breach than in the observance. For the sake of example, if a man has a licensed gate, he is responsible for clearing all the noxious weeds on the road enclosed by the gate. What will happen in the Western country, where stock routes are half a mile or more wide? Such a condition of things will arise that it will be impossible for the tenant to carry out the law, because it will be too big a task for any individual. Whether the definition is meant to include stock routes in our Western country I do not know, but from what I can gather I cannot find any provision for exemption. When you frame a Bill to apply to the whole of Queensland it is quite possible that you are going to impose hardships on individuals unless provision is made by which certain classes of country or people are exempt.

Another provision which is badly required is exemption from the law that a man has to take his stock to the nearest pound. It must be apparent that where there are tick lines and tick boundaries it is impossible, in some cases, to take stock to the nearest pound without taking them across the tick line. That is the position that has arisen to-day. That must continue unless a person takes the risk of getting into trouble by impounding stock where the Act says he is not to impound them. These are only minor difficulties, but they make a great difference in efficiently carrying out the provisions of the Act. I warmly agree with the provision regarding the seizure of rescued impounded stock. It has been very difficult to secure a conviction against those who have rescued impounded stock. It has also been very hard to get that stock back when it was rescued. The councils have had to do all that at their own expense. If one man in a district did that sort of thing, it encouraged other people to rescue their stock as soon as they were impounded.

The provisions dealing with the destruction of noxious weeds are very satisfactory, but protection for the owner is also desired. When you speak of noxious weeds generally, you are adopting a very wide term. The Bill provides that, when the council has cleared the road of noxious weeds, it shall be the duty of the individuals on either side of that road to keep it clear ever afterwards. If that was limited to prickly-pear, I would have no objection. If it is intended to include Noogoora burr, Bathurst burr, and other noxious weeds, then a most unsatisfactory position for the ratepayer in that district is going to arise. It is also unfair to the individuals travelling through that area. I think everyone will recognise that one man might have a small area with a large frontage to the road, and another man might have a large area with a small frontage to the road. There may be different soils, and the contour of the land may be such that the water rushes down and carries seed to the corner of one of the blocks of land. It should be the duty of the local authority to keep the roads clear for the travelling public and for travelling stock. That is not the duty of the individual. His duty is to keep his own place clear. Ample provision is made in the Bill to force individuals to keep their places clear. Not only is there power of entry to clear the land, but there is power to impose a penalty from day to day, which is a very desirable thing. Under the present Act the councils have to clear all noxious weeds, except prickly-pear, and that, under certain conditions,

and it is wrong to compel individuals alongside those roads to keep them free from noxious weeds. I hope the Minister will see the wisdom of placing the onus on the local authorities of seeing that the roads are kept in a proper condition, and that they do not shirk their responsibilities by placing the onus on the people living alongside those roads. In olden days in Queensland the individual had to carry out the work. It was carried out until some individual called the bluff on the council, and individuals were no longer compelled to do that work. To go back to that would be to adopt a retrograde step. If it was not satisfactory then, it will not be satisfactory in the future.

I would now like to deal with the question of water-courses. We know perfectly well that the Treasurer has assumed the ownership of all the water-courses in Queensland. The Act at present provides that all water-courses to a distance of 2 chains from the bank have to be kept clear of noxious weeds. This Bill provides that the individuals adjoining the water-courses will have to keep the whole water-course clear of noxious weeds, irrespective of the width of such water-course. Some of the water-courses in the western country are half a mile wide and even wider, and it is a big thing to expect an individual to keep them clean. If he has a water-course fenced into his own property, then it is only reasonable to expect him to keep it clear because he is using it; but, if the water-course is not fenced in, then it is an unreasonable thing to expect him to keep it entirely clear. The Treasurer has assumed all the responsibilities of keeping that water-course clear, and the individual ratepayer who happens to be alongside should not be asked to keep that land free of noxious weeds for the Government.

There are stringent provisions in the Bill allowing councils to clear property of prickly-pear after it has been declared a clearable area. The owner can be brought before two justices or a police magistrate, and, besides being heavily fined, can have a penalty inflicted from day to day. We find that in many areas the Government neglect their duty and allow the pear to grow and become a seedbed for private lands. I know of areas that have been declared clearable in which the council has spent a large amount of money, and the individuals in the district have spent a large amount of money through compulsion; and yet the Crown allow land in that district to be taken up as prickly-pear selections which have clearing conditions for fifteen years. It is an unfair proposition to have the Crown spreading pear which the rest of the people are compelled to clear because the area is declared a clearable area. If the Crown declare an area clearable, and they know how much of the land is infested with pear and what it will cost to clear, before inflicting a penalty on an individual, and before they compel the council to carry out the onerous duties imposed upon them, they should carry out their part of the business and clear the pear off the Crown land. I know of two applications that were granted for prickly-pear selections in an area that was declared clearable. Those persons are allowed fifteen years to clear the pear off those areas. They really have a license to grow pear for fifteen years, as they have only to clear a little each year.

The question of the valuation of the land is the most important thing in this Bill. Under present conditions, it has always been accepted that it did not matter very much what a person grew on his land. The basis of valuation was not what was grown on the land, but what could be grown on the land. The basis of valuation was the value of land of similar quality in the same neighbourhood. Latterly, the valuation courts have decided that the basis of valuation is virtually the selling value. That means that the individual who neglects his property and allows noxious weeds to grow has the valuation of his land gradually lessened each year, and the amount of rates to be paid is accordingly less each year. The man who keeps his land clear has his valuation increased each year, and eventually those who keep their land clear have to bear the burden of rates. The extraordinary position is that if a man takes up land and clears it, he can successfully resist any increase in valuation on the ground that the clearing of the pear is an improvement. If a man allows the pear to grow, the council cannot resist any reduction in valuation, because the growing of pear is supposed to be an act of God. If the thing cuts one way, it should cut the other. If an individual, by allowing the pear to grow, can get a reduction in his valuation, then the council should be able to get an increase in the valuation when he clears the land. Under present conditions, the council falls in both ways. A person can allow his land to become overgrown with noxious weeds and have his valuation reduced each year until in the end the whole of the rates will gradually devolve on the individual who keeps his land clear. I think it is better to be a little harsh on those individuals who are allowing noxious weeds to grow on their land. It would be an assistance to the individual who endeavours to clear his country. There is some public policy involved in this, and, to my mind, the position has to be faced. I can see that difficulties are going to arise, but the councils in the administration of the Act should see that the hardships placed on individuals are not more than they are able to bear. There is no occasion for the Act to be so rigidly carried out in its entirety as to cause hardship on the individual. We want to see where people are escaping their just responsibilities that opportunity is provided to compel them to shoulder these responsibilities and just burdens, rather than shoving them on to those who have to carry too much as it is now. I do not think it will be administered harshly. This has been passed by conferences on two separate occasions. It was passed last year, and this year an endeavour was made to rescind it, but the good sense of the conference recognised that it would be unwise to do so. If it is found that the councils use their powers so arrogantly as to impose hardships, the Act can be amended. At the present time the boot is on the other foot. We find individuals using the Act in order to escape their just responsibilities, and allowing the whole of the responsibilities to devolve on those people who keep their properties clean and who are acting for the good of the State. We recognise that the rates paid to local authorities are different to the land tax, as they are for the direct individual benefit of the ratepayers and provide services by which he is enabled to reach the railway or town, or otherwise. The benefit which comes to him from the land tax is indirect; but the rates paid by him

[5 p.m.]

to a local authority are for services rendered, and consequently it is unjust for individuals in the area, who are allowing noxious weeds to grow on their land, to escape their liabilities and put them on to people who keep their properties clear. It is impossible in an Act like this to take everything into consideration. It is preferable to allow reasonable amendments rather than have it in its present loosely-worded form. We have never been able to get a clear decision as to what it means. We have had contradictory opinions. One Minister interprets it one way, and another another. It is quite time that a clear and definite interpretation is placed in the Act to enable councils to value land under their own jurisdiction. There are conditions in the amending Bill which safeguard owners and occupiers as regards noxious weeds. The penalties are severe, but I do not think they are too severe when one considers the difficulty of administering the Act and the difficulties of interpreting it. I think it is possible to make the Act even more clear by one or two amendments, which I hope to move when the Bill reaches the Committee stage, so that we shall be able to make it perfectly clear, thereby enabling the local authorities to carry out the responsibilities that are placed on them without inflicting hardship either on the owner or the occupier. Under the Bill it is just possible in one or two places that the individual may have too great a burden placed on him and the local authority escape its just responsibility. I am not a believer in that at all. If a local authority has a duty to perform, there should be some provision under which it will be compelled to carry out those duties in the most efficient and economical way. I do not think that it is the policy of any local authority to place burdens on those least able to bear them.

There is one thing in particular in this amending Bill that I would like to stress. That is the removal of the limitation as to borrowing. The Minister, in introducing the measure, laid great stress on the advantage it would be to councils to have this limitation withdrawn, if the ratepayers—the ones who will have to foot the bill—alone had to say whether money should be borrowed and what work it was to be applied to it would be all right.

The SECRETARY FOR PUBLIC LANDS: Have you had no loans since the alteration was made?

Mr. KING: I hope we will have more.

Mr. MOORE: The position is that it is quite possible.

The SECRETARY FOR PUBLIC LANDS: You mean the restriction of borrowing?

Mr. MOORE: Yes. The restriction as to borrowing has been in the Act all the time. Now you are taking the limitation away and putting the power in the hands of people who are not ratepayers at all to say whether money shall be borrowed or not. Whether it is likely to eventuate or not is another thing. The provision is there, and when the people become accustomed to the extended franchise, it is just possible that a very different set of councillors will be in power to those who are in to-day. It is also very possible that on a vote for a loan the largest number of electors will not be the ratepayers. It seems unfair that people who have no responsibility should be allowed to mortgage without limit the property of others and thus depreciate it, whilst the individuals whose property is mortgaged are the only ones who will have to carry the burden.

The SECRETARY FOR PUBLIC LANDS: It won't work out that way in practice.

Mr. MOORE: I do not say it will not; but we always hear that some power placed in a Bill is for extraordinary occasions and may not be used, but we do not want powers included for extraordinary occasions to be used for ordinary occasions if a different set of people get into power. That is just the position I take up. If a poll asking for or objecting to a loan is restricted to the ratepayers I have nothing to say against the removal of the limitation of borrowing. If it is left as it now is—that the electors are the ones to say whether the money shall be borrowed, and for what purpose it shall be borrowed—then I have a very decided objection to it.

The SECRETARY FOR PUBLIC LANDS: Under the present law nearly all the local authorities have borrowed a year ahead on their rates.

Mr. MOORE: The Secretary for Public Lands is referring to the current overdraft?

The SECRETARY FOR PUBLIC LANDS: Yes.

Mr. MOORE: That is outside this question. Under these conditions there is no opportunity for a poll to be taken in that regard. Taking the local authorities of Queensland as a whole, I think they are in a very sound position. If you look through the statistics, you will find that there are practically no defaulters, and that they have practically met all their obligations. When you suggest the borrowing of a large amount of money for some purpose which may have a doubtful value the people who should vote on that question should be the ratepayers, and not the electors. Unless the power in that regard is restricted, I have great objection to that amendment. To my mind it is not only unfair but undesirable, and places a possible burden on the ratepayers which is too great to be borne. It is unfair. It does not affect the principle of the franchise.

The SECRETARY FOR PUBLIC LANDS: How could you have a system where a body elected on a popular franchise initiate a loan and a number of persons with a restricted franchise decide whether that loan shall be raised?

Mr. MOORE: If the council initiate the loan, it is only right that the ratepayers—the ones who will have to pay—should say whether they want it or not. That will act as a curb. There is no justification for saying that, because the electors elect the council, they should have this unrestricted power, and that the people who bear the burden should not be the ones to say whether it shall be carried or not. I do not think that in a private capacity the hon. gentleman himself would agree to anything like that. It is an unfair position, and I do not want to see the principle perpetuated.

The SECRETARY FOR PUBLIC LANDS: I wish my local authority would borrow more money and make good roads.

Mr. MOORE: I am not objecting at all to the borrowing, but only, at the present time, to the restrictions upon the amount that can be borrowed being removed, unless

the people who are going to pay for it have the right to decide whether the money shall be borrowed. If the Government will agree to that, I have no further criticism to offer, and will give them my support; but I strongly object to people being forced into the position of having a mortgage placed on their own property and then not having a voice as to the amount of the mortgage.

The SECRETARY FOR PUBLIC LANDS: Do you object to the ratepayers who did not vote when there was a loan? They do not take any interest in the question at all.

Mr. MOORE: Because these things have happened in the past and because only one election has taken place since the franchise was altered, it does not follow that all cases will be like that. We have to anticipate a very different aspect in the course of a few years, and, if people find that by using the liberties given to them, they can create work and have money spent in the district to which they will not have to contribute towards the interest and redemption, those liberties will be seized upon a great deal more than they are to-day.

I have not a great deal more to say at present. There are many amendments, of which I have a rough draft, which I would like to see embodied in the Bill for the protection of the individual, though in connection with town planning I think it will be agreed that there should be some supervision, and that the councils should work on a definite plan within certain limits. I do not wish to see the local authorities in the position of dictating that the individual shall carry out conditions without restraint. That is not what I consider town planning at all. Certain definite lines should be laid down giving power to the councils to co-operate with one another, and seeing that they do co-operate, especially in arterial roads. I see this Bill gives power to compel the owner of land who intends to subdivide it to provide breathing spaces and playgrounds before cutting it up. It is the duty of the council to provide such breathing places, and it is wrong to give them such a power. There are many other things which might act harshly, but one has to trust in great measure to the good sense of the local authorities who are in control throughout Queensland. I do not want to see extraordinary provisions placed in this Bill to meet ordinary occasions, because I realise the danger we are in under the present system of elected councils whereby extraordinary conditions may be taken advantage of in directions not originally intended. Where opportunities of this sort exist, local bodies will at some time or other take advantage of them and exploit the community, and I do not think that is a fair position to put any community in. I trust that, when the Committee stage is reached, the Minister will carry out his expressed intention of being reasonable and will allow us, as far as possible, to restrict the wide powers that are given here so that we may, at any rate, protect the people who have to live under the local authorities; to see that the Act is made suitable for the local authorities to carry out their work, but to see also that they cannot shirk their responsibilities and lay them on the shoulders of the individuals they represent.

Mr. KING (*Logan*): I would like to thank the Minister for his complimentary reference to the recent Local Authorities Conference and also for his candid admission that the delegates were earnest and did good work. It is very refreshing indeed, as a local authority man, to get a little bit of commendation from the hon. gentleman. When the hon. member for Albert was Home Secretary, in addressing one of the Local Authority Conferences, he said, "If a local authority man does his duty he is not recommended, as he ought to be, for the Order of the Garter;—he generally gets the "Order of the Boot." Coming from the Minister, the commendation is especially refreshing, because local authority men in the past have known that their efforts have not been appreciated by the present Government as they should have been.

I would like to say also in connection with the Conference that the delegates present appreciated very much indeed the action of the hon. gentleman in supplying them with copies of the Bill which we are now discussing. It made our work very much lighter and easier, and we were able to get through far quicker.

In regard to the second reading speech which the hon. gentleman has made, I think that, on the whole, he gave us a remarkably lucid and full explanation. We are grateful to him for so lengthily expounding a Bill which, after all, is mostly a Committee Bill. We on this side of the House appreciate the explanation of the clauses given by the Minister. Local government is a very interesting study indeed, and as the leader of the Country party said, it concerns very closely the life of the people. Local government is really the problem of the age. It touches our lives at a dozen places, when the State or National Government touch it but once. But it must be remembered that the powers of local government are very different, and its charter only comprises those powers that have been delegated to it by the central authority, which powers are carried out for and on behalf of the central authority. When such powers are delegated it is essential that the central authority should not, unless in very exceptional circumstances or conditions, interfere with the exercise of those delegated powers. Therefore, the success or failure of local government must necessarily depend on the nature and the extent of the powers that are delegated, and the results may be good or bad according to those powers which are given, and also according to the conception of the body of men who are entrusted with the exercise of those powers. Local government should never be made the battledore and shuttlecock of party politics. Let us endeavour to solve our local problems wisely and well and in the interests of the community as a whole. The principles of local government require that a local authority should be as free and independent in its sphere as the State is in its. The State has no more right to impose its judgment on a local authority in respect to that local authority's internal business than the nation has to impose its judgment on a State in regard to the internal business of the State. The true rule is that national interests should be governed by the nation, the State interests governed by the State, and the local authority's special interests should be governed by the local authority, whilst the individual's interests should be governed by the individual himself. I should like to quote a few lines from a well-known English author on local government.

Lawrence Gomme, in a book entitled "Principles of Local Government." In his introductory remarks he makes use of the following words:—

> "At present principles of local government are not in this country considered at all. There is a vague sort of idea that local government is a good thing for Parliament to occupy itself with, but there is no serious attempt to consider it as a subject which is governed by principles and not by fancy, which should not therefore be left to the sudden energy of Parliaments desiring to be busy with something new."

I admit at once that the Bill contains many amendments that have been long looked for, and it is largely, as the Minister said in his opening remarks, a reflection of the desires of local authority representatives as expressed at different local authority conferences. These representatives are men who are widely interested in local government, and they are conversant with the needs and desires of the people whom they represent. It is satisfactory to find that many of the recommendations of successive conferences are now about to bear material results. Many of these recommendations I would like to say should have been included in the 1920 Bill, but the Government, in their feverish haste to give effect to adult franchise, had no time for these important matters. I would like to tell the Minister quite candidly that, whilst the question of an adult franchise did not come before the last conference, since the Bill was passed it has been objected to by the conference, and that objection has been affirmed and reaffirmed. The objection to adult franchise is not as dead as the Minister thinks. Whilst we welcome a good many of the amendments in the Bill, I quite agree with the leader of the Country party that we must not place unnecessary burdens on the people. We have our duty to the local authorities, but in the exercise of their duties I hope the local authorities will not carry out their powers in a harsh or embarrassing way.

The definition of "elector" seems to have been simplified, and that will obviate many of the difficulties as to whether a person is or is not entitled to be on the voters' roll and entitled to vote. When the Act altering the franchise first came into force, I remember, as legal adviser to the local authorities throughout Queensland, that I had many difficult questions to answer as to whether a person was entitled to vote or not. Those difficulties to a certain extent will be done away with by the simplification of the definition of "elector," But the provision regarding the preparation of the voters' roll on the basis of the definition of "elector" certainly has very grave objections. It appears to me that the returning officer in preparing a voters' roll must slavishly follow the electoral roll, although it may be within his knowledge that certain names on the electoral roll are not entitled to be on the voters' roll. Whether they are or not, so long as they are on the electoral roll, it appears to me the returning officer must include those names on the voters' roll. That is simply perpetuating the abuses that exist under the present condition of the electoral rolls.

Hon. F. T. BRENNAN: There is no absent or postal vote.

Mr. KING: I know that perfectly well; but, supposing a returning officer knows full well that a person has been away from the district for over twelve months or is dead and that person's name is on the electoral roll, he must still include the name on the voters' roll, thereby giving someone a chance to impersonate.

We have the interpretation of the word "road" very much enlarged, and the leader of the Country party has already referred to the question of stock routes. If stock routes are to be included as roads, it is going to be a very difficult matter for local authorities to carry out their duties. Many of these stock routes are a mile wide, and you can imagine, if a stock route is a "road," and the local authority is liable for any accidents occurring on the stock routes, that they will have a pretty big contract to keep the stock routes in order. If a stock route is to be a "road," the local authority's liability in connection with the stock route should be limited to a certain width.

Mr GLEDSON: You would have to define which part.

Mr. KING: That could be a matter for arrangement. I notice also in the Bill that extraordinary elections are dispensed with and vacancies are to be filled by the council. That, taking it all round, is a good provision, and certainly will save unnecessary expense. In connection with the voters' roll, the leader of the Country party, as voicing the opinion of the local authorities throughout Queensland, stated that an elector should have the option of exercising his vote where his property was. That is to be desired, and I think it is a wise provision. It does not in any way interfere with the adult franchise, because he has only to exercise one vote.

Mr. GLEDSON: It is going back to the dark ages.

Mr. KING: Not at all. He is exercising his vote where his monetary interest lies.

Then there is the provision in the Bill dealing with the number of houses to be erected in a residential district—that is, having the number of houses per acre standardised. I think that is a very wise provision, and one of the best in [5.30 p.m.] the Bill. It is a town planning provision, and one which I think will meet with general approval. It will certainly prevent the overcrowding that is taking place in some areas. I refer to one not a mile from here over in South Brisbane, where you can see more than a dozen houses cramped together, leaving very little light and air for the residents. This provision will prevent that sort of thing, and will also to a great extent help to prevent slums.

The provisions in relation to the subdivision of lands are also satisfactory, but there is a wrong principle involved in one of these provisions—that is, the one dealing with appeals. If a person wishes to appeal against the Minister's decision, his court of appeal is with the Minister. That is wrong in principle, because a person whose decision is appealed against should not sit as a court of appeal on his own decision. If the Minister will accept the suggestion, we might have it altered in Committee so that a person will have the right of appeal either to a Supreme Court judge or a Land Court judge—whichever suits the Minister—but I certainly think it is wrong, when a Minister gives his decision and a person wishes to appeal

against him, that the only court of appeal is the person who gives the decision.

The SECRETARY FOR PUBLIC WORKS: If the appellant brings new facts, the decision can easily be reversed.

Mr. KING: But supposing there are no new facts—the Minister may be wrong in his conclusion on the facts submitted.

Then we have important provisions dealing with licensed gates and the clearing of land enclosed within those gates. Local authorities have the power to license gates, and one of the new provisions of the Bill, which has been asked for by local authority men, is that, where a person has the right to enclose a road with licensed gates, he should be liable to keep the road free from noxious weeds. I think that is a wise provision. There are also good provisions relating to impounding, particularly in regard to the delivery of impounded stock to the poundkeeper. A person may hand impounded stock back to the owner, and demand a prescribed fee. A local authority may also pass by-laws regulating the time, place, and mode of selling impounded stock. That is a wise provision, which has been asked for by some of the local authorities. Then there is a provision dealing with the wrongful possession of impounded stock. When once a poundkeeper has possession of the stock, I take it that the stock is in custodia legis; it is in possession of the poundkeeper, and he has the right to it.

Hon. F. T. BRENNAN: We will make it clear.

Mr. KING: I am glad to hear the hon. gentleman say so. Anyhow, it is a good provision. I have heard of cases where stock, after being impounded, have been let out of the pound, and the person who did it could not be found. If you could get hold of the person who has possession of that stock, you could prosecute him. Then where stock have been temporarily put in a yard for a few minutes and have been rescued during the absence of the poundkeeper, you are never able to discover who rescued the stock, but you can always get at the person who is in possession, and that will materially help in cases like these.

Then there are provisions dealing with extended powers with regard to the erection of premises for employees, and also advertising areas to attract settlers, and power to establish aviation stations. These are all good provisions. Under the existing Act there is no power to do that. Local authorities' powers are circumscribed; they can only do certain things with local funds. I think these are very wise provisions.

Then we have that hardy annual—the notification of prickly-pear and other noxious weeds and pests. This is a matter of great anxiety to local authorities. It is very gratifying to know that greater powers are to be given to local authorities to deal more rapidly and effectively with defaulters, and to enforce penalties. You want something more than the right to sue a person for money spent on his behalf. The only remedy at present is to sue for the money spent, but this Bill provides for penalties, which I think is a very good provision.

There is a provision in the Bill dealing with pests on water-courses, and the apportioning of the liability on owners or occupiers. I do not think that is altogether a fair provision. It is fair enough to hold an occupier liable for a certain distance out into the stream from the bank, but many of these water-courses are very wide, and I do not think it is fair that owners or occupiers should be called upon to keep the whole stream clear, more especially in view of the fact that the Crown is the owner of these watercourses and has full control of them. I think that some of the liability, at any rate, should rest on the Crown.

Another provision, which is a good one, is that relating to the liability of the owner or occupier to keep his boundary line clean. It would be manifestly unfair for a man to clear his boundary and then suffer through the neglect of his neighbour. I do not altogether agree with the provision which casts the duty upon an owner or occupier having a frontage to a road to keep the road clear. That is clearly the duty and liability of the local authority. If the owner or occupier keeps his property clean to within 10 feet of the alignment of the road, I claim that the local authority should keep the road clear. I would like to ask what would be the position in the case of a selection which had been forfeited and had reverted to the Crown? Would the Crown under this provision keep that portion of the road clear? It is all very well for the Crown to say that the owners of property on each side of the road should keep that road clear of noxious weeds, but in the case of forfeiture of the land on one side, who is going to take the liability of cleaning that half of the road? Will it be imposed upon the person facing the road on the other side, or will the Crown assume the responsibility? I am only putting these problems before the Minister in the hope that he will listen to all reasonable amendments when they come along. I am sure he will.

Then there is an amendment dealing with valuations generally, which opens up a very big question. I remember delving into this matter some time ago when I was called upon to make a report to a Local Authorities' Conference dealing with the valuation of Crown lands generally. I found that a Royal Commission had been appointed in 1896, and their conclusions were the basis of provisions inserted in the 1902 Act. It is a very big question, and I think the only satisfactory way of dealing with it is to appoint a Royal Commission to go into it and say what is the best method of valuing such land. I am very pleased to note—although I know many persons will not agree with me—that the valuation of land infested by noxious weeds or plants is not to be affected by the fact of its being so infested. That is quite right, because in the past a person who did not keep his land clear got off with a low valuation, whilst the person who was diligent and went to the trouble of clearing it and keeping it clear found that his land was valued on a higher scale. That was really putting a premium on neglect, with which I do not agree.

There is also a provision with respect to the valuation of gas mains, based on the diameter of the pipes. I know of cases where gas mains have been under a certain diameter and no power existed by which the local authority could rate them, in addition to which there was an unsatisfactory supply of gas.

The provision dealing with the differential rating of land used for primary production is a good one, but I want to see it extended so

as to include shires as well as towns. The provision in the Bill deals only with municipalities and towns, although most of the townships in Queensland are in shires, to which the differentiation could not be applied. I am glad to see also that the scope of the section is to be widened by the substitution of the words "primary production" for "food production." It has been found very difficult indeed to define what really is "food production," and the alteration will give a far wider meaning and cause less trouble in coming to a conclusion as to whether land is within the scope of the section.

I am also pleased to note that the exemption from rates at present granted to incapacitated soldiers and sailors is to be extended to their wives.

There is also a very wise amendment dealing with the lease and sale of land for arrears of rates, which is a distinct advantage to local authorities. Under the Act at present, if rates are in arrears for four years, the land may be leased, and, if for seven years, the land may be sold. Those periods are to be reduced to two years and three years respectively. That will enable the local authorities to clear their books instead of bringing forward amounts year after year, and it will also give them the opportunity of getting new ratepayers—the chance, at any rate, of getting rates instead of worrying about arrears.

Then there is the removal of restriction on the borrowing powers of local authorities. I am very pleased indeed to see it removed. These large powers are all right if they are wisely and judiciously exercised, although I do not think that they should be subject to the will or desire of persons who have practically no financial responsibility in respect of them. I agree with the leader of the Country party in that regard, but, at the same time, we have to take things on trust to a great extent, and, after all is said and done, I have not any great fear that a man who is returned as a member of the local authority will not do the right thing. I think he will rise to a sense of his responsibilities, and, although he may not have any personal financial obligations in his own shire, he will recognise that he has to do his duty by those whom he represents.

There are many other provisions in the Bill, but I want particularly to deal with those affecting town planning, to which I have not referred previously. And in connection with town planning generally I would like to give credit to the present Government for the practical sympathy they have shown with it. They have done all they possibly could in the past to assist town planning in Queensland. A conference was held in Adelaide in 1918, and the Government made it possible for many representatives of Queensland to attend. They also showed their interest in town planning by the support they gave to the Town Planning Conference in Brisbane. I want to give credit where credit is due, and certainly credit is due to them in this matter. The provisions of this Bill are only a first instalment of town planning, but they are none the less welcome on that account.

We hope to see later on further provisions which will extend the scope of the town planner. It has been generally admitted that town planning is a function of local government. That has been recognised by the Town Planning Conferences held of late years in Australia. I would like to quote what the ex-Governor-General of Australia, Sir Ronald Munro-Ferguson, said in connection with town planning—

> "A varied experience of Parliament and of local administration leads me to the conclusion that, given a lively public interest in local administration, a reliable civic authority with a competent staff, given also local administrative areas, in keeping, so far as extent goes with powers devolved on local authorities to which end elasticity in the allotment of powers and areas is essential—it is the local authority which should be best fitted to interpret and administer such town planning or other acts as the wisdom of Parliament may shower upon them."

That gentleman is a man of very wide experience. I think there is a good deal of misconception regarding the ideals of town planners and of town planning generally. Some seem to regard it as the ideal of faddists. Some regard it merely as a scheme for beautifying houses and their surroundings. Town planning is a great deal more than that. It deals with the problems in the city. It deals with the problems of to-day, the problems of to-morrow, and the problems of years to come. It must be remembered that the problem of the city is the problem of civilisation. It is rightly said to be the material foundation of nation building. I would like to submit what are the main aims regarding town planning—

> "1. To develop a higher civic conscience and awaken a greater civic pride.
>
> "2. To provide for the commercial convenience of cities as marts for our commerce.
>
> "3. To adorn and beautify our cities.
>
> "4. To raise to the maximum the standard of the health of our city dwellers.
>
> "5. To meet the problem caused by the lure of modern city life.
>
> "6. To provide happy homes amid garden surroundings for our workers, and thus increase the wealth-creating potency of our populations."

Town planning should appeal to the statesman as well as to those who desire to beautify things and improve the standard of our men, women, and children. Lord Rosebery once declared—

> "You cannot rear an imperial race in the slum."

That is obvious. If we are to hold our own in the world as an Imperial race, we must remove the slum and make the garden village. Town planning is within the scope of everybody. Everybody should join and support it to the utmost. It is non-political, non-sectarian, and it is a neutral zone free from bitterness and rancour, in which all desire to better the lot of humanity and join earnestly and whole-heartedly. The late Hon. T. J. Ryan, at the Town Planning Conference held in Brisbane, in 1918, said—

> "The delegates to this body are largely competent experts, and they cannot fail to throw much light on and give valuable guidance in what I regard as one of the most important problems engaging the attention of legislators. I do not regard them as dreamers, as some people do, but as practical men.

"I feel personally interested in the modern movement to lay out towns on methodical lines, because I believe that in that way we shall be able to abolish slums and the terrible evils due to overcrowding, bad sanitation, unhealthy houses, dirty streets, the absence of recreation grounds, and low conditions of life.

"Thus we can evolve a better people in body, better in mind, and with higher tastes and nobler ambitions."

I would like to quote the remarks of the Hon. J. D. Fitzgerald, M.L.C., now deceased. He took the greatest interest in town planning, studied it, and practised it. I think, to a very great extent, he was responsible for that garden suburb outside Sydney—Daceyville—and was president of the Australian Town Planning Conference. He said—

"It is an unchallengeable fact that our movement will change the destiny of the urban populations, and that our propaganda will make our civil conditions better, our city plans nobler, our citizens healthier, happier, comfortable beyond the dreams of to-day, that our town planners' devices will save millions to the nation which would otherwise be poured out in sheer and wicked economic waste—wicked because preventable."

He also said—

"We can augment our man power by improving the workmen's homes, by beautifying them individually and in the mass—by preserving the sanctity of the home, 'one family one home'—by abolishing overcrowding, by getting the factories and the workers out into the suburbs of the city—by rapid communication services to zones where land is cheaper, where the air is purer, and where the children, in their garden villages, will grow up taller, stronger, deeper in the chest, freer from physical defects, happier—more likely to be stalwart effectives in the wealth-creating forces of the State, and less likely to be a burden on the community."

Those are very fine sentiments.

The SPEAKER: Order! The hon. gentleman has exhausted the time allowed under the Standing Orders.

HON. J. G. APPEL (*Albert*): I listened with a great deal of attention to the remarks by the honorary Minister when introducing the Bill. I have a very great interest in the measure which he introduced. Unquestionably it sometimes happens that Bills which are introduced contain provisions which are opposed to practice, and in that respect I wish to refer to the provisions in the Bill which deal with town planning. I am certainly one of those who believe that, if that policy can be put into practice, it will be one for the benefit of the community as a whole. There are one or two things that strike me in that connection. The leader of the Country party referred to the increase in valuation which was placed on the value of land owing to the improvements which have been effected by the owner of the land. If town planning is carried out, and provision is made for allotments being of a certain area, and that certain improvements are to be effected, then we must realise that the valuation on the land will considerably increase, and when there is an increase in the valuation there is also an increase in the rates. A few years ago the smaller man purchased land in the suburbs, and to-day, when his valuation has increased, he is compelled to go further out, and the area which he originally purchased is subdivided into smaller areas.

Mr. MORGAN (*Murilla*): I was very pleased with the very interesting explanation that the Minister gave in respect to this particular Bill. Whilst I agree with the great majority of amendments [7 p.m.] that are likely to be made, there are one or two that I certainly disagree with, and I will do my level best when the Bill reaches the Committee stage to try and bring about an alteration. There is one matter dealt with to-night with respect to the clearing of roads adjacent to property that has once been cleared, upon which I have formed an opinion after reading the Bill that I would like the Minister to confirm. Am I to understand that roads once having been cleared of noxious weeds have, under this Bill, to be kept clear by the landowner, but that they must first of all be cleared by the local authorities?

Hon. F. T. BRENNAN: Quite right.

Mr. MORGAN: A similar Act is in operation in Victoria, and works very successfully. It is no hardship to call upon the people owning or occupying lands adjacent to roads that have been cleared of noxious weeds to keep them clear. I think this provision should also apply to reserves under the control of local authorities and to lands under the control of the Government. In many parts of my electorate there is a quantity of land not yet selected which belongs to the Government, and with roads running along its boundaries. For some distance on each side the land may be occupied by selectors. You may find the land on one side of the road occupied by selectors, and the land on the other side of the road unoccupied but owned by the Government. Who is going to take the responsibility of clearing this road unless the Government do it? Unless the Act says that the individual must accept responsibility, the Government should accept their portion of the responsibility and assist in clearing the road.

The SECRETARY FOR AGRICULTURE: That would put a pretty heavy tax upon the people.

Mr. MORGAN: Does not this Act put a heavy tax upon the individual? If they are prepared to accept it, why should not the rest of the people of Queensland be prepared to shoulder their quota of the expense of clearing land which has already been cleared by the Government? That land is as much the property of the big financier or the big merchant of Queen street as it is my property, and why should they not contribute to the expense of clearing this land? If that is not done, this is what will happen in my electorate when the Act is put into force: You will be able to drive along 10 or 15 miles on a road with the land on both sides selected that is clear of pear. Then you will come on to a portion of the road where the land on both sides is owned by the Government, all of which will be infested with prickly-pear, and then you will drive on to another portion of the road which will be cleared because the land on each side is owned by individuals. What is the use of enforcing an Act in a particular district

unless the Government are compelled to clear their land? In closely settled areas this difficulty may not arise, but in unsettled districts such as those represented by the hon. member for Maranoa and myself, where large areas of land not selected are vested in the Crown, it will arise. If we are dealing with this question from a national point of view, the Government should undertake their share of the responsibility, that it should be undertaken and the money should be raised from people who have property in other parts of the State. I approve of the principle that if the road is once cleared, the adjoining selector should keep the road clear. I disagree with the hon. member for Aubigny and the hon. member for Logan. I think that the local authorities should keep the portion of the road clear that may be adjoining their reserves, and that the Government should keep the portion of the road clear adjoining unoccupied Crown land. If that were done, the selectors would not in any way object to this particular provision of the Bill. If it is not going to apply to Crown lands and local authorities' reserves, it is an absolute farce to introduce such a provision and to make it operate in such an electorate as mine. It may be all right in such an electorate as that of the hon. member for Aubigny, where there are no unoccupied Crown lands, and it may be all right in 75 per cent. of the shires in Queensland, but it is certainly all wrong in Murilla and electorates adjoining Murilla, where there are large areas of unoccupied Crown lands.

With respect to the provision which is going to enable local authorities to rate selections which have prickly-pear upon them on the same basis as land with no prickly-pear on it, there is a great deal in the contention that such land should not be subject to the same rate as the land of owners who are fortunate enough to possess land not containing prickly-pear. I know of one shire council which voted in favour of this. They want it because it applies to their particular case. A man allowed prickly-pear to grow upon an area of land and then sold it to another individual, who was not responsible for the pear growing upon it, and who came from another district. The shire council endeavoured to value that land the same as the land adjoining, which was free of prickly-pear. The man appealed and, quite justly, the court upheld his appeal. In order to be able to rate prickly-pear land the same as the cleared land adjoining, that shire council is in favour of this amendment and making it compulsory throughout Queensland. It is looking at the matter only from its own selfish point of view; it does not care a tinker's curse, so long as it will be given an opportunity of penalising that man. The man appealed and beat the shire in the court. That particular shire is anxious for this amendment to be brought in because they want to penalise that man. Like the Minister in charge of this Bill, and like the Secretary for Public Lands, I have no time for the man who gets a piece of land which, in the first instance, is free from pear and he allows pear to grow on it, but I have a terrible lot of sympathy for the man who comes to Queensland and selects land that has prickly-pear on it, and who is performing a national work in clearing the pear, when that work should be performed by the State generally. The Government cannot be too severe on the man who selects land which is free from pear and who allows pear to grow on his selection; but the Government cannot be too lenient to the man who takes up a prickly-pear selection. He was not responsible for the growth of the pear in the first instance, and he is going to try and redeem that land, and by clearing the pear, he is improving the value of the property surrounding him. Take the case I mentioned where a man came into the district and bought a prickly-pear selection. He is prepared to go on cleaning it, and when it is clear of prickly-pear, he is quite agreeable to have it valued the same as land adjoining which is clear of pear, and he is prepared to spend his money, and is spending his money, on clearing the land; but the local authority, although he has shouldered this huge burden, wants to rate him on the same valuation as those who have land surrounding him which is free from prickly-pear, and was free, no doubt, when they selected it originally. I say the amendment is wrong in principle, and I trust the Government will reconsider their decision. I do not object to the provision in the Bill which enables a local authority to tax the individual who had clean land and allowed it to become infested with pear. I go further, and say that the local authorities should have power, if a man has clean land and he allows pear to grow on it, to put men on to clean the land at the expense of the owner.

Mr. COSTELLO: What if he cannot afford it?

Mr. MORGAN: If the local authorities did their duty, they would have had the land cleaned when it would only have cost 1s. or 2s. per acre to clear it. If they allowed the land to become so heavily infested that it would cost from £5 to £6 per acre to clear the pear, it would be a ridiculous thing. In Victoria, if a man allows rabbits to infest his land, the inspector has full power to put men on to destroy the rabbits and charge the landowner with the cost. Anyone would think that this was a new principle. There is nothing new in it at all. What the local authorities want to do, and what the Government are doing by this amendment, is to stop prickly-pear land from being selected. I was present at the Local Authorities' Conference.

Hon. F. T. BRENNAN: Was not this agreed to at the conference?

Mr. MORGAN: I was present at the Local Authorities' Conference, and I want the Minister to listen to this, because I believe he is one of those who is prepared to help the weak against the strong. I may be wrong——

Hon. F. T. BRENNAN: No, you are right.

Mr. MORGAN: Majorities are not always right. If the majority is always right, then in the Biblical days the people were quite right in crucifying Jesus Christ; but we know that majorities are not always right. I was present at the Local Authorities' Conference—I was sorry I was not a delegate so that I could discuss the matter—and what happened? A man got up and made out a case that anyone wishing to deal with the matter independently and fairly would support, and he moved a motion to rescind this particular resolution. Some listened to him, and some did not. Why was that? It was simply because four-fifths of the men at that conference represented shires which had no pear. Although that individual and other speakers who followed him made out a clear

case in favour of the rescinding of this resolution, he was turned down. Even the chairman did not give him a fair go, because he did not give him an opportunity of having a vote taken on the original amendment. The chairman put the motion in two parts, and did not even allow an opportunity of having a vote taken on the question, and the object of this individual was defeated. Had a fair vote been taken on the matter, the conference would have rescinded the resolution.

Hon. F. T. BRENNAN: You say that the members of your own caucus are not playing the game with one another.

Mr. MORGAN: It is not a matter of caucus. You surely do not say that the Local Authorities' Conference is my caucus. At the last local authority elections the adult franchise operated, and that is the vote of the people. Whatever the local authorities are to-day, they must be representative of the people, because everybody has an opportunity of voting You cannot say that the Local Authorities' Conference is my caucus, your caucus, or anyone else's caucus.

The SPEAKER: Order! The hon. member must address his remarks to the Chair.

Mr. MORGAN: On many occasions things have been carried at the Local Authorities' Conference which you people have snapped your fingers at and would have nothing to do with, and you may have been justified; but in this case you should not listen to these men who have an axe to grind in their own local authorities. It is too big a question to allow individuals who have an axe to grind to do so at the expense of these poor, unfortunate devils who have got prickly-pear. They came from the South, and did not know what it meant. It is all very well for the man on the Downs to talk, because he has clear country and no responsibility. The pear never gets on his land except in an odd season or two. I am speaking on behalf of the army of workers who are struggling and putting up a losing fight, and who want all the help and assistance they can get. They do not want, when they are down in the mouth, to get the boot, which is what we are doing by this particular amendment—you are putting the boot into a man who does not deserve it. He deserves the help and assistance of the Government. I say that the man who is performing his duty in clearing the pear is helping the man with clear country surrounding him, because he is getting rid of the seed bed. I ask the Minister to take no notice of that resolution which was passed by the Local Authorities' Conference, because it was not carried on a fair basis.

Mr. FOLEY: Would not the man with prickly-pear be a menace to those who have the land clear?

Mr. MORGAN: Suppose the Government open up a certain amount of country in the Roma district in which there are twenty blocks without pear and ten blocks with pear? Are not the men who get the twenty blocks free of prickly-pear more fortunate than the men who get ten blocks with prickly-pear on? I have no time for the man who takes up a clean block of land and allows the pear to grow, but I have a lot of time for the man who is game enough to take up a block with pear on, and for which the Government are perhaps responsible—I do not say this Government, but the Government of the day may have been responsible for the pear being on it.

Hon. F. T. BRENNAN: Your own Government.

Mr. MORGAN: You may say it is our own Government, although during the last seven or eight years your Government have been in power.

The SPEAKER: Order! I would ask the hon. member to address the Chair.

Mr. MORGAN: The fact remains that we have the pear there, and it is no good trying to put the blame on to anyone else. It is the legislation which has been in operation for the last thirty years which has been the means of pear spreading as it has done. But why should the man who comes into Queensland and goes on to the land, or who goes on the land in Queensland from some town in Queensland, be penalised and made to carry the burden and the man who is fortunate enough to have a clean block be freed of so much responsibility?

The SECRETARY FOR PUBLIC WORKS: What are you suggesting?

Mr. MORGAN: I am suggesting that, if he has a pear selection, he should not be rated at the same figure as the man who is fortunate enough to get a block of land without pear. This Bill provides that, if ten blocks of land are opened for selection on any resumption, five of which have prickly-pear and five have not, the prickly-pear selections shall be rated by the shire at the same rate as the others. The hon. member must recognise that that is not fair or just. It may be said—it has been said by the hon. member for Aubigny—that the men on the prickly-pear selections use the roads and bridges just as much as the men on the clean land. I admit that, but that contention applies equally as well to a man who has 1,280 acres of poor, stony, ridgy country. Are you going to rate him as high as the man who has 1,280 acres of beautiful fertile alluvial flats? If the argument is sound, the rating should be the same on every bit of land in a particular locality or shire. So that that contention falls to the ground, because the man who selects that poor land uses the roads and bridges just as often as the man who happens to be on the good clean land. I hope that I shall be able to draft an amendment providing that this provision shall not be enforced in certain districts. The Minister must recognise that Queensland is a vast State, and that, whilst it may be fit and proper for the Government to introduce such a clause to apply to certain areas, they may nevertheless inflict hardships in other parts of the State. I feel sure that the Minister and the Government have no intention of inflicting a hardship on selectors of land anywhere, and I hope an amendment of that kind will be accepted.

Hon. F. T. BRENNAN: That means that rating of pear selections should be wiped out.

Mr. MORGAN: I remember a case where a decision was given, I think in Warwick, which had that effect in one case. A block was opened by the Government at a "nil" value. The shire put a value on it—as I think they were entitled to do—but when it came before the court the police magistrate held that because the Government had placed no value upon it the shire was not

justified in rating it. I was not in favour of that, because a man who selects a pear selection should pay something in rates. In order to get over the difficulty the Act was amended so that the lowest value which could be placed upon a prickly-pear or any other selection was 5s. That was fair. This Bill goes further, and says that a block of land in my electorate or that of the hon. member for Maranoa—I want him to take an interest in it, because he has a lot of pear selections in his district—shall be rated on the same value whether it is infested with pear or not.

There is a certain block of land which is rated by the shire at £3 an acre. In the same locality there is a prickly-pear selection which is costing probably £3 an acre to £4 an acre to clear.

Mr. CONROY: They do not clear the whole of that.

Mr. MORGAN: They may not clear any of it. That makes no difference to my argument. A man takes up a prickly-pear selection with the intention of clearing it. It may cost from £3 to £4 an acre to clear. Because there is a beautiful bit of land in the neighbourhood which the shire council values for rating purposes at £3 an acre, this poor unfortunate devil has to pay on the basis of £3 an acre for the land on which there is prickly-pear, which prickly-pear he has not been responsible for growing. That is what the Bill means.

Hon. F. T. BRENNAN: That is so.

Mr. MORGAN: I hope the Minister will help me to have that injustice removed. Two or three men at the Local Authorities' Conference put up a fight that was worthy of any man. They were laughed at and turned down because four-fifths had no sympathy with the poor unfortunate struggler who takes up a prickly-pear selection. The two or three were like voices in the wilderness. I am here to stand up for those men. I am going to stand up for them, and I am going to fight for them, because I know the hardships that they have had to put up with. I intend to move an amendment, and, even if I am the only one to vote for it, I will divide the House because I am so serious about it. This Bill in that respect imposes an injustice on a deserving section of the community who should be getting helpful support instead of being looked upon as being responsible for the growth of pear in Queensland and for the ruination of Queensland. They have taken up land on which the pear is already growing. They are doing yeoman service, and they are doing their level best to clear that pear. They deserve every assistance from hon. members on both sides of the House.

Mr. KERR (*Enoggera*): I wish to congratulate the honorary Minister on the able manner in which he introduced this Bill. I am only sorry that his speech was not delivered previously and printed so that hon. members on this side could read it before being called upon to make their second-reading speeches. I must say that he went into a good deal of detail, but it was difficult under the circumstances to follow the whole trend of the Bill. We have had the Bill for some days, and we have had an opportunity of studying many of the clauses. I say definitely that some of them are for the benefit of the local authorities and the people generally, but there are some that are of a very contentious nature. First let me refer to the election of the chairman. The honorary Minister said that the Premier was appointed by members of his party. We know that is a fact. I agree with the principle of those elected appointing their own leader. It is a well-established practice followed out by the Government. In this Bill the Government depart from that principle, and provide that the chairman shall be the person who receives the greatest number of votes. It is not right in one place to adopt a certain custom, and then, when it comes to another body of men, to adopt something altogether dissimilar. The Bill provides that, if a town is not divided, the number of members shall be seven, nine, or eleven. We have some local authority areas in the metropolitan area that are not divided—Hamilton, Sandgate, and Belmont. Under this Bill those three town councils [7.30 p.m.] or shires will have their number of representatives reduced. Hamilton will have the number reduced from ten to nine, Sandgate from ten to nine, and Belmont from eight to seven, while the adjacent local authorities, Ithaca, Toowong, Balmoral, and Coorparoo, are going to retain the whole of their ten representatives. We are thus going to have piecemeal legislation, and the representation of local authorities in close proximity to each other altogether different.

I want again to emphasise the principle that the local authorities should elect their own chairmen. That is a principle which can be accepted, and which will be conceded as reasonable.

The residential qualification of an elector has been removed from this Bill. The Minister in outlining the Bill said that it was essential that the date of the annual election should be altered from March to April, because the rolls could not be compiled in time. However, if you are only in the district one day prior to 31st December, it is possible to get your name on the roll for that particular district. I understand that, according to the Bill, if you leave that particular district, you are not permitted to vote by post, or in any other way except by a personal vote in the district concerned. The residential qualification should be retained to qualify for enrolment.

There are many provisions in the Bill in regard to roads, which are classified into five classes. There is a minimum standard provided. I have travelled in many countries, and I happen to have in my possession a map from a well-defined country, with well-established towns and roads, and I would recommend its perusal by the Minister. It provides, not the class of roads prescribed under this Bill, but four different classes of distinct roads.

The SECRETARY FOR PUBLIC LANDS: What particular country is that?

Mr. KERR: This particular map is for the area of Hazebrouck, in Belgium. The roads there have been established a long while, but I would recommend the Minister, as a new Minister, to have a look at the map. In Queensland it is deplorable, if you desire to travel from Brisbane to the Central West and apply to the Tourist Bureau for a map of the roads, that you have to wait until the official marks them for you on the map. In this particular map the roads are classified under four headings. First of all they

are shown as first-class metal roads, then we have second-class metal roads, then third-class unmetalled roads, and then fourth-class roads, which are nothing more nor less than cart tracks.

Mr. COLLINS: When this State has as many settlers and is as closely settled as Belgium, it will have better roads.

Mr. KERR: In Belgium the roads have been constructed for some hundreds of years, and they are going to last some hundreds of years still. In Queensland you will never have these roads as long as you live, because their method of construction has now gone out of use. I have travelled on some of the roads in a motor-car, and I can vouch for their excellence.

The SECRETARY FOR PUBLIC LANDS: How can you get such roads in a big country like this?

Mr. KERR: The Secretary for Public Lands is quite correct because, as I stated, you cannot possibly do it. The hon. member for Bowen was wrong in his interjection, as he has no idea of it. This is rather an important matter.

I want to direct the Minister's attention to the fact that certain exemptions are provided in this Bill, and I want to stress the unfairness that these exemptions cause at the present time, and the necessity for some alteration being made. I refer particularly to the catchment areas controlled by the Metropolitan Water Supply and Sewerage Board, upon which no rates are paid. I want to see the Minister tackle this important question. In parts of Moggill and Mitchelton there is a lot of exempted rateable land. This Bill deals with that question, and I ask the Minister to consider the advisableness of making this Bill what I call a decent piece of legislation. In the Enoggera shire the loss last year from these exemptions was £414 7s. 6d., while this year's loss is £499 7s. 6d. This shire has also lost £989 in rates with respect to Commonwealth land. This State is receiving from the Commonwealth £50,000 a year as interest on transferred properties. That is going into the revenue of this State. The local authorities to-day are not drawing any money in rates on these properties, as under the Act they are exempt.

The SECRETARY FOR PUBLIC LANDS: You are entirely wrong.

Mr. KERR: No; they are part of the transferred property; I am talking about the defence property. The Secretary for Public Lands is entirely wrong when he contradicts me.

The SECRETARY FOR PUBLIC LANDS: No.

Mr. KERR: He has just acknowledged it. (Laughter.) Why should the Enoggera Shire Council lose all this money, and, at the same time, give cheap water to Brisbane and South Brisbane? It is unfair to put a tax on the ratepayers and electors in one locality to permit of giving cheap water to the rest of the Brisbane area. In dealing with this particular matter, I would like to point out that there are 47,599 buildings liable for water rates, and there are 199,000 people concerned. The sale of water runs into £311,000, and Enoggera, which bears the cost of the loss of rates, only pays £3,000 in water rates, so that you will see that the number of houses supplied with water is infinitesimal. On the principle that one locality should not bear the burdens of other localities, I am going to ask the Minister, when this Bill reaches the Committee stage, to consider an amendment dealing with this aspect of the question.

The SECRETARY FOR PUBLIC LANDS: Take the Victoria Bridge, for instance. Why should a person who never uses it pay community charges—the residents of Pinkenba, for instance?

Mr. KERR: I think that the Secretary for Public Lands indicated to this House that he would introduce the principle into the Greater Brisbane Bill. Many amendments of this sort could very well be included in the Greater Brisbane scheme.

The SPEAKER: Order!

Mr. KERR: I do not wish to leave out the Moggil Shire Council and the Enoggera Shire Council; I am going to help the hon. member——

The SECRETARY FOR PUBLIC LANDS: Do you not understand community benefits?

Mr. KERR: Yes; but the community benefit has not benefited the Enoggera Shire Council. I am now going to ask that this amendment—which has only been in existence for the last two or three years—shall be abolished. I do not think the Secretary for Public Lands recognises what is being done. The cost of giving the people of Brisbane and South Brisbane cheaper water should not be borne by the Enoggera Shire Council.

In regard to 16-perch allotments, I moved an amendment last session in the Health Act Amendment Bill, of which the Secretary for Mines was in charge, that 32 perches be the minimum area for individual purposes. We find the area in this amending Bill is limited to 16 perches. As a matter of fact, a local authority may allow a home to be built on less than 16 perches.

The SECRETARY FOR PUBLIC LANDS: What does the law allow?

Mr. KERR: The law allows nothing. (Laughter.) The amendment that I moved is to be found on page 1990 of "Hansard" for last session. It reads—

> "No person shall erect any new building for residential purposes on any ground less than 32 perches in area."

I still contend that 16 perches is far too small for the health of the people, and that it should be increased to something in the vicinity of 24 perches, which would be a reasonable thing. When I moved my amendment, the Secretary for Mines said—

> "I would rather the hon. member would withdraw the amendment at this stage. I do not want to argue against the amendment, but I do not want it inserted in this Bill, because I do not think this is the proper place for it. We propose to amend the Local Authorities Acts, as the hon. member for Logan knows, and that will be done very shortly. In the amending Bill, in which we intend to repeal the Undue Subdivision of Land Prevention Act, we will provide the minimum area for building purposes. It may be 32 perches, or less, or more. I cannot say that I am in favour of allowing eight or ten buildings on an acre of land. I am opposed to small allotments. That is a matter that has been considered by the department and also by the Home Secretary."

Mr. MAXWELL: Who was the Home Secretary then?

Mr. KERR: The Secretary for Public Lands was then Home Secretary. I also made these remarks—

"I am quite willing to withdraw the amendment if the Minister will give an assurance that I can include it in the Local Authorities Acts Amendment Bill to be dealt with this session. I understand that that will be the correct place to insert this amendment. This Bill provides for amending the Health Acts in certain particulars, and I think it could be dealt with here."

That is the position, and we now have the opportunity of remedying the position which exists. Yet, by bringing in an amendment which allows a home to be built on 16 perches——

The SECRETARY FOR PUBLIC LANDS: Sixteen perches is the law now. Your party made it 16 perches.

Mr. KERR: The Secretary for Public Lands is continually talking about my party and calling it the "old Tory party." We have the Secretary for Public Lands and his party claiming all the humanitarian legislation passed by previous Administrations, but, when it comes to prickly-pear and other matters of that kind, they place the responsibility of it on the old Tories. They are forgetting that a strong, virile party has arisen in Queensland. (Laughter.) They are coming to life when they hear these things.

The SECRETARY FOR PUBLIC LANDS: I will alter it to young Tories.

Mr. KERR: There is a clause in this amending Bill which I am very glad to see. It is in regard to extending to the widows of returned soldiers and sailors the concessions which are granted to soldiers in regard to differential rates. I commend the Government for the insertion of that provision. There is a good deal of controversy at the present time as to the differentiation which is made by the Commonwealth authorities between the widows of men who died during the war and the widows of returned soldiers who died, according to the authorities, of some pre-war disease from which they were suffering. There are many men to-day, unfortunately, only drawing 25 per cent. of the pensions to which they are entitled, because it is alleged by the Commonwealth authorities—and unjustly—that in a number of cases the injuries of the soldier existed prior to his war service and were only aggravated by the war. Those men subsequently died, and their wives are not considered as the widows of soldiers who died through war causes. I want to see a clause in this Bill which will get over this difficulty; and I think by the insertion of one or two words we can make the position quite clear for the guidance of local authorities.

There is a clause—I think it is 43—which I do not understand. It is the clause dealing with the section in the principal Act which limits loans to five times the then ordinary annual revenue of the local authority. It now provides for a loan from the consolidated revenue of Queensland on the security of the rates and revenue of the local authority. I am not quite certain, but I have yet to learn that the revenue of Queensland can supply a loan for local authorities.

Another matter is the payment of members of local authorities. It has not been mentioned very much. I think the maximum is £50 per annum. My own opinion in this connection is that it is a fair thing. I do not understand that it has been raised by the local authorities, and it is a good deal to ask men in these days, when local authorities are growing and are having extensive financial transactions—more especially when £7,000,000 have been advanced to local authorities. A man who handles many thousands of pounds of loan money to-day has to give local authority work more detailed attention than, perhaps, was necessary previously. The work has increased considerably, and the powers of local authorities have been extended.

Mr. COLLINS: Hear, hear!

Mr. KERR: I hear an hon. member say "Hear, hear." I can point out to him where the Government are restricting certain powers as well as extending others. At the present day business men are expected to come forward and carry out the work of local authorities, and the time is opportune when these men should be granted an allowance. It is not a payment to the members at all. I have no desire to be misunderstood in that direction. It is called an allowance, and I think an allowance is quite justified under the circumstances, because, apart from the actual work, there is a certain amount of loss of time and a certain amount of expense, and everything warrants this allowance being paid, no matter how small it is, to compensate the members. A differential rate has been referred to in connection with this Bill, and in this connection I want to specify as an illustration the Taringa Shire Council and also the Enoggera Shire Council. This Bill provides for differential rating in regard to cities and towns. Taringa is neither a city nor a town. It is a shire. Enoggera is also a shire, and they have farming communities within those areas. There should be a provision to allow of differential rating in connection with shires as well as in regard to cities and towns, and I hope the Minister will not hesitate to provide for differential rating within the shires. There are a great many important matters referred to in this Bill apart from those with which I have dealt, and in Committee I shall have an opportunity of amplifying what I have said on the second reading. I hope the Minister was sincere when he indicated that he is prepared to accept amendments from this side which will make this Bill a better one than it is. If he does that, he will be doing himself a great deal of justice. It is said that two heads are better than one, and two parties on this occasion are better than one. Local government is something quite apart from party Government; it is something which concerns the community generally. The Local Authorities' Conferences have made some very reasonable suggestions that have not been carried out. Their suggestions have been accepted in a number of instances, and I hope the Minister will look upon the amendments that will be moved from this side of the House as being absolutely essential in order to make the Bill a decent one. The history of local government in Queensland as written by Mr. Bernays—who is an authority on the subject—is very interesting. In reading that history one can follow and recognise what has been done by local governing bodies, and a persual of "Hansard" will disclose the fact that many amending Bills have been passed and some

of the finest things contained in the Local Authorities Act have been moved by the party in Opposition irrespective of the name of such party. I hope the Minister will receive the various amendments as they come forward in the spirit in which they are moved by the Opposition.

Mr. GLEDSON (*Ipswich*): I have listened with a great deal of attention to the speeches on this Bill, and, with the members of the Opposition, I desire to congratulate the Assistant Home Secretary on the manner in which he explained this amending Bill. I was also glad to hear some useful suggestions from hon. members opposite which I think might very well be embodied in the Bill. A very useful suggestion was made by the hon. member for Enoggera, and it is one that could be well carried out—that is, that the shires be empowered to fix a differential rate as between residential areas and farming areas. The absence of such a power is one of the difficulties the local authorities have to contend with at the present time. In nearly every shire the same difficulty arises. They have power to differentiate so far as values are concerned, but they have no power to differentiate so far as rating is concerned. We have been led to believe that the one rate must apply to the whole of the division. It will be a very good thing if something could be done to allow of differential rating, as that would enable the shires to carry out their work in a proper way. In residential areas they are all small allotments, probably not more than an acre at the most, while in the farming districts the areas are much larger, and at the present time the shire councils, without being unfair to those engaged in agricultural pursuits, are unable to strike a rate in regard to the residential areas that they would if they could differentiate between residential areas and farming areas.

Another good provision which has been referred to is the proposal to limit the number of houses that may be erected on an acre of land. The hon. member for Enoggera suggested that land should not be cut up in blocks of less than a certain area. It is all very well to say that an allotment shall not contain less than 24 perches, but, if the owner of such an allotment is allowed to build three or four houses on it, you do not get over the difficulty at all. At the present time a title deed cannot be obtained for anything less than 16 perches, but there is no limitation as to how many houses may be erected on these 16 perches. This amending Bill will get over that difficulty, and the local authorities in the different areas will be able to pass by-laws determining the number of houses that may be erected on an acre, and that will be a better provision than simply limiting the size of the allotment.

Another matter raised by the hon. member for Enoggera which the Minister might well take into consideration is the question of the rating of the property of the Metropolitan Water Supply and Sewerage Board. I know that the Moreton Shire Council, of which I am a member, is hit very hard in that regard. The Metropolitan Water and Sewerage Board are continually resuming properties to extend their catchment area, and the shire council loses the rates that they were previously getting on that land and receives no benefit from the Metropolitan Water and Sewerage Board so far as rates are concerned. Some consideration should be given to the shires in which [8 p.m.] the catchment area is situated, the land in connection with which becomes non-revenue producing, so that those local authorities may be enabled to carry on their work.

I am pleased to see added powers given under the Bill with regard to valuation. I think the hon. member for Murilla was a little bit out in his deductions in regard to this matter. The Bill does not make it mandatory for a valuer to value prickly-pear ground the same as clean ground.

Mr. MORGAN: Yes it does.

Mr. GLEDSON: The way that I read the Bill is that it says that the quality of the land shall not be deemed to be affected by reason of the fact that it contains noxious weeds. That leaves it in the hands of the valuer to value that land. The idea behind this measure, and in the minds of the local authorities who wish to have this provision included, is to ensure that the owner of land who refuses to keep it clean shall not reap the benefit of allowing the land to be overrun by noxious weeds by getting a lower valuation placed on his land in consequence of his neglect. The hon. member for Murilla pointed out that the man who had nothing whatever to do with the land being infested was to be penalised when he selected or bought it. My reading of the Bill is that he is not to be penalised; that the valuer has discretionary power to take all these things into consideration, and that he can value such land at a lower rate than adjoining land which is in a better state.

Mr. MORGAN: He can now, but he will not be able to do it under this Bill.

Mr. GLEDSON: I say that he can do it under this Bill, which gives power to prevent people who are careless about keeping their land clean from getting the advantage of having a lower rate placed on their land by reason of their neglect. If there is anything in the Bill which makes it compulsory for the valuer to value prickly-pear lands the same as clean lands, that anomaly can be remedied in Committee. I do not think the local authorities or anyone else have that intention, nor have hon. members any intention of doing anything which will be a hardship on those who are endeavouring to clear prickly-pear off their land. I think those who are honestly attempting to clear the pear should be given every encouragement, but at the same time we should not leave the door open for those who are not doing anything to clear off the pear, but are allowing their places to be overrun to the detriment of adjoining settlers, to gain any advantage in the way of a lower valuation through their neglect to clear the pear. The provisions in the Bill allowing local authorities to deal with prickly-pear are very wide and are much needed. The local authorities have had great difficulties in dealing with this matter in the past, and power is given under the Bill to enable them to deal more effectively with the menace of prickly-pear, and thereby assist those who are helping to clean up the areas which are sparsely infested at the present time. I welcome the Bill, which I trust will be of very great value to the local authorities.

HON. W. H. BARNES (*Wynnum*): I think the debate to-night has revealed one thing——

Mr. POLLOCK: It is very interesting.

HON. W. H. BARNES: Yes, it has been very interesting, but on both sides of the House there will be found a difference of opinion with regard to what is really best in the interests of the State in many directions. I take it that every hon. member may, to some extent, be coloured in his views—especially those who are engaged in local authority work—by reason of the requirements of their own districts. However, it is certain that the men who are engaged in local authority work are doing great good for Queensland, and I sometimes think that neither the Government nor the public appreciate to the fullest extent what has been done by these men in the past. They certainly have received a good dressing-down sometimes—and from members of Parliament, too—when they did not deserve it, after having done their best in the interests of those they represented.

Hon. F. T. BRENNAN: They do not spare us.

HON. W. H. BARNES: The hon. gentleman and his party have never spared the local authorities.

Hon. F. T. BRENNAN: This Bill is their Bill.

HON. W. H. BARNES: I admit that this Bill is their Bill. The Minister said that the members of the local authorities ought to apologise to the Government. He said that during their last conference they had been penitent, and felt it was their duty, to some extent, to apologise to the Government for what they had said.

Mr. KIRWAN: There was nothing in the Press about the penitent stool being brought in.

HON. W. H. BARNES: I think the hon. member who has just interjected would have some difficulty in getting down to it. It would be very regrettable if one was brought in so far as he is concerned.

Mr. KIRWAN: Let the messenger bring one in, and you and I will try it. (Laughter.)

HON. W. H. BARNES: I would remind the Minister that the time was in this House when hon. members on the other side were constantly belittling the work done by local authorities, and, instead of the local authorities apologising to the Government, it is truly the Government's turn to apologise to the local authorities. If we look at the records of "Hansard," we shall find that the Government have in the past belittled the men who are doing this great work. The Minister has brought in a Bill which, to some extent, embodies suggestions which have been made by the local authorities. We do not know, however, what sundries there may be in the Bill. Every Bill we have had during the session has had something in it which we did not expect would be in it at the time, or some influence has got to work outside, and said to the Minister, "It is not included in your Bill, but put it in." By way of illustration, we noticed that "Not formal" was called to a certain Bill to-day. We do not know what is going to happen to that Bill, but we know that there have been factors outside which have been operating in that particular regard. We do not know what is going to happen in connection with this Bill.

Hon. F. T. BRENNAN: It will be all right.

HON. W. H. BARNES: The Minister says it will be all right. He is very complaisant, and he went to a heap of trouble—I will give him that credit—to provide us with a lot of information. He wanted to be perfectly accurate and to read every word that was written, but just at the end he said he did not think it would be wise to go any further and he would give us more information in Committee. You, Mr. Speaker, know that sometimes we listen to a speech of which for the purpose of greater accuracy you obtain a copy, which is taken as read. The hon. gentleman, for the purpose of accuracy, had his speech very nicely detailed on paper, so that there could be no possibility of his making a mistake.

Hon. F. T. BRENNAN: You are jealous.

HON. W. H. BARNES: I am sure the hon. gentleman would not include me in that charge. He said that the effects of the Bill would be far-reaching. No doubt. He also said that it was time changes were made. I believe that, as time goes on, we must make changes—I am not referring to any Government—we must evolve.

Mr. COLLINS: Your evolution has been the wrong way.

HON. W. H. BARNES: My young friend. the hon. member for Bowen, it was said the other day, was becoming conservative. I do not know whether he is developing along those lines; but, at any rate, he is smiling as he develops, and that is a very good sign. Part of the Bill deals with the borrowing powers of local authorities, and on this I dare say there may be a good deal of difference of opinion. I do not know what the experience of other members of local authorities may be, but mine is that the majority of them are very anxious to spend money, and I will tell you why. A member of a local authority represents a certain ward or division in which improvements are necessary. Generally speaking, two things are found. One is that rates constantly are moving up, and the other is that there is always a big demand for loan money. The tendency of members of local authorities, speaking broadly, is to try to spend as much as they can to improve their districts. Probably some of us know that it is very easy to get things, but very much more difficult to pay for what you have got. So it is with loans. You pass on the cost by means of increased taxation, so that often the fact that local authorities can get money too easily may be a danger. In the past they could only borrow up to a certain point. Now the door is to be opened wide. My colleagues on this side may not share my views, but I say that there is danger in that direction.

The Minister—and the hon. member for Murilla followed it up—made some reference to prickly-pear, but the Minister could not do so without saying that the Government were the friends of the man on the land.

Hon. F. T. BRENNAN: Hear! hear.

HON. W. H. BARNES: I want to refresh the hon. gentleman's mind upon some of those happenings which would show that, if they are the friends of the man on the land, they have only recently changed their attitude.

Hon. F. T. BRENNAN: The same old cry

HON. W. H. BARNES: The hon. gentleman knows that the Government have not been friendly towards the man on the land.

Hon. F. T. BRENNAN: They are better off now than they were.

HON. W. H. BARNES: We shall have to agree to differ, because we on this side know

that we are right when we say that the Government are not the friends of the man on the land. The Minister went back to ancient history. Fifty years ago, he said, it was a question that was being neglected by Parliament. How many of us were here then?

Hon. F. T. BRENNAN: How many of your kidney were here?

HON. W. H. BARNES: I am very glad indeed to say that the men here were not of the kidney of the hon. member.

Hon. F. T. BRENNAN: Had they been, there would have been no prickly-pear.

HON. W. H. BARNES: I think the hon. member for Bowen agreed with the hon. member for Murilla that the pear is here and we have to deal with it. What have the Government done? I sincerely hope that the insect that has been introduced by Mr. Temple Clerk will be successful. Everybody would of necessity rejoice if it were, because the pear is a national evil. But we know how incorrect are the hon. member's assertions, and, if he will take the trouble to look the matter up, he will find that again and again every effort was made to deal with the prickly-pear menace. We also know that one of the troubles has been the fact that birds have carried the seeds.

Mr. COLLINS: And another has been the lazy squatters.

HON. W. H. BARNES: There may be lazy squatters, and there may be lazy members of Parliament—though certainly not the hon. member for Bowen—but the fact remains that we have the evil with us and we should try to deal with it.

The hon. member for Enoggera dealt with the payment of members of local authorities. I think that everything in the way of payment for services, the rendering of which should be regarded as an honour, is a mistake. I do not know that the men who are doing this work do not do it very largely from a belief that they are an honour to their country and their local authority, and I do not know that we are going to get any better service if we pay them.

Mr. CARTER: Would it be an honour to supply flour?

HON. W. H. BARNES: The hon. member now is dealing with something which is quite outside this debate. I claim that the payment of members is a mistake, though I may be wrong.

The Bill deals with the question of town planning. The hon. member for Ipswich drew attention to the provision whereby it is possible for the councils to direct that a certain number of buildings shall be put up on a certain area of land; but he overlooked the fact that the honorary Minister distinctly stated that 16 perches might be used as an area for residential purposes.

Hon. F. T. BRENNAN: Or less.

HON. W. H. BARNES: If, under the scheme of town planning, the areas are going to be divided into such small portions, then it is an absolute mistake. In a country like ours, with a climate like ours, where at the present time there is so much cheap land comparatively speaking, I ask if it is a good thing to place families on 16-perch allotments.

OPPOSITION MEMBERS: Shocking.

HON. W. H. BARNES: It is one of those things that should not be permitted. Reference was made to-night about certain buildings in the city. I have spoken about that matter before in this House. There are certain buildings not very far from here which are a disgrace not only to the people who put them there, but to the community who allow them to remain.

Hon. F. T. BRENNAN: You are attacking the local authorities for not doing their duty.

HON. W. H. BARNES: The local authorities probably have not had power to deal with a case of that kind.

Hon. F. T. BRENNAN: They will under this Bill.

HON. W. H. BARNES: What about the child life in this country?

Hon. F. T. BRENNAN: There will be adjoining parks.

HON. W. H. BARNES: There are no parks.

Hon. F. T. BRENNAN: There will be parks under the town planning scheme.

HON. W. H. BARNES: Wherever you make provision for very small areas, whom do you put there? The men with the most money? No. You put the people there who have the least money—the workers. We should not make it possible for that kind of thing to be done. I am not reflecting on the people so far as the homes are concerned when I say that some are well conducted and clean, but there are others that are not. I do not know whether the local authorities will not have to accept the responsibility of seeing to it that the homes are kept clean in the interests of the public health. I was particularly struck on Sunday on reading a publication to find that in Great Britain one in every seven of the community died from cancer. It may be necessary for the local authorities to take the matter in hand and look to the homes.

Hon. F. T. BRENNAN: Cancer is the result of selling lumpy beef.

HON. W. H. BARNES: The hon. gentleman cannot rise to a question that is big. He talks about selling lumpy beef. What about the children, and what about those who to-day are so much in need as the result of sickness and disease? If it is due to the sale of lumpy beef, then the officers of the department should do their duty and not allow such beef to be sold.

Mr. COLLINS: It used to be sold during the time your Government were in office.

HON. W. H. BARNES: The Bill makes provision for the erection of houses for workers, associated with local authorities. The remarks I am going to make apply to previous Governments as well as to this Government. If we are going to have houses erected for the workers, I hope that they will be model houses, and not houses such as we have seen in connection with our railway employees. They are a disgrace to anybody who has had anything to do with them. The time has come in the interests of health and in the interests of the best service that can be given to see that men are treated as men and not put into places that are not habitable. The marvel to me, even with some of our Government buildings, is that the men have so long endured the unsatisfactory conditions that exist to-day.

This Bill is very largely a Committee Bill, and I trust every hon. member in dealing with it will realise that it is a Local Authority Bill, having to do with the welfare of the people, and that they will give of their very best to make it a Bill which will be better and still better, so that we can improve the conditions that now exist.

Mr. PETERSON (*Normanby*): I am pleased that the honorary Minister has seen fit to accept the advice of the different local authorities and bring in this Bill. I sincerely trust that the next step will be to consolidate the Local Authorities Act. It is rather a difficult document to go through at the present moment, and I hope the Minister will consolidate it, and thus make it more accessible to those who desire to become more fully acquainted with it.

I listened to the remarks of the hon. member for Ipswich, who stated that there was no power under the present Act to permit of a differential rate being struck with regard to city areas and farming or producing areas. I have had something to do in connection with that matter quite recently. Although the Act does not specifically give the power to the councils to strike a differential rate, instructions have gone forward from the Home Department to the councils concerned intimating that they can strike a differential rate. In my own district we have town areas and dairying or producing areas in the one shire. Let me take the Rockhampton area. The Government introduced a Bill declaring that the Greater Rockhampton scheme should embrace a certain area of country, which took in part of the Fitzroy Shire. Immediately the Rockhampton Council got hold of the Fitzroy portion under the Greater Rockhampton scheme, they forced those people to pay a higher rate, and many of them had to pay what is known as the tramway rate and other rates from which they got no benefit at all.

Mr. FARRELL: They have the benefit of the Gracemere road.

Mr. PETERSON: The Rockhampton people also have the benefit of the Gracemere road.

Mr. HARTLEY: You know that the rate has been lowered.

Mr. PETERSON: I am not critical at all; I know the hon. gentleman has done his best. He worked as hard as anybody could to see that those people got fair play, but he will admit the sense of my argument that it was not a fair thing for the council to rate the producing areas the same as the city area.

Mr. HARTLEY: They are not rated equally now.

Mr. PETERSON: Immediately the council got possession of that area they raised the rates in that area very considerably. That was not a fair thing. I was very pleased indeed to see the Home Department issue instructions to the Rockhampton Council to strike a differential rate. This is where the trouble is going to come in. Although the Home Department may give instructions—there is a provision in this Bill dealing with it—with regard to the fixing of a differential rate, the Rockhampton Council can get over that difficulty by increasing the valuation of those areas, and get back their rates in that way. I think, as the hon. members for Ipswich and Murilla pointed out, that we should have something specific. [8.30 p.m.] I trust the Minister will at least listen to the arguments from his own side of the House, whereby those in dairying centres, or centres where the people are earning their living from the land, shall not be rated on the same basis as the city lands, and will insert some provision in this Bill making it mandatory to councils to levy differential rates in these cases.

So far as I have been able to discover from the Bill, there seems to be no mention whatever to increase the obligations cast upon shire or town councils with regard to minimising the mosquito pest. At present there is a campaign being carried on in all the metropolitan suburbs with a view to getting rid of this evil. What use is it for a council to insist on the ratepayers putting gauze screens on their tanks and lopping trees overhanging the spouting, when the same council is permitted to have swamps in its area?

Mr. GLEDSON: That comes under the Health Act.

Mr. PETERSON: I know it is under the Health Act, but at the same time we could put a clause in this Bill imposing an obligation on the local authority to see that such swampy areas are filled in. It comes more precisely under the administration of the Health Act, but still we are dealing with a local authority matter; and, whilst it is the duty of local authorities to see that these matters are attended to, some responsibility rests on the local authorities themselves. It is quite feasible for a clause to be inserted in this Bill making it compulsory on local authorities to see that their house is set in order first, and to deal with these areas which are the real breeding-grounds, before imposing conditions upon the ratepayers.

A vital matter with regard to the housing of the people also comes within the scope of the Bill. I see there is provision which will enable people to subdivide land, and to have a minimum area of 16 perches. You have only to go round some of the more closely populated suburbs of Brisbane to see the evils of the 16-perch allotment. The evil of the 16-perch allotment is also in evidence in Rockhampton. If ever it was the duty of the Government to try and prevent or minimise an evil of that kind, now is the time. The Minister in charge of the Bill said the people have their parks. There are any amount of places around Brisbane where there are no parks within miles. The best parks in Brisbane for the children are their homes. It may be argued that in areas where land is very expensive it is necessary to have a minimum area of 16 perches. If that is the argument, the Minister can get over that difficulty. In Brisbane a minimum of 16 perches could be provided for, but in the suburbs under no consideration whatever should the Government agree to anything under 24 perches. What argument can be adduced that the 16-perch allotment is a living one? For years and years it has been the desire of certain well-meaning people that proper housing for the workers should be brought about. You cannot bring that about on 16-perch allotments.

Mr. POLLOCK: In Daceyville the allotments are 14½ perches.

Mr. PETERSON: I have been over Daceyville, and I do not want to see Daceyville conditions established to any degree here.

(Hear, hear!) There are some allotments in Daceyville which contain 32 perches. A 16-perch allotment is generally 33 feet in width and 132 feet in depth.

Hon. F. T. BRENNAN: Make it a wider frontage and lessen the depth?

Mr. PETERSON: Is it not in the back that the children have their little playground? Is it not in the back that the worker generally has his little cabbage garden? Surely the Minister does not argue that the depth of the allotments should be curtailed in order to secure a wider frontage! The average width of an ordinary worker's home is about 28 feet. That leaves him no room whatever, when he is financially able, to put a veranda on the side if his allotment is only 16 perches. I am speaking now of my own knowledge as a builder, having built a large number of cottages on 16-perch allotments. It simply means that you are building up a slum area, because the houses are so close together that you can almost hear the persons in the adjoining houses speaking to each other. Hon. members are on unsafe ground if they advocate single frontages. They quote Daceyville; but down there a large number of houses are built on that basis. In Queensland, we have what they call a double frontage. I hope that Queensland will not adopt the single frontage. Let us try and emulate a broad ideal, and create in our midst happy homes for our people and bring about the contentment that is so much desired. If we do that, we shall have something to be very proud of. We have been twitted with living in the middle ages. We are in the middle ages when we talk about 16-perch allotments in this period of civilisation. Let us try to do something greater and more noble. If it cannot apply to the city area owing to the high price of land, then let it apply to the suburbs that the minimum area of an allotment shall not be less than 24 perches. This is not a party matter. It is a matter of vital interest to the people, and to the workers particularly, and it is our aim and object to see that the workers are housed under the most advantageous circumstances.

Another matter which has been introduced, on which I think the Minister should be commended, is the provision made for the rating of certain lands which have been exempted from rating up to the present moment. I have in my electorate what is known as the Styx mining area, and, just prior to the last election, I had what is known as the Baralaba mining area.

Mr. COLLINS: It might be a good job you did not have it last election.

Mr. PETERSON: It may or it may not have been a good job. Quite a large number of families have congregated there, and the local authorities concerned had no power whatever to rate them. The provision under this Bill is that an allotment cannot be valued under £20. That means that all those persons will only be called upon to pay for services rendered by being rated. That is a point worth being grateful for, because different local authorities ought not to be called upon to look after areas from which they do not receive any rates whatever. After all, rates are not taxes. Rates are payments for services rendered. We know that, when local authorities particularly render a service to a section of the community, they do not object to pay for that service in the form of rates. I do not desire to labour the second reading of this measure to any great length more than to express the fervent hope that the Minister will take notice of what has been said about 16-perch allotments. I am confident that the hon. member for Bowen and other members on that side of the House do not stand for the 16-perch allotment. Let us hope that the Minister will draft a differential amendment so far as the city of Brisbane and the suburbs and the towns of Queensland are concerned, and if he does that he will receive the commendation of all the people who hereafter will be settled on those areas.

Mr. CORSER (*Burnett*): The Bill before us is largely a machinery one, and chiefly a Committee Bill. However, there are some features worthy of consideration on the second reading. The definition of "elector" has been altered. I am rather sorry that, in proposing to amend that definition, the Government do not propose to confine it to a ratepayer, as in the old Act. It seems a shame that we cannot entrust local government matters to the people who have to find the money. They are the only people who are entitled to vote at such an election. Local government in the past has been built up and made possible by the votes of those only who paid rates in the particular area, and the Minister gave great credit to-night to the local authorities.

Mr. DUNSTAN: It would be a retrograde move to go back to that principle.

Mr. CORSER: It is not a matter of going back. The hon. members opposite have gone back in altering the franchise. The people who are interested are the ones who should have the say, and I am sorry to see a new definition of "Elector" brought forward. The matter should be in the hands of those interested, and not of those who may come and go in a local authority—men engaged on railway construction or some other works, which do not provide for their continued residence in the area.

Hon. F. T. BRENNAN: They must be there five months before they can vote.

Mr. COLLINS: Are they not entitled to the right of citizenship?

Mr. CORSER: Certainly, and as citizens they have a vote for members of Parliament under the Elections Act. But you do not give a man a vote as a citizen in your Workers' Political Organisation unless he pays an annual subscription.

Mr. SPEAKER: Order! I ask hon. members on my right to cease interjections, and I ask the hon. member to deal with the Bill.

Mr. CORSER: In dealing with the election of chairman, I quite agree with and voice the sentiments of hon. members on this side that the chairman should be elected by those elected and responsible, and I do not hold that the election—any more than the election of Ministers of the Crown—should be a selection by the whole community. The Secretary for Public Lands claims that there was too much log-rolling and too much engineering under the old system of the chairman being elected by the council. The same thing applies probably to the Ministers themselves when they step up from the position of a private member to the position of a Minister of the Crown.

Mr. POLLOCK: Did it apply to you when you were elected deputy leader of your party? (Laughter).

Mr. CORSER: It is the fairest and best way for a council to elect its chairman, as the chairman is far more in sympathy with the desires of the council and the ratepayers when he is elected by those members who have been elected on the popular vote of the ratepayers, or by the electors, as is the case at the present time. I am sorry that it is proposed to alter the provision affecting the election of chairman.

There is one feature—and quite a new feature—in the Bill. I refer to the alteration in the method of rating so as to give the local authorities the power to rate fully all properties on the same basis as though they were all clear of noxious weeds, scrub, timber, etc., that may be growing on such areas. The hon. member for Normanby must be credited with the broadness of his remarks, but there is one remark on which I do not see eye to eye with him. That is that no section of the community should object to paying a uniform rate throughout the State.

Mr. PETERSON: Rates are a payment for services rendered.

Mr. CORSER: You have got to go beyond that and realise that the holders of our prickly-pear lands throughout Queensland to-day are not the men who are responsible for the growth of the pest. We are giving to these people for selection prickly-pear land that grew pear when in the hands of the Crown, and we propose to rate them on a similar value to settlers holding land clear of pear—and not only of pear, but of shrubs, of scrub, and of trees, as though the land were cleared. We know that the Government have paid as much as £25 per acre to clear timber alone on the Beerburrum Soldier Settlement. If this Bill seeks in any way to compel men to go in for the cultivation and improvement of their land, we might attain that end in some other direction. I particularly appeal on behalf of those who are selectors of prickly-pear country and who cannot pay on the suggested basis. We might try to extract the debt due to us from our enemies in Europe, but, if they cannot meet it, it is no use forcing them; and it is no use forcing people off the land if they cannot pay the rates.

Mr. BRUCE: You ought to drive that into the French people.

Mr. CORSER: I did not think we were controlled from France——

The SPEAKER: Order! Order!

Mr. CORSER: I thought we were controlled from Emu Park.

The SPEAKER: Order! Order! I shall have to ask the hon. member to discontinue his speech if he neglects to pay attention to my call to order.

Mr. CORSER: I shall endeavour to do my best under fairly trying circumstances. (Laughter.) I certainly cannot do any more than my best. If hon. members realise the difficulties under which our settlers to-day labour and realise their obligations, they will agree that there is something in my contention that, whilst the amendment is generally a fair thing, we want to make it fair to everybody and not enforce something that will drive some selectors off the land. We are getting men from other States on to pear land which has been thrown open for selection, and we should not impose on them such conditions as these after they become the occupiers of that land.

Mr. FOLEY: What about the man who has cleared his land?

Mr. CORSER: The man who clears his land should have every protection, and he should be encouraged in every possible way.

Mr. FOLEY: This is to protect him.

Mr. CORSER: It does not protect the man who goes on to a selection which is overrun with noxious weeds before he ever sees it, and that is the man I am speaking for at the present moment. We know that our Land Tax Act provides for a tax on all the timber on the land, and why harass the man who has heavily-timbered land and who must be put to heavy cost before he can get anything from it? Why make him pay a tax on the value of that land, which is locked away from him because he has not the means of making it productive? That is what the Bill provides, and that is what I object to. Virgin scrub, heavy forest, or a dense bushy block is going to be a hardship to the man who owns it and who took it up under different conditions altogether.

Provision is also made—and it is quite a new provision in our Local Authorities Act—for town planning. It is something that we must all welcome. Town planning in Queensland is certainly in its infancy, but it is a step in the right direction.

Mr. COLLINS: We have got it in the Bowen electorate.

Mr. CORSER: You have not got the State iron and steel works.

Mr. COLLINS: We have town planning.

Mr. CORSER: I do not agree with the idea of making possible smaller city allotments. For years the Government have prided themselves on their policy in regard to the wiping out of slum areas and the possibility of overcrowded areas such as exist in the older countries. We claim that a 16-perch allotment is not too large for any individual, and certainly no one should be allowed to subdivide his land into smaller areas. That used to be the argument of the Labour party, but now they are in power they find it necessary to introduce a provision in the Local Authorities Act making it possible for residences to be erected on smaller areas in the bigger cities—in the very parts where we should try and guard against such a thing occurring. It is not as if they were proclaiming new reserves and opening up new lungs for the city. As a matter of fact, they gave one away for the Trades Hall not so long ago. Daceyville has been used as an argument in favour of smaller areas than 16 perches for each home. I do not know, from what I have seen of Daceyville, that we would be wise to adopt that idea altogether. I do not know that it fills the bill. I think that the backyards of the Daceyville homes do not appeal to Australian sentiment.

Mr. POLLOCK: In Adelaide they have less than 16 perches

Mr. CORSER: You are getting on to something else now. I do not think we can adopt in toto the Daceyville scheme so far as areas are concerned.

We find a new provision in regard to loans. Previously five times the amount of the ordinary annual revenue was the maximum amount possible for a local authority to

secure in the way of loans. This has been wiped out, which really wipes out the defence of the ratepayers, and leaves it in the hands of the Treasurer as to what loan money in proportion to the rating of a local authority shall be available to the local authority. It certainly liberalises it to some extent when we know that every individual now has the right to say whether a loan shall be secured or not; but it is to be taken out of the control of the ratepayers to say whether they are prepared to foot the bill for an extended loan or not.

Mr. CONROY: There are no ratepayers now; they are all electors.

Mr. CORSER: The ratepayer exists just the same. Previously the protection was there to the ratepayer, but now you wipe out the protection to the ratepayer and place the power in the hands of the general elector, and you wipe out the limit of the loan. That is the trouble. It is just the provision that we claimed would be made to enable them to borrow and find work whenever the Government wanted certain work done in a certain district.

Mr. CONROY: Do you object to that?

Mr. CORSER: The man who has to pay the interest should have a say as to what money shall be borrowed. We find regarding the elections——

Mr. PEASE: Do you mean the last election? (Laughter.)

Mr. CORSER: We got a majority of 16,000 against the Government, but they got fourteen of a majority in the House. I would like to know from the Minister if an elector who is not resident in a district is going to have a vote?

Hon. F. T. BRENNAN: He must be qualified to be enrolled.

Mr. CORSER: He has been qualified and has been enrolled, but he leaves the area and has been away twelve months and his name is still on the roll. Has he still a vote?

Hon. F. T. BRENNAN: Yes.

Mr. CORSER: It is the same as the very accommodating Elections Act.

Hon. F. T. BRENNAN: You want to disfranchise him.

Mr. CORSER: I do not want to disfranchise him, but I do not want to make it possible for him to be on half a dozen rolls at the same time. That is the trouble. The hon. gentleman knows perfectly well that there is no one on this side who wishes to deny anybody a vote. We want every provision for a vote, but we do not want the possibility of one man having half a dozen votes. We have the same provisions regarding an election in this Bill as in connection with ordinary parliamentary elections, with one exception.

There are many features of the Bill that are welcome, and very many of the provisions have been introduced at the desire of the Local Authorities Conference—a body which certainly has defended to the utmost the ratepayers in country districts. While they cannot control the Government, they have brought out quite a lot of reforms. Whenever it suits the Government's book, they bring in an amending Bill, but, when they bring in some of these good reforms asked for by the local authorities, they are always loaded with something objectionable to the fair-minded members of the community. That is what I object to.

Mr. TAYLOR (*Windsor*): I am rather at a disadvantage in speaking on this Bill tonight, as, unfortunately, I was not able to be present this afternoon when the Minister delivered his second reading speech. There are quite a number of provisions in the Bill which will be very useful, and in regard to some of them we propose to move amendments which we think will be in the direction of improving the Bill. Local authorities in Queensland deserve well of the Government. They are carrying out a tremendous amount of work for which they receive no fee or reward of any kind. Taking the figures in connection with the money which the Government have at various times lent to the local authorities in the State, it is wonderful how little of that money is in arrear either for interest or redemption. That shows clearly, especially considering the control which the Government have in the spending of loan moneys advanced to local authorities, that the work has been carried out efficiently.

[9 p.m.]

Some remarks have been made with regard to what are called 16-perch allotments. It is quite evident that we cannot apply the same set of conditions to the shopkeeping and business portions of the towns and cities that we can to residential areas. For instance, it would be absurd to say that you would require to have a 16-perch allotment in Queen street or George street, or in any of the streets in the large towns in Queensland. Plenty of the buildings in Queen street are probably built on 12 to 14 feet frontages, and some on 16 feet, and, unfortunately, in connection with a lot of the shopkeeping portions of the city there is also a residence attached to the building. If we could in some way eliminate that residential portion, we might achieve something. In the residential portions of the suburbs the area should certainly not be less than 24 perches. In order to safeguard the interests of the people in those areas, it might be specified in the Bill that no residence should be built within so many feet of the boundary of the 24 perches. That would give a breathing space between the houses which are built, and would not allow the congestion which has previously taken place, and which at the present time is happening in the suburbs of Brisbane. We have a very excellent climate in Queensland, but it is absolutely necessary that we should have a fair amount of breathing space in the residential portions of the city, and, if the Minister can introduce an amendment in the Bill which will give greater room between the buildings, it will promote the health of the community. I was a member of a local authority for about twelve years before I came into Parliament, and my experience of the men associated with local authorities is that they are out to do the best they can for the people. No doubt they make mistakes, just the same as the Government make mistakes, but those mistakes can be rectified. The qualification for returning local authority representatives is certainly a wide one; in fact, I am inclined to think it is rather too wide. I think that some provision should be made so that, when an elector removes from the area, it should be mandatory upon him to advise the local authority that he has left the district, so that, when an election takes place, the people resident in the district shall be those who exercise the vote. A person can get on a roll in Brisbane now and go and live in

Charters Towers or Rockhampton or in any other part of the State, and still exercise the franchise, and I do not think it is right that such a state of things should continue.

Hon. F. T. BRENNAN: He cannot have an absent vote.

Mr. TAYLOR: I am very pleased to know that he cannot have an absent vote. We want a better system of voting in local authority elections than we have had in the past.

With regard to the clause in the Bill under which the local authority will have the power to fill vacancies, I was not present when the Minister spoke, and do not know altogether what he means by "vacancy."

Mr. KIRWAN: An extraordinary vacancy.

Mr. TAYLOR: What is an extraordinary vacancy?

Mr. KIRWAN: If a man resigns or dies, there must be an election.

Mr. TAYLOR: It is quite possible under the Bill, as I understand it, for the members of a local authority to elect as chairman one of their representatives who has no desire to occupy the position.

Mr. CONROY: The man who gets the highest vote is to be the chairman.

Mr. TAYLOR: I am talking about extraordinary vacancies—not about the highest vote. The man who gets the highest number of votes may be the least qualified to sit in the chair, and may not be willing to accept the position.

Hon. F. T. BRENNAN: You can make that right by an amendment.

Mr. TAYLOR: So long as we can get an amendment to overcome that difficulty it will be all right; but under present conditions there is a prospect of putting someone in the chair who is perhaps unqualified for the position. He may be a first-class man for local authority work, but may not be fitted to act as chairman.

The suggestion of the hon. member for Enoggera that there should be differential rating in country areas is well worthy of consideration. It is the people engaged in agricultural operations who deserve special consideration, and an amendment should be made so that they shall not have to carry the same burden of taxation as those who are living in the residential portion of an area.

I have nothing further to say on the Bill at present. We are preparing several amendments, to which I hope the Minister will give careful consideration. I take it that this is not a party measure, but that it is brought in for the benefit of the whole of the people in the State. We want a system of town planning in Queensland, and the local authorities ought to have more power in that direction than they have at the present time.

The matter of the powers of rating of the Metropolitan Water Supply and Sewerage Board has been referred to. While a good many people may think that the rating is carried out in an unfair way, I do not see how it can be carried out in a different manner. Quite a number of people who are complaining about the high rating in the suburbs lose sight of the fact that the people in the city are really paying for the water consumption of the people in the suburbs. For the premises which I occupy in the city I am paying £50 to £60 per year for water rates, and in connection with my home I am paying only £8 or £10, and I use more water at my home in one week than I do in the city during the whole of the year. The city properties in Brisbane are at the present time carrying the burden of the water rates for the people in the suburban area. I do not think the people in the suburbs need complain very much with regard to their water rates, although they have increased very much during the last twelve months. We are not going to make any progress in regard to these matters unless the people are prepared to pay. The demands of the people are for something better than what existed twenty or thirty years ago. The luxuries of twenty or thirty years ago have become the needs of the people of to-day; and, if we are to give the people better drainage and water supply, they will have to foot the bill. Therefore I do not think there is much to complain about with regard to the differential system of water rating in the city and suburbs at the present time. However, when we get into Committee we shall be able to deal with quite a number of these matters more efficiently than we can on the second reading.

Mr. FRY (*Kurilpa*): I want, first of all, to deal with the principle of the election of the chairman of a local authority. If it be good for all the electors in an area which is not divided into wards or divisions to elect the chairman of the council, then the principle should be good in the election of the Premier of this State. Queensland would then be an undivided area, as some local authorities are undivided areas, and in that case the leader of the Opposition would be the Premier of the State.

Mr. DUNSTAN: You are wrong.

Mr. FRY: Those are the facts. If the first past the post is to be the leader, the result of the recent elections shows that, the Opposition having the greater number of votes, the leader of the Opposition would be Premier.

Mr. DUNSTAN interjected.

Mr. FRY: I am very glad to hear that interjection, because it proves that you have not studied the Bill from the standpoint of principle. You have just taken it as it has been thrown down to you by the Minister.

The SPEAKER: Order! Will the hon. member address the Chair?

Mr. FRY: Hon. members on the Government side have taken the Bill just as it has been thrown to them by the Minister, and I am quite sure that none of them has had the time to consider it in its true aspect. It is all very well to say that the man first past the post—the one who gets the majority of votes—is the most suitable man for the position of chairman of a local authority; but that is a fallacy. We know very well that frequently candidates who receive fewer votes are more fitted to control a council.

Mr. DUNSTAN: Who are to be the judges—nine members or 9,000 people?

Mr. FRY: May I ask the hon. member to say who is more fitted to elect a Premier—the electors as a whole or the members on the Government side of the House? I have heard speeches from the Government side in which hon. members have said that wisdom is not always to be found with the majority of the people—that sometimes it lies with the minority—and I can quote "Hansard" to support my statement. I contend that it would be better to have the councils elected and allow them to choose their chairmen. That would be carrying out

a principle already laid down in the Bill, which provides that extraordinary vacancies in the offices of chairman or member shall be filled by the council itself. If the councillors are competent to elect a member to the chairmanship when there is an extraordinary vacancy, they should be competent to elect their first chairman.

Hon. F. T. BRENNAN: Do not say, "They are competent"; say, "We dispense with a poll."

Mr. FRY: At this stage of the Bill we are not permitted to discuss details of clauses, the Standing Orders restricting discussion to the principles contained in the Bill. I thought we were dealing with principles to a great extent now; we will deal with that in Committee. If the wisdom of the councillors is such that they are able to fill a vacancy of that sort, it should be equal to the task of electing a chairman in the first place. In that respect the Minister might give us more information, but the Bill appears to me to be unsound. It may be an easy way of getting over the difficulty, but it certainly does not appear to be a correct principle.

I notice—I mention it just in passing—that, hidden away somewhere in the Bill, there is a provision cutting out tree-planting, and payment of members of local authorities has been substituted. Perhaps the Minister will tell us why. Personally, I think that payment of members is a good principle.

Mr. KIRWAN: "The labourer is worthy of his hire."

Mr. FRY: Yes, provided always that his standard of efficiency justifies his payment. There is another provision in the Bill which I would like to understand more fully before I give my assent to it, and that is the clause dealing with the case where an owner or occupier is called upon to make certain structural alterations to a building. The Bill is silent as to who is going to pay for them, and I would like to know what is intended. The Bill provides for compensation for the land, but nothing is said about the building. I understand that it will be done on the under-pinning system—that is, the front base portion of the building will be cut away to enable the footpath or the road to be widened.

Hon. F. T. BRENNAN: Compensation will be paid by the council.

Mr. FRY: That is not stated in the Bill. The Local Authorities Act provides for the proclamation of what are known as first-class sections, in which all buildings must conform to certain conditions prescribed by the local authority. The amendment is a good one, although I do not agree with the fixing of the 16-perch allotment as the minimum area on which a building may be put. I contend that, with a growing population, a city will become congested if building goes on at its present rate. Whilst we should endeavour to have a compact city, we must be careful to avoid slum areas, and see that the allotments provided for are not too small. There is a great deal of room for improvement in the regulation of the sizes of allotments in city areas and elsewhere. A 32-perch allotment, with a frontage of 66 feet and a depth of 132 feet, may be too big to insist upon, but an allotment of, say, 20 perches, giving a frontage of 45 feet and a depth of 120 feet, would make a very suitable building site, in view of the fact that we want to avoid congestion, and the necessity for sending working men too far from their places of employment.

The further the people get away from the centres of employment the greater is going to be the cost of travelling, and the greater will be the cost of providing such facilities as water, sanitary conveniences, lighting, etc. That increased cost has to be guarded against in viewing the matter from the standpoint of civic economy. There should be a minimum size for allotments on which homes can be built. When speaking on this matter during the last Parliament, I advocated that the allotments should contain 32 perches, and I think the hon. member for Mitchell suggested that they should be not less than 40 perches, with which I agreed. In view of the conditions that have arisen since then, I think that the allotments should not be less than 20 perches. I know of allotments in Brisbane which run back to an enormous depth, whilst the frontage is very small. If the areas had been properly subdivided and the allotments had contained 20 or 24 perches, and were nearly square, they would have been more useful, and we would have been able to build 50 per cent. more houses in the same area. In a young country like this, which is being opened up, there should be some provision guarding against the erratic method of slicing up the city, and there should be some provision made to prevent the land-jobber from cutting up an area of land in such a way that the worst portion is utilised as roads. Instead of cutting up the land and running roads in any direction, it should be designed and cut up in such a way that the roads can take the most picturesque and useful course. I think the provision of the Bill fixing the distance of houses from the centre of the roadway is a necessary one. There is provision for widening the road without removing the buildings at present thereon. I would like to know why the new alignment of roads is applicable only to roads opened up after 1st January, 1924? There must be a number of roads in existence in which there are only one or two houses. It is possible for other houses to be erected right along that same alignment. Provision can be made to compel houses at present erected as well as those to be erected to be a specified distance from the centre of the road. That can be done in those roads where there are now only a few houses. Whilst we have the opportunity of dealing with those particular roads, we should make the best use of that opportunity and avoid any congestion in that direction. This Bill is a very necessary one, but I would like to ask why the Greater Brisbane Bill has not been introduced instead of this one?

Mr. CARTER: The Greater Brisbane Bill only applies to Brisbane, whilst this Bill applies to the whole State.

Mr. FRY: The Greater Brisbane Bill could embody all this, too. To my mind, the Government are meeting with difficulties all along the line, and this is only a palliative to silence criticism. The Greater Brisbane Bill was a great big volume—weighing many pounds—which was brought into this Chamber and thrown down for consideration. What has happened to it? Where has it gone?

The SECRETARY FOR PUBLIC LANDS: Did you read it?

Mr. FRY: The hon. gentleman did not read it.

Mr. CARTER: You did not, either.

Mr. FRY: I read more of that Bill than the hon. member. I am satisfied that the

Government were not game to bring it in, because they could not handle it in one session.

The SECRETARY FOR PUBLIC LANDS: It was not a big Bill; it was all schedules.

The SECRETARY FOR RAILWAYS: How many clauses were there in it?

Mr. FRY: Quite a number. We regard this Bill as a non-party measure, and I feel that every hon. member will give it some support. But the Opposition, in criticising the Bill, must not let it pass without first censuring the Government for not having seen fit to introduce it some years ago, when hon. members in opposition were endeavouring to show how necessary it was.

Mr. CARTER: Why did your party not bring it in years ago?

Mr. FRY: Hon. members on this side stood up during the debate on local authority matters and health matters, and urgently requested the Government to make some provision for the abolition of slum areas. In a city like Brisbane there should be no necessity to provide against slum areas. Any Government that has been in office for six, seven, or eight years has been lacking in its duty in not bringing forward a Bill of this description before now. I hope the honorary Minister will take notice of what I have said. I feel that the election of the chairman by a majority of votes is bad in principle. If it is good in principle, as the Government argue, then they should apply it to the State of Queensland as one undivided area.

Question—That the Bill be now read a second time—put and passed.

The consideration of the Bill in Committee was made an Order of the Day for Tuesday next.

[9.30 p.m.]

FIRE BRIGADES ACT AMENDMENT BILL.

SECOND READING.

HON. F. T. BRENNAN (*Toowoomba*): In moving the second reading of the Fire Brigades Act Amendment Bill there is very little to be said. Hon. members of the Opposition are fully acquainted with the nature of the amendments to be made in the principal Act. There are really only two. One is to repeal the section which limits the borrowing powers of Fire Brigade Boards. The maximum, which is now £8,000, is to be unlimited. They may borrow from a bank, or from any other financial institution. There is also a clause dealing with carrying on the work of the brigades. Another amendment provides that, instead of the estimates being made at the first meeting in the new year, they shall be compiled in the preceding November, so that the boards will know exactly where they stand. I beg to move—

> "That the Bill be now read a second time."

Question put and passed.

The consideration of the Bill in Committee was made an Order of the Day for Tuesday next.

SPECIAL ADJOURNMENT.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I move—

> "That the House, at its rising, do adjourn until Tuesday next."

Question put and passed.

The House adjourned at 9.30 p.m.