Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 13 SEPTEMBER 1949

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The ACTING SPEAKER (The CHAIRMAN OF COMMITTEES, Mr. Mann, Brisbane) took the chair at 11 a.m.

COMMISSION TO ADMINISTER OATH.

The ACTING SPEAKER: I have to inform the House that His Excellency the Governor has been pleased to issue a Commission under the Public Seal of the State empowering me during any absence of Mr. Speaker to administer the Oath or Affirmation of Allegiance to such members as may during such absence present themselves to be sworn, which Commission I now ask the Clerk to read to the House.

Commission thereupon read by the Clerk.

QUESTIONS.

GALVANISED IRON FOR DARLING DOWNS.

Mr. SPARKES (Aubigny) asked the Attorney-General—

"In view of his statement that 73 sheets of iron are in Toowoomba will he authorise the release of the said iron to returned soldier Lovell who requires urgently such iron to place a roof over his family?"

Hon. G. H. DEVRIES (Gregory) replied—

"There is no provision in the Profiteering Prevention Act of 1948 under which a trader could be required to release such iron under the circumstances mentioned."

Mr. SPARKES (Aubigny) asked the Attorney-General—

"1. Referring to his answer to my question on 31 August in which he stated that galvanised iron brought to Toowoomba by road transport was sold for manufacture into down-piping and tanks, (*a*) what was the quantity so sold, and (*b*) was it allowed to be sold at a price to include the cost of road transport?

"2. If the answer to (*b*) is 'Yes,' will he allow other stocks of iron brought by road transport to be sold at such increased price for roofing purposes, so that the down-piping and tanks may be used by the returned soldiers concerned?"

Hon. G. H. DEVRIES (Gregory) replied—

"1. My answer to the question on 31 August did not state that galvanised iron 'was sold for manufacture into down-piping and tanks.' I understand the galvanised iron was used by the Toowoomba firm in the manufacture of these goods.

"2. See answer to 1."

MORATORIUM PROTECTION FOR EX-SERVICE MEN.

Mr. H. B. TAYLOR (Hamilton) asked the Attorney-General—

"In view of the decision in the Brisbane Summons Court on 7 September that the Federal War Service Moratorium Regulations were now invalid and ex-service men no longer had moratorium protection in ejectment actions, will be consider the immediate introduction of suitable regulations or an amendment to the Landlord and Tenant Act, to provide fair and reasonable protection for ex-active service men against ejectment from homes?"

Hon. G. H. DEVRIES (Gregory) replied—

"The Government have this matter under review, and is considering affording protection to those ex-servicemen who, due to war causes, are entitled to special consideration."

REPOSSESSED WORKERS' HOMES AND DWELLINGS.

Mr. NICKLIN (Murrumba—Leader of the Opposition) asked the Secretary for Public Works, Housing and Local Government—

"1. Is it a fact that workers' dwellings and homes that have been re-possessed by the State Housing Commission are offered for sale at prices much in excess of those which would be permitted under land sales control?

"2. Within the past twelve months, have any such houses been offered or sold at prices greater than the original cost?

"3. If State houses are so offered or sold, will he recommend to Cabinet either that

the provisions of land sales control should in future be observed, or that such control should be abolished?''

Hon. W. POWER (Baroona) replied—

''1. No. Sales and offers of sale of homes were made at £43, £50, £52, £54, £59, £60, £61, £63, £64, and £71 per square, and such it is considered would be permitted under land sales control.

''2. Yes, but as set out in 1 above, within the permitted land sales control, and, further, Local Authority rates owing on the properties, ranging from £35 to £152 per house, are protected in the sale prices and are payable to the Local Authorities. It would, of course, be wrong to sell at prices greatly below those permitted under land sales control and thus allow purchasers to re-sell at large profits and within the land sales control.

''3. See answers to questions 1 and 2 above.''

ST. GEORGE WEIR.

Mr. KERR (Oxley) asked the Secretary for Public Lands and Irrigation—

''1. What was the original estimate of cost in respect of the weir now in the course of construction in the Balonne River at St. George?

''2. When was work commenced at St. George?

''3. What is the cost today of this project?''

Hon. T. A. FOLEY (Normanby) replied—

''1. Original preliminary estimate, £48,000.

''2. 23 March, 1948.

''3. Estimated cost today, £62,000; expenditure to date, £41,485.''

GOVERNMENT CAR AT KURILPA BY-ELECTION.

Mr. KERR (Oxley), for **Mr. CHALK** (East Toowoomba), asked the Secretary for Public Works, Housing and Local Government—

''1. With reference to a black sedan car, No. Q436-616, which the records disclose is registered in the name of the Department of Public Works, will he indicate whether this is the car allocated to him for his personal use? If not, to which official is it allocated?

''2. Is he aware that for the past fortnight it has been used for a large part of each day conveying Labour Party workers distributing applications for and collecting postal votes in Kurilpa?

''3. Did he authorise the use of this official car for Labour Party campaign purposes? If not, who did authorise such use?''

Hon. W. POWER (Baroona) replied—

''The reply to the hon. member's questions 1, 2, and 3 is as follows:—Car No. Q436-616 is the vehicle allotted to me for my own use. During the past fortnight I have been assisting in the direction of Labour's campaign in the Kurilpa electorate, the result of which has not pleased the hon. member, but will be of great value to Queensland and particularly to the electors of Kurilpa.''

DATE FOR MAKING AGRICULTURAL RETURNS.

Mr. EVANS (Mirani), for **Mr. LOW** (Cooroora), asked the Secretary for Labour and Industry—

''Will he give favourable consideration to an alteration in the closing date for the making-up of agricultural returns, from 31 March to 30 June each year, which would simplify work and accord with farmers' books?''

Hon. V. C. GAIR (South Brisbane) replied—

''The question of the most suitable closing date for agricultural and pastoral returns has been discussed on several occasions by the Queensland Government Statistician with the Commonwealth Statistician and the statisticians of the other States, and with producers' organisations in this State. The most important consideration is that of uniformity throughout Australia, so that accurate Australian figures may be prepared concerning livestock, equipment, and labour employed in the various States. No change of date should be made in one State without similar action in all the other States, and 31 March has proved the most acceptable date for the States generally. Apart from the overwhelming importance of a uniform collection date throughout Australia, the following arguments favour the continuance of collection at 31 March:—(*a*) Collection at 31 March does not occur in the middle of the harvesting period of any important crop as 30 June does, e.g., maize, citrus fruits, cotton; (*b*) collection at 30 June would mean an unnecessary delay of three months in obtaining returns of certain important crops, such as sugar and wheat, the harvest of which is completed by the end of December. This aspect is even more important in some of the Southern States.''

SUBSIDIES TO LOCAL BODIES.

Mr. EVANS (Mirani): I desire to ask the Treasurer whether he has an answer to the following question which I addressed to him on 18 August—

''Will he kindly supply the figures showing the total subsidies approved in 1948-49 payable to local government and other authorities situated in (*a*) Brisbane, (*b*) other cities, (*c*) towns, and (*d*) shires, respectively?''

Hon. J. LARCOMBE (Rockhampton) replied—

LOANS AND SUBSIDIES TO LOCAL AUTHORITIES.

STATEMENT SHOWING PARTICULARS OF LOANS AND SUBSIDIES APPROVED.

—	Approved—Year 1948-49.			Approved—17 Years, 1st July, 1932, to 30th June, 1949.		
	Loans.	Subsidies.	Total.	Loans.	Subsidies.	Total.
	£	£	£	£	£	£
Brisbane (*a*)	116,080	590,695	706,775	1,524,484	3,827,327	5,351,811
Other Cities (*b*) ..	121,651	169,242	290,893	1,940,901	3,484,964	5,425,865
Towns (*b*)	68,078	144,334	212,412	573,231	648,889	1,222,120
Shires (*b*)	503,046	245,273	748,319	3,034,755	1,974,593	5,009,348
	£808,855	£1,149,544	£1,958,399	£7,073,371	£9,935,773	£17,009,144
Percentage of Brisbane to Total	14·35%	51·39%	36·09%	21·55%	38·52%	31·46%

(*a*) Includes Brisbane and South Coast Hospitals Board, Metropolitan Fire Brigade Board, Brisbane Harbour, &c.

(*b*) Includes Hospitals Boards, Fire Brigade Boards, &c.

Note.—Debenture loans guaranteed by the Government are *not* included in the above figures.

LOCAL AUTHORITIES.

LOANS AND SUBSIDIES APPROVED FOR LOCAL AUTHORITIES AND CERTAIN EXPENDITURE INCURRED ON BEHALF OF LOCAL AUTHORITIES DURING YEAR 1948-49.

—	Treasury Loans Approved.	Treasury Subsidies Approved including Subsidies (*i.e.*, Proportion of Expenditure borne by the Government, and thus not charged to Local Authorities) in respect of the construction and Maintenance of Highways and Main Roads.	Total.
	£	£	£
Brisbane (*a*)	116,080	631,063	747,143
Other Cities (*b*)	121,651	267,011	388,662
Towns (*b*)	68,078	164,640	232,718
Shires (*b*)	503,046	2,455,150	2,958,196
Total	£808,855	£3,517,864	£4,326,719
Percentage of Brisbane to Total	14·35%	17·94%	17·27%

(*a*) Includes Brisbane and South Coast Hospitals Board, Metropolitan Fire Brigade Board, Brisbane Harbour, &c.

(*b*) Includes Hospitals Boards, Fire Brigade Boards, &c.

Note.—Debenture loans guaranteed by the Government are *not* included in the above figures.

PAPERS.

The following paper was laid on the table, and ordered to be printed—

Report of the Comptroller-General of Prisons for the year 1948-49.

The following papers were laid on the table—

Orders in Council under—

The Aliens Acts, 1867 to 1948, (25 August).

The Profiteering Prevention Act of 1948 (1 September (2)).

The Supreme Court Act of 1921 (1 September).

Proclamation under the Public Works Land Resumption Acts, 1906 to 1940, and the State Development and Public Works Organisation Acts, 1938 to 1940 (1 September).

PERSONAL EXPLANATIONS.

Mr. THEODORE (Herbert) (11.10 a.m.) by leave: I wish to make a personal explanation. Speaking on the Address in Reply during by absence on 1 September, the hon. member for Mundingburra is reported in "Hansard" as saying—

> "A little while ago when we were discussing the proposal that members representing northern electorates should be allowed to fly north I said to Mr. Theodore in the billiard room of the House, 'What particular virtue is there in flying by plane as against travelling by train with the workers, farmers, and useful people?' he said, 'When you travel by plane you travel with a better class of people.' I have said that, and I challenge him to deny it."

If the Standing Orders would allow, I should say that the statement made by the hon. member was a deliberate untruth and, like scurrilous statements frequently made by him in this House, was mischievous and

malicious, and characteristic of the hon. member. I have never engaged in conversation with him in the billiard room or elsewhere, and have never discussed plane travel with him.

Until last week, when I travelled by plane to the Back to Innisfail jubilee celebrations, I had used only one single plane journey of the six to which I have been entitled as a country member. I regard train travel to my electorate as quite satisfactory, and, contrary to the statement made by the hon. member, I have never elevated plane travellers to a class by themselves, and I have never made such a remark as he attributed to me.

Mr. AIKENS (Mundingburra) (11.16 a.m.): Mr. Acting Speaker, I want to make this personal statement. I want to assure the House that the conversation as related by me did take place.

The ACTING SPEAKER: Order! If the hon. member wishes to make a personal explanation he must first get the permission of the House.

Mr. AIKENS (Mundingburra) (11.17 a.m.), by leave; I desire to make a personal statement. I am not surprised at the denial of the hon. member for Herbert.

The ACTING SPEAKER: Order!

Mr. AIKENS: That is typical of him.

The ACTING SPEAKER: Order!

Mr. AIKENS: I want to assure the House that the conversation as related by me did take place.

The ACTING SPEAKER: Order! I point out to the hon. member that under the Standing Orders the hon. member is bound to accept a denial by another hon. member, and the hon. member for Herbert has denied the statement in a personal explanation and I ask the hon. member for Mundingburra to accept that denial.

Mr. AIKENS: Very well, I will accept the denial of the hon. member; but now I ask the hon. member in accordance with the Standing Orders to accept my assurance that he did make it. (Opposition laughter.)

The ACTING SPEAKER: Order!

Mr. AIKENS: In Innisfail recently he referred to the members for Bowen, Bulimba and the hon. member for Windsor and me as four "things."

The ACTING SPEAKER: Order! I ask the hon. member to behave himself and contain himself; if he does not I shall have to deal with him.

STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION ACTS AMENDMENT BILL.

INITIATION.

Hon. E. M. HANLON (Ithaca—Premier): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the State Development and Public Works Organisation Acts, 1938 to 1940, in certain particulars and for other purposes."

Motion agreed to.

INITIATION IN COMMITTEE.

(Mr. Hilton, Carnarvon, in the chair.)

Hon. E. M. HANLON (Ithaca—Premier) (11.19 a.m.): I move—

"That it is desirable that a Bill be introduced to amend the State Development and Public Works Organisation Acts, 1938 to 1940, in certain particulars and for other purposes."

This is a Bill to make provision for circumstances that are arising in the resumption of land for railway developmental purposes in the metropolitan area and Redbank. The Act already gives power to the Co-ordinator-General of Public Works to resume land for specific purposes. Under the Railways Act land is being resumed for the establishment of railway workshops, engine and carriage sheds, and so on, but unusual circumstances are associated today with these resumptions of land owing to the fact that there are private residences on land intended to be resumed.

The land at Redbank that is being resumed for the Railway Department has on it some 13 private houses and residences. Normally the procedure would be merely to settle for the value of the land and the improvements resumed and leave it to the citizen to get accommodation for himself and his family elsewhere, but in these days, when it is so difficult to get accommodation for a family, at the request of the residents living in that area and on the representation of the hon. member for Bremer we considered the possibility of removing these houses to neighbouring sites, thus leaving the people in possession of their homes, instead of putting them to the difficulty of getting homes for themselves.

Mr. Aikens: Could it not be done by arrangement?

Mr. HANLON: The hon. member can have his say later.

The alteration will enable the Co-ordinator-General, instead of merely compensating these people for their homes and taking them away, to resume land in the vicinity for the purpose of providing homes for these people. That will enable the Co-ordinator-General to move the houses from the area that is being acquired for workshops and re-erect them on the new sites, transferring the new sites either in fee-simple or under perpetual lease to the people concerned if they wish him to do so.

Mr. Macdonald: Will that be in lieu of compensation?

Mr. HANLON: Any loss they suffer has to be met. There is no desire to deprive anybody of any compensation for disturbance or the lessening of the value of his property. Quite possibly the area of land given in lieu might be of less or greater value but

that is a matter that will be decided in the usual way. Usually, in these cases, an attempt is made by negotiation to arrive at the fair and reasonable compensation but failing satisfactory settlement by this means recourse has to be had to the Land Court. I am sure hon. members will agree that it is much more desirable to transfer these houses to new sites so that the people who desire to live in that area will have possession of their homes and be caused as little inconvenience as possible.

The land it is proposed to resume at Virginia has eight houses on it and we propose to do the same thing there—to remove these houses to a site on the road outside the area required for the new workshops, carriage sheds or whatever will be erected there. On these two sites alone 21 houses are involved and in the present housing shortage the saving represented in the removal instead of mere demolition of 21 houses is of very considerable importance to the department that has the responsibility of housing people in this State.

It is not proposed to make this addition to the Co-ordinator-General's powers of resumption of general application. Normally we give power to him or to the Department of Public Works to resume land for a specific purpose and in normal times it would not be necessary to do what we propose in this Bill —it would not be desirable in normal times for the Co-ordinator-General to have this power to resume land for the purpose outlined.

But in times such as these, when housing is so short and we are having such grave difficulties in housing the people of the State, we should make a special case of these resumptions in order to enable people to keep their homes in their own localities. For instance, the people living at Redbank work in that area. If they had to seek homes elsewhere they might have to go as far as Ipswich or Brisbane for homes and so have long distances to travel to and from their occupation. It is far better, if possible, to make provision for them to have their homes in the locality they chose themselves in the first place.

Mr. Sparkes: There is no Crown land that you could make available?

Mr. HANLON: No, not in the streets of the town where these people want to live.

Mr. Plunkett: You may be able to shift the house holus-bolus.

Mr. HANLON: Yes, especially in the Redbank area. Of course, in the cities it may not be possible to move the houses without demolishing them, but hon. members can rest assured that the Co-ordinator-General will carry out the removals in the way that causes the least possible inconvenience. If it is necessary to demolish them, it will have to be done, but if possible they will be moved without being demolished. By this Bill we are at least saving 21 houses in the two areas concerned and it is possible that there will be others in other areas where land may be resumed for railway purposes.

For carriage sheds, railway workshops, engine sheds and so on, we have to have land within easy reach of the city. We could not have carriage sheds for the metropolitan service away out in the country, and the same applies to locomotive sheds. It is, of course, very difficult to get adequate areas in the city close to the railway without interfering with somebody's home. In making these resumptions the Minister for Transport has been meticulously careful to interfere as little as possible with the housing position in the city and to cause as little inconvenience as possible, and it is for this purpose that we are making this amendment to apply to these particular resumptions. The proposed amendment will not apply to the general powers of resumption now held by the Co-ordinator-General.

Since the land has been more or less selected the Minister for Transport has discovered that some of it is very close to the new C.O.D. pineapple factory at Northgate, and we are making provision in the Bill for the substitution of land because it may be necessary to abandon a particular site because a smoke nuisance, for instance, may interfere with the canning of pineapples. We cannot afford to have any interference with that very fine industry that has grown up there. It may be possible, for instance, to substitute the carriage shed for the loco shed, or do something of that kind. There may be some other block of land that will have to be resumed if we are to avoid causing a smoke nuisance in the vicinity of the cannery, and provision is made in the Bill to cover that contingency.

Mr. NICKLIN (Murrumba—Leader of the Opposition) (11.29 a.m.): The amendment proposed by the Premier seems to be desirable in the circumstances. We all appreciate the difficulty at the moment of providing homes, and if it is possible to save existing homes it is only right that we should do so.

I am also delighted to hear the Premier's reference to the possible substitution of land adjacent to the C.O.D. cannery at Northgate.

Mr. Duggan interjected.

Mr. NICKLIN: No doubt they will be good neighbours. I am glad that the Premier appreciates the fact that we have a particularly valuable industry and a very up-to-date cannery in this area and if by the establishment of a Government industry right alongside the cannery we were going to handicap the production of first-class products from the cannery, it would be a tragedy. Over £500,000 has been invested there and the name that the factory has gained for its product is second to none in Australia, that of course being due to the high quality product turned out. Certainly if a smoke nuisance is created adjacent to the cannery it would have a detrimental effect not only on the working of the cannery but possibly on the quality of its product. I am glad that the Government are considering that aspect of the matter and that some satisfactory arrangement will be arrived at to protect the cannery without in any way hampering the operations the Government propose in that area.

It is desirable that the houses on the areas to be resumed be transferred to other areas without demolition so that the people concerned will not be without homes. I have noted that the Premier said that provision is being made in the Bill to protect the persons concerned in the removals in that they will be adequately compensated for any disturbance that might come about should their houses be shifted to less valuable land than that at present occupied. I take it from the Premier's explanation of the proposed measure that due regard has been had to the need to fully protect these people.

Mr. Hanlon: It will not interfere with their normal rights at all.

Mr. NICKLIN: I take it that the people's rights will be protected.

At this stage I wish to say something about the Act and its operations in Queensland since it was passed. When one casts one's mind back to 1938 one remembers the ballyhoo created when the State Development and Public Works Organisation Act was introduced. One heard a great deal as to what it was going to mean in the development of the State. Looking at what has happened since it was introduced, one can only come to the conclusion, as is the case with many similar Bills, that it was introduced not for developmental purposes but for political propaganda purposes. But it never was used for developmental purposes. Its name was a most flagrant case of a misnomer for political-propaganda purposes. Let it be remembered that the Act is connected with the Income (Unemployment Relief) Tax Act of 1930 and it makes provision for the expenditure of money collected under that Act. It is right that we should examine, when we have the opportunity, what proportion of the money being collected for unemployment relief is being expended under the State Development and Public Works Organisation Act.

The TEMPORARY CHAIRMAN: Order! I think the hon. member is diverging from the measure before the Committee.

Mr. NICKLIN: We have not yet seen the Bill but it purports to be a Bill to amend the State Development and Public Works Organisation Acts in certain particulars and for other purposes. We do not know what those particulars are until we see the Bill and therefore I claim the right to discuss the operations of the Act as a whole.

Opposition Members: Hear, hear!

The TEMPORARY CHAIRMAN: The motion before the Committee does not give any hon. member the right to enter upon in a full-scale discussion of the development of the State. His remarks must be confined to the motion before the Committee. The Premier has already given an indication of the contents of the proposed amending Bill.

Mr. NICKLIN: Mr. Hilton, I am not discussing the development of the State, but I propose to discuss the State Development and Public Works Organisation Act, and I contend that I am fully entitled to do that at this stage. I would point out that the motion says that the Act is to be amended in certain particulars, "and for other purposes." I am unable to say at the present time what those certain particulars are and what is meant by "for other purposes," although the Premier has given us a full explanation of the proposed measure.

When this Act was passed in 1938 the proportion of the receipts from unemployment-relief taxation used for unemployment relief and development, which was the purpose of the legislation when it was originally introduced, was less than 40 per cent., and now it is less than 20 per cent. The Committee is entitled to know whether the purposes of the Act are being fully observed and whether the money collected under it is being spent in terms of the Act. We should like to have that information from the Premier, and we hope that he will be able to satisfy us in that connection.

Mr. Hanlon: You have had these statements published in the different public accounts over the years and you have had ample time to examine them.

Mr. NICKLIN: This legislation originated with the Income Unemployment Relief Tax Act of 1930. In 1931-32 the whole of the tax receipts, except for a small amount paid for administration, was used for works and relief of unemployment. Seventy per cent. of the total expenditure in that year went to local authorities for work to be carried out under the Act and to provide for developmental work throughout the State. On the other hand, for 1947-48 the Government received approximately £2,970,000 from the Commonwealth as the equivalent of State development tax, but allocated only £502,261, or 17 per cent. of the tax, as subsidies to local authorities.

Let us not forget that the State development tax is still being collected, although not actually as the State development tax. The people are paying it and we are receiving our share of it from the Commonwealth Government, under financial arrangements between the Commonwealth Government and the States. Do not let us forget also that when this unemployment relief tax was introduced it was referred to by hon. members opposite as an iniquitous tax, but what did they do with this iniquitous tax immediately they were elected? They doubled it. And do not let us forget either that we are still paying a high proportion of this unemployment relief tax not as a specific tax, but in taxation to the Commonwealth Government, although the State Government are getting their share from the Commonwealth.

From and including 1942-43 the State development tax was included in the grant from the Commonwealth under the legislation for that purpose. It then amounted to 38 per cent. of the total income taxation. The grant was a fixed amount of £5,821,000 up to and including 1945-46. Since then there have been annual increases. There is no exception this year; we have a further increase.

The TEMPORARY CHAIRMAN (Mr. Hilton): Order! I have given the Leader of the Opposition a great deal of latitude. I have already pointed out to him that on the motion before the Committee I would not allow a full-scale discussion on the subject he has been debating. I have given him every opportunity to develop his argument and connect it with the question before the Committee and thus make it relevant. The principle of the State Development and Public Works Organisation Acts cannot be discussed on the motion before the Committee. I give that as my ruling now and I ask the Leader of the Opposition to confine his remarks to the motion before the Committee. The Premier outlined the objects of the proposed Bill.

Mr. NICKLIN: I move the following amendment—

"Omit the words—

'in certain particulars and for other purposes.' ''

In view of the ruling given by you, Mr. Hilton, the amendment will widen the scope of discussion. As we have not yet seen the Bill, we can discuss the operations of the Act it is sought to amend.

Mr. Hanlon: If you want to waste time I will let you waste some time later on in the week.

Mr. NICKLIN: After all, discussion of legislation introduced in the House is not waste of time. If it is, what is the use of the Premier's introducing any business at all? We are here to discuss legislation.

Mr. Hanlon: I will give you plenty of time to discuss it.

Mr. NICKLIN: We want to discuss this legislation, particularly the financial operations associated with it.

I had almost concluded what I was going to say about it. What I was going to say was that this year again an increase has been received from the Commonwealth Government. The total grant by that Government to this State for this financial year is £11,335,000, of which the amount accruing from State development tax is the enormous sum of £4,383,000. It is only right, therefore, that we should know what is happening to this huge sum of money that the Government are receiving as the State development tax under the operations of the legislation we are discussing. Probably 85 per cent. of this alleged State development tax will be used for ordinary Public Service expenditure, to provide for the cost of basic-wage increases in the Public Service and the 40-hour week. It is farcical, therefore, to refer to "development" in connection with this legislation.

Further, the high-flown language used in naming this legislation is typical of much of the legislation that has been introduced into this Chamber in recent years. We have had all sorts of fancy titles given to Bills with the idea of giving them political-propaganda value. To quote just a few I would mention the Bureau of Industry Act of 1932. It is intituled—

"An Act to provide for the encouragement of employment and the rehabilitation of industry; to constitute and establish a Bureau of Industry; and for other purposes."

Let us also cast our minds back to the Bill that followed the legislation now under discussion, that is the Co-ordination of Employment Facilities Act. Its title is—

"An Act to constitute the Department of Labour and Employment; to make provision, having in view war and post-war requirements, conducive to placing workers in employment by a planned co-ordinated system of employment facilities; to amend 'the Labour Exchanges Act of 1915'; to establish a juvenile employment bureau; and for other incidental purposes."

It is a high-flown title that in no way adds to the value of the Bill.

The same thing has happened ever since this Government took office. The development that has been talked about from time to time has not been maintained and the Government will go down in history as one who talked of development in millions of pounds but performed in two-bob pieces. We have a typical example of this high-flown legislation in this Bill.

Mr. Power: You are smarting under the defeat of Saturday last.

Mr. Hanlon: You are still whingeing.

Mr. NICKLIN: Hon. members opposite seem very happy this morning.

Government Members: Why shouldn't we?

Mr. NICKLIN: Perhaps they are very happy to see their very big majority, which they had at Ipswich for years and years, drop to such a low level. It is a sign of the times.

I wish to take this opportunity, in discussing the amendment of this Act, to point out that the huge sums the people are paying allegedly to bring about State development and appropriate public works in this State are apparently not being spent for that purpose. This money, instead of being spent as the Act lays down, is going to Consolidated Revenue to meet the added costs of government and not for State developmental purposes. In view of that fact it is right that we should take this opportunity of reviewing the operations of the Acts to see what has happened to the huge sums paid by this Government. Unfortunately, the people do not realise that they are still paying this State developmental tax for which the Bill provides.

Hon. E. M. HANLON (Ithaca—Premier): I move—

"That the question be now put."

Question put; and the Committee divided—

AYES, 28.

Mr.	Brassington	Mr.	Hanlon
,,	Brown	,,	Jesson
,,	Bruce	,,	Jones
,,	Burrows	,,	Keyatta
,,	Clark	,,	Larcombe
,,	Collins	,,	Moore
,,	Davis	,,	Power
,,	Devries	,,	Roberts
,,	Donald	,,	Smith
,,	Duggan	,,	Theodore
,,	Dunstan	,,	Turner
,,	Farrell		
,,	Foley		*Tellers:*
,,	Gair	,,	Graham
,,	Gunn	,,	Ingram

NOES, 23.

Mr.	Barnes	,,	Müller
,,	Bjelke-Petersen	,,	Nicklin
,,	Brand	,,	Paterson
,,	Decker	,,	Pie
,,	Evans	,,	Plunkett
,,	Heading	,,	Sparkes
,,	Hiley	,,	Taylor, H. B.
,,	Luckins	,,	Wanstall
,,	Macdonald		
,,	Madsen		
,,	Marriott		*Tellers:*
,,	McIntyre	,,	Aikens
,,	Morris	,,	Kerr

PAIRS.

AYES.		NOES.	
Mr.	Crowley	Mr.	Russell
,,	O'Shea	,,	Maher
,,	Taylor, J. R.	,,	Low

Resolved in the affirmative.

Question—That the words proposed to be omitted (Mr. Nicklin's amendment) stand part of the question—put; and the Committee divided—

AYES, 29.

Mr.	Brassington	,,	Jesson
,,	Bruce	,,	Jones
,,	Burrows	,,	Keyatta
,,	Collins	,,	Larcombe
,,	Davis	,,	Moore
,,	Devries	,,	O'Shea
,,	Donald	,,	Power
,,	Duggan	,,	Roberts
,,	Dunstan	,,	Smith
,,	Farrell	,,	Theodore
,,	Foley	,,	Turner
,,	Gair		
,,	Graham		
,,	Gunn		*Tellers:*
,,	Hanlon	,,	Brown
,,	Ingram	,,	Clark

NOES, 23.

Mr.	Aikens	,,	Morris
,,	Barnes	,,	Müller
,,	Bjelke-Petersen	,,	Nicklin
,,	Brand	,,	Paterson
,,	Evans	,,	Pie
,,	Heading	,,	Plunkett
,,	Hiley	,,	Sparkes
,,	Kerr	,,	Taylor, H. B.
,,	Luckins	,,	Wanstall
,,	Macdonald		*Tellers:*
,,	Marriott	,,	Decker
,,	McIntyre	,,	Madsen

PAIRS.

AYES.		NOES.	
Mr.	Crowley	Mr.	Russell
,,	Taylor, J. R.	,,	Low

Resolved in the affirmative.

Mr. HILEY (Logan) (11.59 a.m.): The fact that such a Bill is introduced in this session is, I think, an indication to everyone that Queensland has reached that stage of settlement of its land at which it is no longer easy to approach a problem like this with the feeling at the back of your mind that it will not be very difficult to solve it as there is a ton of vacant land to be picked up anywhere. The very fact that the administration finds it necessary to bring this Bill forward shows that in the localities concerned, Gailes and Northgate, land is not freely available for the purpose in mind.

Mr. Hanlon: The real trouble is that the houses are not there.

Mr. HILEY: If land was freely available, it would not be a big physical problem to get houses on it.

Mr. Hanlon: You are saying that it is not difficult to build houses?

Mr. HILEY: To get land available to move houses onto. I should imagine that in the absence of resumption, some of the people who hold the land are not willing to deal freely and make——

Mr. Hanlon: They are waiting for the workshops to get up.

Mr. HILEY: The main principle of the Bill commends itself to me. It seems that this is a new application of the principle of resumption. We are familiar with that where land is resumed for primarily governmental purposes. This is a case where a secondary need arises, consequential on the primary resumption, and here for the first time we see the power of resumption projected past the realm of primary use.

Mr. Hanlon: You would not do it in normal times.

Mr. HILEY: If land was freely available everywhere. The provision of homes, which is the underlying purpose behind the measure, commends itself to me but we must not imagine that it could apply only to homes. It might happen, I should imagine, that in the area for resumption, land was being used for commercial purposes——

Mr. Hanlon: There are only houses.

Mr. HILEY: No shops at all? That anticipates a point in my argument.

On the question of this use of the power of resumption, I think any wise administration whilst it must have the power of resumption, looks upon it as a power to be used only in the last resort, and any administration with a grain of common sense would endeavour to meet the need by free contract.

Mr. Hanlon: There is one shop with a residence attached.

Mr. HILEY: I shall return to that point directly.

I was saying that any wise administration, whilst it must have the power of resumption to meet circumstances such as these, only uses it as a last resource. If it is possible to contract your way out of these difficulties any sensible administration would so act and use the power of resumption only when it must. The reason is that you are dealing with human beings, to whom the site of a home is often

a matter of peculiar personal preference. And where you and I, Mr. Hilton, might be disposed to say, "Here is a perfectly comparable block that should suit you just as well as where you are," perhaps we should not be paying regard to the little things that count. The owner of the block may want land with a slope in order to grow sweet peas, of which he may be a champion cultivator. We might decide that the new block was comparable, but we could not persuade him that it was so.

Mr. Hanlon: It is like trying to impose the model kitchen on a person with her own ideas.

Mr. HILEY: Exactly. A wise administration should endeavour to seek correction by free contract, leaving the opportunity with the person concerned of selecting his own site for the removal of his property. If that cannot be done, every effort should still be made administratively to give the displaced person some right or power of selection among alternative blocks from which to choose a site. We do not want to say to the owner, "You are being taken off this land because it is now needed for railway-workshop purposes and we offer you block 72 on such-and-such a division." I can forsee that even if abstract justice may be done there will be a lot of sore heads and sore hearts.

Mr. Hanlon: They might refuse to accept one site.

Mr. HILEY: I still believe that a wise administration will always offer a panel of blocks to these people and say, "Here are half a dozen blocks of different character. Make your choice from these." The blocks might not have the same arithmetical value but the Government might be able to say to these people, "Make your choice but in some cases the result will be £20 your way and in other cases you will have to pay another £25 to get the block." In that way the Government may be in a position to supply a panel of blocks to suit the people concerned and that may help to minimise some of the trouble that otherwise would occur.

I now come to the interjection made by the Premier subsequently to my first raising the question, in which he said there was one shop involved.

Mr. Hanlon: A shop and dwelling.

Mr. HILEY: I hope that the Government will have regard to the fact that a shop has certain peculiar features in that it has relation to the location for the carrying on of the business. I trust that they will bear in mind the fact, when there is an exchange, that a shop is to be carried on and see that the exchange block will be quite suitable for that purpose. I am sure that the Premier, judging by his nodding acquiescence, has not lost sight of that fact.

That is all the comment I wished to make, except this one last point: the Premier told us that the purpose of the Bill was to deal with specific cases at Darra and Northgate and that there is no attempt to bring in this general type of resumption for the future. While the Premier was speaking the thought occurred to me that such a general measure as that might be of value to local authorities but as I gave the matter further thought I was inclined to the view that the Government were perfectly right in saying, "We do not ask for this to be general in practice. We ask for consent for this arrangement but the power should be limited to these particular instances." On reflection even now, however, I think I could make out a fair case for this general power to be given to local authorities. Take the case of Brisbane, where the city is extending and gradually envelopes an area in which a dairy is being conducted. At the present time the council has only a limited power of resumption for public works which means that it can acquire the dairy land only for public purposes, although it may not be right to use it for those purposes.

Mr. Hanlon: It could condemn the dairy and make the owners shift it. Then it would become available for other uses.

Mr. HILEY: If the dairy was condemned on the ground that it was a menace to public health, it should be condemned no matter where it was.

Mr. Hanlon: The council has general power to refuse to allow a dairy to be carried on in a populated area and the owner would have to remove the dairy. Nobody likes doing that.

Mr. HILEY: Exactly. As I listened to the Premier, the thought occurred to me that this power of secondary resumption might be an ideal approach to a problem such as this but as I gave the matter further thought I concluded that the Government were wise in saying, "We do not ask for this power as a general power but only for the purpose of dealing with the specific cases mentioned."

Mr. Hanlon: If it is required in other instances another Bill will have to be introduced.

Mr. HILEY: Exactly. When the Bill comes before us it will perhaps contain schedules delineating the areas concerned and we shall then be able to see quite clearly that the Government have not asked for any general secondary powers of resumption.

In conclusion I trust that regard has been given to the features that I have outlined. First of all, I hope some power of selection will be given to the displaced persons so as to ensure that they will be perfectly happy.

In the second place, if you cannot contract with him you will give him a panel of properties from which to make a selection instead of saying, "Here is this block; you must go to that one." I am very much inclined to accept that approach to the matter. I also accept the Premier's nodded acquiescence as his belief that it is a suitable approach.

Mr. DONALD (Bremer) (12.10 p.m.): I want to take this opportunity of thanking the Premier for introducing this Bill, as it will allow people born and bred in an area in the metropolitan district whose land may

be wanted for public purposes to remain in that area. It is an indication of the Government's willingness to help the people generally all the time. I am surprised that the Opposition should oppose the motion—they must be opposing it, otherwise why move an amendment to it?

The problem arose in this way: the Government in their wisdom decided to move the Ipswich railway workshops to a more suitable locality at Redbank. The people of Redbank were very pleased when they knew that the site selected was in that township. The business community there also were very pleased when they knew that the new site would not be outside the greater Ipswich area. A difficulty, however, arose inasmuch as 13 families were living on the new site for the workshops. These people viewed with some uneasiness and apprehension the fact that their homes would be resumed. The Minister for Transport admitted that he had no power to resume land to which these people could shift their homes. They decided that with me they would see the Minister to learn what could be done in the matter of an exchange of home sites. They held a meeting and their representatives, appointed at that meeting, and I interviewed the Minister. He was very sympathetic and he told them that he would do everything in his power to cause them the least possible inconvenience.

Mr. Kerr: Is there any shop on the area to be resumed?

Mr. DONALD: One shop. For the information of the hon. member particularly and hon. members generally, I want to say that this matter concerns me deeply because the whole of the land resumed originally belonged to my mother. Therefore I am perhaps more concerned than anyone else in this transaction.

As I said, the people affected viewed the matter with apprehension and it was not because they were merely being dispossessed of home sites. Many of them are the third generation in the ownership of this land and it will be recognised that they did not want to move out of Redbank. We must of course realise that in any progressive work someone is going to be hurt. We want to move forward but very often in the process of moving forward someone is inconvenienced. In this case we are doing what should be done, that is, the Government are moving and remodelling the Ipswich Workshops so that the workers will have better working conditions and the needs of the people of the State will be properly cared for.

The people in the greater Ipswich area are happy in the thought that the site for the new workshops is still within the greater Ipswich area but hon. members will recollect that I asked the Premier a question whether the Government would make available other suitable land to the people who had to shift their homes and he replied that they would.

There are many excellent building sites in Redbank but with one exception, that of my sister, the people affected have not been able to get suitable new sites. There my sister is the only person affected who has been able to purchase a new site in Redbank onto which she can shift her present house.

Mr. Decker: Did she buy her own land?

Mr. DONALD: Yes.

Mr. Kerr: Is that the general intention?

Mr. DONALD: No, the people affected will have to wait for the passing of this Bill. My sister knew she had to go and she got busy. The Minister for Transport said it would be some time before they moved. She bought a piece of land on the school hill.

Mr. Pie: What is the feeling of the people?

Mr. DONALD: It was one of great uneasiness. These people's roots were deep in Redbank. They found they could not get any land, despite the fact that there were plenty of sites available, because no-one would sell them and those who did offer any put prohibitive prices on them.

This Bill is necessary in order to protect the people. I am pleased that the Premier has introduced it. It will make it possible for these people to remain in Redbank. Apart from the fact that many of them work in the areas adjacent to Redbank, they are Redbank people and they do not want to go out of Redbank. Only one shop and residence is involved and where the Government will put it, I do not know. The people realise that the coming of the workshops to Redbank will improve business. Everyone is happy that the workshops are going to Redbank, except the people who have to shift. That is natural.

Another important point is that almost without exception the people own their own homes. As the Premier mentioned, getting a home is a very difficult task these days. The Government valuer has made an inspection and these people can have their homes moved. I do not know where the Government will resume the necessary land but there is land near by. It will be very difficult to place the storekeeper, however. He is the only one on the Brisbane side of Redbank railway station. If he goes onto the other side he will run into considerable competition. His store has been there for some time. All the land from the railway station to the top of the hill will be resumed for workshop purposes so that all his customers go as well as his shop. If he gets a site on Simpson's Road he will be close to the proposed railway workshops, and it may then be a good business site but until then it seems to me impossible to give him a position as attractive as that which he occupies at the present time.

I believe the Bill is an honest attempt to solve a very difficult problem and to do everything that can be done for these people and cause them the least inconvenience.

Mr. AIKENS (Mundingburra) (12.19 p.m.): I can understand the Premier's reluctance to have this debate extended to include a debate on the main Act.

The TEMPORARY CHAIRMAN (Mr. Hilton): Order! The Chairman will decide what is relevant to the debate, not the hon. member or any other hon. member.

Mr. AIKENS: I was referring to the fact that the Premier moved the gag on the amendment moved by the Leader of the Opposition, and I can understand his reluctance to have the debate extended. If it was extended, I could make a reply to some particularly stupid remarks made by the Treasurer in his broadcast last Sunday night in regard to the population expansion in Brisbane compared with the rest of the State.

The TEMPORARY CHAIRMAN: Order! That would be entirely irrelevant.

Mr. AIKENS: It can wait.

This Bill, to get right down to the very germ of it, simply provides that the Co-ordinator-General shall have legislative power to do by compulsion something that he has power to do only by agreement and negotiation. For instance, if the Government want to acquire certain land on which to erect these railway workshops, they can acquire that land by agreement or by resumption. In this instance they are going to acquire it by resumption. But because of the housing situation and the peculiar circumstances of this resumption it would appear that many people have their homes on the land to be resumed for railway purposes—the Bill provides that the Co-ordinator-General shall be empowered to resume other land than that required for railway purposes and to transfer to that land the homes now on the land resumed for railway purposes. The Government can already do that by negotiation or by agreement. There is nothing now to prevent the Co-ordinator-General from going to the people who own the land to which it is proposed to transfer the existing homes on the railway land and entering into an agreement with them for the sale of their land to the Government in order that these houses may be transferred. This Bill gives the Co-ordinator-General power to resume the land—to compel the owners to sell, if they do not want to sell. That is the sum and substance of the Bill. But the Co-ordinator-General can do by negotiation everything this Bill now proposes to enable him to do by compulsion. Whether it is right or wrong, of course, depends entirely on the merits of the Government's case.

It would appear from the remarks made by the Premier and by the hon. member for Bremer that there is some justification at least for vesting in the Co-ordinator-General these extraordinary and dangerous powers—because they are dangerous powers. It is very dangerous to give to the Co-ordinator-General the right to resume land from one person in order to erect on that land the home of another person. That is a dangerous general power. Nevertheless, it would appear that there is some justification for it on this occation, but I want to draw the attention of the Committee, and the public of Queensland, to the fact that this Bill is a specific Bill inasmuch as it deals only with the land proposed to be resumed for railway purposes at Redbank and Northgate, in Brisbane. This Government, who claim to look at the development of Queensland in the broad aspect, have intimated that they intend to resume also land in Central and Northern Queensland for railway purposes. We have been told in those delightfully ambiguous terms that fall so easily from the lips of Cabinet Ministers, that the Government intend to resume land at Stuart, near Townsville, for huge railway workshops, but this Bill deals only with the land proposed to be resumed at Redbank and Northgate. Are we to take the specific objects of this Bill as an indication that the Stuart proposal has been wiped off, brushed aside, or put into cold storage until we probably have the Premier up there turning the first sod or laying a foundation stone just before the next State election?

Mr. Evans: It is too far from Brisbane.

Mr. AIKENS: Of course it is too far from Brisbane. We were told that railway workshops were to be erected not only at Redbank and Northgate, but also in the vicinity of Rockhampton and at Stuart, near Townsville. Now the Premier says the Government are interested only in pushing on with the erection of these huge new railway workshops at Redbank and Northgate and the whole of the Northern and Central Division of the State can wait until some other time when the proposals there will be used as a nice, luscious carrot to be dangled in front of the electors at the next State elections.

Quite frankly, the question of Government resumption is becoming a particularly serious one. Go into any local-authority area in Queensland, whether city, town or shire, and you will find that the Government are resuming and acquiring by other means so much land that the process is having a distinctly detrimental effect on the taxing authority of the local authority concerned.

We are slowly but surely reaching the stage where most of the land in any local-authority area of Queensland will be Government-owned and therefore not liable to the ordinary local-authority rate of taxation; consequently the rest of the people have to pay through the nose in order to maintain the essential local-authority services for the whole of the area.

At Stuart, for instance, the Commonwealth Government—I take it in some sort of collaboration with the State Government—have done a monstrous thing, just as they have done other monstrous things in other parts of the North.

The TEMPORARY CHAIRMAN (Mr. Hilton): Order! The administration of the Commonwealth Government is not relevant to the question before the Committee.

Mr. AIKENS: I said they were doing it in collaboration with the State Government because, somehow or other, the State Government were trying to wangle these resumptions for the North Queensland Cement and Lime Company. People up there who have large areas of land that they were prepared to cut up into building allotments for sale suddenly found that that land, because it was used

during the war and certain railway lines and buildings were erected on it, is being resumed by the Commonwealth Government because the Commonwealth Government contend that it is cheaper to resume the land than to spend a few pounds on restoring it to the condition in which it was before the war. In Townsville we have jerry-built buildings erected by the Government during the war. Naturally we expected them to be pulled down after the war and buildings erected in their place to conform to the local-authority by-laws. We find now that in order to get round or over or under the local-authority by-laws the Government have simply resumed the land and placed themselves outside the operation of the by-laws, not only with regard to rating but also with regard to the class of building that is allowed to stand on the land. We find jerry-built structures of three-ply and fibrolite standing on first-class blocks on which a private person would have to erect a building of fire-resisting material such as brick or concrete. So not only are the powers of resumption being used by the Government in order to grab all the land in Queensland that they want, they are being deliberately used by the Governments of the Commonwealth and the State in order to dodge the local-authority by-laws and the local-authority rating, which apply to every individual citizen of this State.

To get back to the main purpose of the Bill, I again attach significance to the statement of the Premier that this Bill will apply only to Virginia, Northgate and Redbank, and that the Government are desirous only of pushing on with the projected railway extensions in those areas. It does not apply to Stuart, it does not apply to Cairns, and it does not apply to anywhere else in Central or Northern Queensland because the Government are about as much concerned for the development of the North as the Jews are for the Arabs.

Mr. MULLER: (Fassifern) (12.29 p.m.): I think every hon. member of this Committee must appreciate the fact that a difficulty arises here. We realise that progress must be made with our workshops and I think the site contemplated in the Redbank district is quite good. It is conveniently situated between the cities of Brisbane and Ipswich. I appreciate also that as the land is already occupied it is necessary that legislation be introduced to avoid putting the occupiers to any more inconvenience than is essential.

I think it is always wise, when an opportunity presents itself, to make all desirable amendments to the legislation that may be under discussion. That being so, I move the following amendment—

> "Add to the question the words—
>
> 'including provision for additional assistance to local authorities from the Commonwealth grant to the State under the provisions of the States Grants (Income Tax Reimbursement) Act.' "

I should like the Premier to have regard to the fact that in 1947-48 £2,970,000 was collected from the taxpayers and passed on to the State of Queensland for the purpose of State development. If the Act really means what it says the money so provided should be spent for the purpose of development. It is equivalent to a State tax and whilst it is a State tax imposed for a specific purpose the money so collected should be spent for the purpose for which it was collected. Yet when we look at the accounts we find that last year only £502,261 of this money was spent for State development, that is, only 17 per cent. of the money was used as subsidies to local authorities.

If this amendment is accepted nobody could reasonably object to the tax. We have arrived at the time when it is virtually impossible for local governing bodies to collect sufficient revenue to carry out the services required of them. The only way of collecting that revenue is by land tax and if a reasonable share of this money was used for the purpose mentioned in the amendment it would be appreciated by all local governing bodies throughout the State. I cannot but feel, the more I go into the work of local governing bodies, that unless this additional money is provided it is only a matter of time when they must collapse. I repeat that the money is collected for a specific purpose and the Government of their own volition have decided that the only State development that can take place is assistance to local bodies. We are asking that the money supplied to local governing bodies be increased.

Amendment negatived.

Mr. DECKER (Sandgate) (12.35 p.m.): Whilst I appreciate the fact that the idea behind the proposed measure is to provide for the re-erection of homes from resumed land on other sites, I see very grave dangers attaching to it.

The Government propose to resume the land on the basis of its unimproved freehold value. That is the first matter to be considered in a Bill like this. Will that mean a smaller payment to the owner than he would get if the land was acquired under the ordinary procedure and payment was made for the improvements thereon? In my electorate the people of Northgate and Virginia are particularly concerned and are anxious to know what the real position is. They want to know whether they will be compelled to accept comparable blocks in the vicinity if their own land is resumed. Some of them would prefer to settle in another part of Brisbane altogether. There are nine properties and a business, but not one of the owners has the same idea as the Government as to what should be done after the properties are resumed. The Premier has told us that only one business was concerned but the hon. member for Bremer said that there was one storekeeper in his electorate and I have one in my electorate on the Virginia road, Mr. Finter. So we have two business places but we were not able to get accurate information even in respect of this small detail.

Mr. Finter has a roadside business depending entirely on passing traffic. He got his notification of resumption in an extraordinary way. The first he knew of it was through his

mortgagor—he has a small mortgage on the area. He got in touch with me and I got in touch with the Minister and the day that the Minister got my letter Mr. Finter got notice of resumption. Fancy the owner of land getting notice of resumption by this back-door method of first hearing it through his mortgagor! He was the owner of the land and he should have been notified of the intention to resume. Later on the authorities could have got any particulars they needed of the mortgage from the mortgagor.

This man has built his business up from nothing to one of fairly considerable dimensions. He has worked up a clientele on the road and he is in a fairly good position. He has been throughout the area looking for another site on a main road where he can re-establish his business but every time he selects a site he is told that the Brisbane City Council will not give him a permit to conduct a business there.

What are the Government going to do about this case? Although they intend to resume the land they do not intend to use it for the purpose contemplated for some years. Therefore, having regard to the service that this man has given and is giving the community, and the fact that the land will not be used for the purpose contemplated by the Government for some years, would it not be reasonable to negotiate with him at once and allow him to continue to conduct his business there for a period of three, four or five years or until the land was actually required by the Government? If we did that there would be no need for a Bill like this to provide that he should be given a location for a house and shop somewhere else.

Mr. Hanlon: What would he do at the end of five years? Would he hang by the neck for five years?

Mr. DECKER: No, it would enable him to select another site to which he could remove his business.

Mr. Hanlon: You are opposed to the Co-ordinator-General's getting him another site?

Mr. DECKER: Yes, to compel him to go onto another site chosen by that officer.

Mr. Hanlon: You are opposed to the Bill then.

Mr. DECKER: No, I am only opposed to some of the principles involved in it. If new sites are selected that do not meet with the approval of the people affected you are not doing justice by those people. Under this Bill the Government could say to owners of property whose land on the Virginia Road is being resumed, "We are going to remove your house to other land in a particular area." That is a cheapjack sort of business methods because the Government in acquiring land at its unimproved value will have no regard to the improvements on it. They should resume the property with all improvements on it. That is why the Government are asking for this power.

Mr. Hanlon: You should have kept away while this discussion was on.

Mr. DECKER: I know something about this area. Some of the people have got in touch with me. They are worried and I know what they will do when the resumption takes place. If we are going to acquire the land compulsorily at its unimproved value I will oppose it absolutely. Whether the Government require this land for railway workshops or not they have the power to acquire it compulsorily. I am not objecting to that, but when you make it compulsory that the people whose land is acquired shall accept the Co-ordinator-General's selection of new sites for them then I am opposed to that principle.

Mr. Hanlon: Who ever suggested that?

Mr. DECKER: If that is not so, what do we need this Bill for?

Mr. Hanlon: You want to shift them to the Treasury site.

Mr. DECKER: It is all very well to raise side-issues. I know what is going on. In the present conditions as to housing I am not going to support any proposal that will not allow people affected by a resumption order to shift their houses to sites they desire. (Government interjections.) The more interjections that come from the Government side the more I am concerned about this Bill, because the intention of the Government becomes more confused as we proceed. On the one hand the Government say that there is no compulsion on the people affected at all and on the other hand they state that these people will have the selection of a particular area, while the Premier says, "Put them on the Treasury site," or something like that. The purpose is not very clear and I should like the position clarified, because the people affected will ask me for information as to what the Bill contains. Am I to tell them that the Government will allow them to retain their homes but that the Co-ordinator-General will move those homes to other sites?

They want to know whether they have any say in the matter. Once we start to dictate to these people where these improvements shall go I believe that we proceed on a wrong principle. There are sites that can be acquired in that area that are not contiguous to this land. There are certain people who are prepared to buy their own sites and move their houses without any regard to the Co-ordinator-General or anybody else. I take it the Government will give these people the right to buy sites if they desire and that the Co-ordinator-General will remove their houses and belongings onto them. Am I right in suggesting that?

Mr. Hanlon: I do not know what you are trying to say but you are making a terrible mess of it.

Mr. DECKER: I hope the interjections go in, because anybody reading them will see that confusion exists in the Government's mind regarding the Bill. The Premier does not seem to know anything and the other members on the Government benches seem to

be all off-side as to its purposes. The simple question is whether these people who select sites will be able to express a preference as to where the improvements are to go. No-one will answer me, so I shall have to wait till I see the Bill and decide on what it says.

Hon. J. E. DUGGAN (Toowoomba—Minister for Transport) (12.47 p.m.): The only purpose I intervened in the debate is to present to the Committee the railway aspect of some of the problems that have arisen. This Bill is being introduced through the courtesy of the Premier who thought that the matter might be more suitably covered under its provisions than under the Railway Acts, under which we are limited, in that we are permitted to resume only for the purposes of the Railway Department. It was felt that as the Co-ordinator-General has certain power already vested in him and we may be compelled to use earth-moving equipment and machinery in order to remove the houses, the necessary amendment of the law should be made to the State Development and Public Works Organisation Act.

I want to remove from the minds of hon. members, and anybody else outside this Chamber, the idea that this Bill is rapacious and will take away some rights that the people have. The hon. member for Sandgate tried to prove that we were taking some freedom or right away from home-owners whereas in actual fact the only extent we are, is to provide material assistance to displaced home-owners who cannot themselves secure alternative land at a reasonable price, going beyond what we were legally obliged to do prior to the introduction of the amendment by the Premier. All we are required to do under the powers already vested in a Government department is to resume this land. If a satisfactory settlement cannot, under the terms of the existing statutes, be negotiated between the department and the vendor ultimately the issue goes to the Land Court and the valuation fixed there is accepted.

Anyone would think we are always fighting people from whom we acquire land for railway purposes. We are not. We resumed land at Wulkuraka for marshalling yards and there were certain houses there, every one of which we bought as a result of negotiations at a figure satisfactory to both parties. We prefer that method if it can be used. The same thing happened at Redbank. Certain transactions have been completed between the Railway Department and the vendors of property in that area, where some of the houses will be purchased at a figure acceptable to both contracting parties. If that can be done in an outside area, so much the better. We are not trying to get the last penny out of these people.

We want of course to see that the price fixed conforms to some approved standard laid down by an approved valuing authority. That is what we want to do, not to try to get something for nothing.

But we have reached the point, particularly at Redbank, as the Premier has pointed out, at which the owners of land contiguous to the workshops, realising that it was increasing tremendously in value because of the proposed erection of the workshops at that site, were asking vastly inflated figures for it, knowing that persons whose properties had been acquired for workshop purposes had no alternative but to buy other land at an inflated figure or to move to some other part of Ipswich or to another area, which did not confer any geographical advantage or convenience on the people in as far as their employment was concerned. Therefore, in an attempt to help these people, we accepted the obligation, as the Premier has clearly and definitely stated, of asking the legislature to clothe us with the requisite authority to buy other land for them. I do not think the formal process to be followed is laid down in the statutes, but knowing the relations that existed between the Railway Department and these other people previously we can assume that it will be on a basis acceptable to both parties. As the Premier said, we do not expect a person at Redbank, for instance, to ask us to give him land comparable in value to the value of land that prevails, say, at Hamilton; but we will give him land comparable in value to his land in the locality. If an adjustment is necessary, it will be made. We may have to increase our amount or he may have to put something in.

Mr. Hanlon: The Co-ordinator-General, not the Railway Department.

Mr. DUGGAN: The Co-ordinator-General will be the authority. What I am endeavouring to do here is to prevent confusion from arising in the minds of hon. members. We have negotiated in many cases at Wulkuraka and we have negotiated at Redbank and will continue to do so, and it will be only in cases where negotiations are unsatisfactory that the Co-ordinator-General will intervene. He will endeavour, acting as the agent for the Railway Department, to come to some satisfactory arrangement.

Mr. Sparkes: If they cannot come to an arrangement it will go to the Land Court?

Mr. DUGGAN: If they cannot. As Minister in charge of the Railway Department I would inform the hon. member for Sandgate that there is no desire on our part to disturb prematurely the tenancy of people at Northgate and Virginia. I quite definitely told a gentleman introduced by the hon. member for Nundah, who has a business interest down there, that we will defer as long as possible disturbing him in that particular area, that we will not remove him until it is absolutely necessary in the interests of the Railway Department to have the land—and that might be a considerable time.

We have taken time by the forelock. We have had officers of the Railway Department walking round Brisbane for the last 18 months and we have had aerial surveys. We have had the benefit of the knowledge of all kinds of authorities. The aerial surveys have been studied by officers of the department and we feel that this particular land is the only land suitable for the expanding

requirements of the Railway Department. Is it not better to anticipate the reasonable development of the Railway Department and that we should indicate our intentions to the people as soon as possible? The longer we postpone the acquisition of this land, obviously the greater number of people we shall interfere with.

Mr. Decker: There is no objection to that.

Mr. DUGGAN: The Department has revealed its intention much earlier than usual because it realises that with our present tremendous building programme and the development of the outer areas of Brisbane that is going on, a number of people may be desirous of buying. I saw that when looking out there: there were a number of people in cars there, obviously with the intention of buying. I think we should help these people by revealing our intentions now, so that we may not cause discontent to perhaps 50 or 100 in a year's time instead of the dozen who may be affected now. The department should be commended for its action; in fact, we issued resumption notices much earlier than was necessary, but because of the unfortunate illness of one of our officers in the Survey Department some of these resumption notices have been held up.

I can assure hon. members opposite, Mr. Hilton, that there is no desire on our part to drive a hard bargain with these people. Where tenancies are involved we will let them have occupation as long as possible without disturbing them. It will be only where we cannot come to a satisfactory agreement that the Co-ordinator-General, as agent for the Railway Department, will come into the picture and negotiate himself or ultimately by the process laid down in the relative statutes, reach an agreement that will be satisfactory to all concerned.

Mr. PIE (Windsor) (12.55 p.m.): We are grateful to the Minister for Transport for giving us so much more enlightenment on the position and I commend him for coming to the help of the Premier in this way. It was apparent that the Premier was not prepared to disclose the whole position with regard to this matter.

Mr. Hanlon interjected.

Mr. PIE: Every hon. member of this Committee is very grateful to the Minister for Transport for explaining it to us, which for some unknown reason the Premier was not prepared to do.

Let us get down to the basis of the whole thing, mainly what the Minister for Transport has told us. He has told us clearly that it is the desire of his department at all times to try to work with the people and not to acquire properties compulsorily, as was suggested by the Premier. We believe that if it is possible to negotiate that should be done, but this power is not vested in the Minister for Transport or his department; it is vested in the Premier's Department. It is vested in the Co-ordinator-General, who is controlled by the Premier. If that were not so the Minister for Transport would have been introducing the Bill. Although we believe the Minister for Transport would like to do all these things through his own department, that power does not rest with him but with the Premier through the Co-ordinator-General.

Mr. Hanlon: That is true.

Mr. PIE: Therefore, although we believe the Railway Department would like to do these things it has no power to do them.

This provision for compulsory acquisition is something that we have always fought.

Mr. Hanlon interjected.

Mr. PIE: The Premier does not like interjections. I read the Premier's speech in the Townsville "Bulletin" in which he complained of interjections and I was ashamed of it, and so are the people in the North.

This power of compulsory acquisition is wrong in principle but I agree that we cannot go on as we are with the present congestion at the Ipswich railway workshops. I do not think the Premier has been there, but the Minister for Transport has, and he must agree that we cannot carry on any longer under the conditions that exist there. It is not fair to the men. It will never be possible to do a good job in the Ipswich workshops while there is so much congestion there and while the department provides the tools it does. They will never compete with outside industry under those conditions. I told the men that only last week.

Mr. Power: And they did not believe you.

Mr. PIE: Yes, they did. Let the Minister go out and try to stand over them, as he did the Housing Commission's men and see what happens. They call him Stand-over Power and I know what would happen to him if he went up there.

This power of acquisition has been included in many Bills and I was pleased to hear the Premier say that the power that is to be given to the Co-ordinator-General is not to be a general power.

There are one or two points in connection with the Bill, however, that I should like to have cleared up before finally arriving at my conclusions on the subject. We all agree that it is necessary for the more efficient working of the railways that land shall be acquired for workshop and other purposes. I think the Premier agrees that we cannot continue as we are at present. In the years that lie ahead we cannot continue with our present workshop facilities; they have to be enlarged and expanded. The men have to be provided with better working conditions and with better tools, in order to be in a position to compete with outside enterprise, otherwise, what is the good of having the workshops? As the Premier knows, the position at the Ipswich railway workshops at the present time is a disgrace. The men are working under deplorable conditions and it is good now to know that the Government intend to decentralise workshops and put them into operation at probably Redbank, Wacol, Virginia and Nundah.

I think the Premier will agree that the acquiring of a home in which a person has probably lived all his life—probably, as the hon. member for Bremer said, generations of his own family before him—is a very serious thing. Families do not want their roots pulled out and be thrown about anywhere. They want to go where they want to go. Let us concede that it is necessary to acquire land for workshop purposes, that it is necessary that homes and shops be acquired. Will those people whose present land is compulsorily acquired be removed to land that the Co-ordinator-General of Public Works acquires for them or will they be given the opportunity of going to land of their own choice?

The hon. member for Bremer instanced the case of his own sister. Will these people be forced to go to where the Co-ordinator-General wants them to go? That is an important point. That gentleman might be forced into the position of acquiring low swampy land. The people to whom it was given would probably say, "It is not the same as that we were on before." To this the Co-ordinator-General would say, "It is the only land in the district I can get that is suitable for building purposes." That is an important matter, particularly where there are children. We want to know that where a person's land is compulsorily acquired he will have the right to pick his own site.

Take, for instance, the case of land acquired at Redbank. The owner of that land might own other land about five miles distant. Will the Government in acquiring his property give him the right to build a home on that site five miles away? Furthermore, there might be people at Redbank who go to Brisbane every day to work. Will the Government, when acquiring their properties, say to them, "If you can get blocks of land in Brisbane at equal valuation we will move your homes to Brisbane," or what is the position? Will the Government pay the full costs of these removals?

Taking the point raised by the hon. member for Bremer and the hon. member for Sandgate in connection with the acquisition of businesses, let us imagine the case of one of the best family businesses built up over years in the Paddington area. Let us take the Premier's brother's business. If somebody came along and Mr. P. J. Hanlon's business happened to be acquired, what compensation would be paid to Mr. Hanlon for the acquisition of that business—a business that he has built up over the years?

How will the compensation be determined? A business man at Redbank, for instance, may have only a leasehold yet he may have built up a considerable business in the course of 15 years. The hon. member for Bremer admits that there is no alternative place for him on the road in the locality, although he could move back near the river. His goodwill is gone. Who is to decide the compensation that will be paid to this man for his loss of a lifetime of work? Then there is the other man, Mr. Finter, in Virginia Road, who has built up a business over a period of years. Will the Government acquire land off the road and force this man to go there?

These are important matters, particularly from a business angle. Let us suppose that the business man at Redbank says, "I am not getting sufficient compensation for the destruction of my business by its removal to a new situation." Will he have the right of appeal if he thinks that he is not adequately compensated for the loss of his life's work? These are very important points that I think the Premier should answer.

And these are the homes of the working people, not homes of the newly rich. You can imagine what dislocation there will be in the moving of them. These are things that must be taken into account. There will be a considerable amount of resumptions in this city before we can make it into something that is really good. Everywhere you go you see that provision for work and services is inadequate and a great deal of land will have to be resumed. We may as well lay down a proper basis now.

The hon. member for Sandgate mentioned the case of a man who had bought land ten years ago that is to be used by his son or daughter on marriage. Let us suppose that the Government suddenly decide to acquire this land for use as a site for one of the properties resumed elsewhere. What will be the position of the son or daughter about to marry next year who is unable to get another piece of land anywhere? What will his or her position be? I want the Government to be very careful before any resumptions are made.

The Premier very rightly explained that this was not a general power of resumption to be given to the Co-ordinator-General, that it was only a specific power to deal with certain areas. It was unlike the power given to the C.O.D., which was given the right to acquire anything.

Let us suppose that the Government acquire a house that is rented. What is the position of the tenant then? Will his rights be preserved if the house is shifted or will the tenure have been broken? The landlord may argue that the tenure was broken by the removal of the house and by its erection on a new site, so that the tenant was deprived of a continuance of the tenant rights he had in the old locality. The tenant may lose his tenant rights although he is a displaced person by the resumptions.

Another factor to be taken into consideration is: what are the owners and tenants to do while their homes are being removed? They cannot be removed overnight and 19 homes and I suppose 19 families are involved. Imagine the disturbance that will occur in the removal of them and imagine what can happen to a man's wife and four or five children in the period between the removal of a home and its establishment on the new site.

Mr. Marriott: Business as usual.

Mr. PIE: Business as usual, but what is the poor family going to do in the meantime?

Where are they going to live? Will the Government provide—this is important—temporary accommodation during the period of the removal? There will be an upset of the family. Where are the people going to live? It will be impossible for the man, his wife and his family, to get accommodation during that fortnight. These are things we must look at when considering this type of legislation.

There is another question I should like the Premier to answer. If, for instance, a home is compulsorily acquired for removal, will the Government say to the owner, "This land is the only land available in this area to remove that house to." If that person has a more suitable site five or six miles away, perhaps in another suburb, will the Government agree to the removal of that house to that suburb?

Then take an old home that has been erected for 50 or 60 years, like the orphanage at Wooloowin in my electorate, which the Secretary for Health and Home Affairs has declared is too old for removal. What is going to happen to such a home? Will the Government provide a home for such an owner or will they throw him and his wife and family into a housing camp? I know of a case at Virginia where a man, his wife and five children are living in a tent, and the wife is going to have another child. That thing is a disgrace.

I do not want these things to happen. We are here to fight for things that matter. We want to know what is going to happen under important legislation such as this. I do not want this power given to the Co-ordinator-General to be administered harshly. If tolerence is not shown a lot of hardship will be occasioned to the people through no fault of their own. A man and a wife may have been skimping and saving for their own house. Imagine someone coming along to an hon. member who was doing that and saying, "We are going to acquire this site, and we are going to remove the house to some other site, which is the only land available." We should know what land the Government intend to acquire to put these houses on. We should not give unlimited authority to the Co-ordinator-General without the knowledge that the land is comparable land to that being acquired, otherwise we are not doing out duty to the community.

It is wrong that we members of Parliament should allow this legislation to go through without a full explanation of what the Government intend to do, where they are going to put the people, how long it is going to take to transfer them, and what hardships will be incurred in the process. If we do not do that, we shall be failing in our duty as an Opposition. We must do these things when the Bill is going through Parliament.

I hope the Premier will explain the matters I have raised. If I have not stated them clearly, I am prepared to go through them again because the points I have raised are important. It is the Premier's duty to give us an idea as to where the land is. The hon. member for Bremer may know. He may be able to enlighten the Committee because he has already said that his sister has moved her house to another site she has acquired, and that the land acquired has been in his family for years. Fortunately he does not own the land, otherwise we might think he was a capitalist.

Mr. ROBERTS (Nundah) (2.30 p.m.): In discussing this matter before the Committee, hon. members of the Liberal Party have on the one hand denounced the principle of compulsory acquisition, and on the other hand, like the hon. member for Windsor who just resumed his seat, they said that we must expect a tremendous amount of resumption in the metropolitan area in the future. That is looking at the matter factually. We must face up to the fact that there will be considerable resumption within the metropolitan area and in other parts of Queensland in the future for public purposes. Had the Governments of Queensland prior to 1915, when Labour came into office, had the same foresight as the present Government have shown in providing for the future, we should not hear on all hands today, when a matter appertaining to resumption is under discussion, statements to the effect that it is a pity the people in the past did not make plans for the future. We must remember that Queensland as a State is only 90 years old this year, and the city of Brisbane is a little over 100 years old. In that time there has been such a development that we are finding it necessary to resume land for railway and other public purposes; and that will continue.

The picture as I see it is this: all hon. members are agreed that there must be considerable expansion of the railway workshops and railway facilities in the metropolitan area, not only for the benefit of the residents of the metropolitan area, but for the benefit of the whole of the railway system throughout the length and breadth of Queensland. As far as the present plans of the Government are concerned there is visualised an extension of the present Ipswich railway workshops to Redbank and a considerable railway establishment in the Northgate-Virginia area. I anticipate with some degree of pleasure the picture I have of a future railway centre in the Northgate-Virginia-Banyo area.

Mr. Sparkes: In whose electorate?

Mr. ROBERTS: Partly in the electorate of the hon. member for Sandgate and a smaller part of it in my own electorate. I picture a considerable extension of the railway workshops and railway facilities there. Everyone realises that it is necessary to acquire these lands, and that if amicable negotiation is not satisfactory, in the final analysis any Government must have recourse to compulsory acquisition so long as adequate protection is afforded to those from whom the land is acquired of obtaining fair compensation. We have provided in our Queensland Acts the opportunity for those persons who feel aggrieved at the quantum of money offered to them to appeal to the Land Court.

That has been the position in the past. First of all, we have amicable negotiations. The Minister for Transport pointed out that under the Labour Administration the Railway Department—and it is no different from any other Government department in this respect—firstly looks to the possibility of settling any question such as this on the basis of amicable negotiation, and only after negotiation has failed is it necessary for the Government to go to the extent of compulsorily acquiring or resuming the land that is needed.

Under this amendment we go further than that. The Government are now treating those people who have had their land acquired more liberally than they would have been treated in the past. Under the old procedure there were two stages; firstly, peaceful negotiation and secondly, compulsory acquisition, with the right of appeal to the Land Court. Under the Bill as outlined by the Premier this morning there is to be peaceful negotiation as in the past and secondly, compulsory acquisition, with an appeal of course to the Land Court; but in addition this Bill gives to the Co-ordinator-General of Public Works and persons from whom the land is being acquired the right to come to an arrangement under which that person will be able to have his home moved to a suitable site beyond the area being resumed. No Government are unsympathetic with or inconsiderate of the rights of a person who actually owns a home and the piece of land on which that home is built. No-one lightly acquires or seizes any property owned by anybody, whether for public works or anything of a public nature. That is only done as a last resource in the public interest, in other words in the interest of everyone. At times it is necessary that the interest of the individual shall give second place to the public interest. That has been always so and will continue to be so but, as I have said, nobody is inconsiderate of the rights of people who own their own homes and property. On occasions, such as the one now before the Committee, we have to go a little further and acquire the land owned by these people—sometimes, as pointed out by the hon. member for Bremer, owned by them for a number of generations. I think the average person outside the House realises that.

While we must appreciate the perturbed attitude of mind in which we find people who have their homes in these localities today, I make the suggestion that they are appreciative of the amendment now before the Committee. In the past their last redress would have been an appeal to the Land Court but as from the passing of this amending Bill these same people will be afforded an opportunity of having their homes—and as was pointed out by the Premier, homes are very difficult to obtain at the present time—moved for them to other suitable sites in the same locality. The overriding consideration is that this Bill does not destroy, as I understood the Premier, the right of a person dispossessed of his property of holding to a fair compensation for the property that the Government have acquired. It still preserves to him the rights he had under the Act but in addition gives him a further alternative, an alternative which a number of such persons will undoubtedly avail themselves. The Government are to be commended for the consideration being given to these people by bringing down this amendment.

Mr. KERR (Oxley) (2.40 p.m.): There are one or two points I should like the Premier to clear up. The first is whether the hon. member for Nundah is correct in saying that these people have another alternative, that if another comparable site or a site suitable to the person whose home is being resumed is not available he can take the cash equivalent.

Another point is that it was suggested this morning that the person whose land is being acquired for the purpose of providing new sites for the owners of the homes being resumed by the Railway Department might hold out for a bigger price. I readily admit that nobody with common sense will deny the Government the right to acquire properties for the further development of the railways, but when the Co-ordinator-General or some other authority has his eye on a certain piece of land which might have been held by a family for family purposes, he will have power under this Bill to resume that land regardless of the fact that the owners wish to retain it for those purposes. I should say that no Government ought to have authority to acquire land under those circumstances, otherwise an injustice will be done.

Mr. SPARKES (Aubigny) (2.42 p.m.): As I see it, the Government wish to acquire certain land that has on it a certain number of houses. As it interferes with the progress of a particular venture, those houses have to be acquired. The position now seems to be somewhat different. On listening to the Premier this morning it seemed to me as though the people whose homes are to be moved were good supporters of the present hon. member for Bremer and therefore other land will be seized for the purpose of giving them home sites. Under ordinary circumstances, if the Minister for Transport wanted to take a railway through my property he would not seize somebody else's property and give it to me; he would simply take whatever part of my property he wanted and erect thereon his goods sheds, railway lines and whatever it might be.

I am worried about the people whose land it is proposed to seize in order to provide home sites for these displaced people. Apparently these owners of the land wish to retain it and the Government are now going to seize it. The hon. member for Nundah says they are making it much easier for the people but the fact is that this position would not have arisen at all if these people had come to an amicable arrangement. The Premier must admit that if he could go out and obtain this land by negotiation there would be no need for the Bill.

Mr. Hanlon: You can vote against it.

Mr. SPARKES: The Premier is becoming a real dictator. He is becoming a law unto himself. We could not speak the other

day when he was up. We were afraid even to breathe loudly. Now he says we can vote against it. I am quite aware of that, but I want to point out to this Committee and to the people outside—

Mr. Power: They will not take any notice of you.

Mr. SPARKES: Let the hon. gentleman come up to my electorate and see how much notice they will take of him. He would find that he is not the power in the land he thinks he is.

It seems to me that that is the position facing the Premier. He has an eye on land that people want to retain. If a man had his own land he would say, "I want to build on this land." Who is to say that some of these people whose land will be acquired do not want the land in order to build for themselves?

Mr. Pie: They might be waiting for permission to builld.

Mr. SPARKES: Quite so, as my friend the hon. member for Windsor says. I have always examined very carefully any measure that gives the Government power of compulsory acquisition because I do not like the word "compulsion" at all. The less we have to do with it the better; the sooner we sidetrack it the better. If the Act is administered in the proper way it may be of some benefit but this Bill is to take land from one man and give it to another. You are pushing one fellow out because he is not a supporter and you are putting your own supporter on it. That is what it amounts to.

Mr. Farrell interjected.

Mr. SPARKES. The hon. member for Maryborough chirps up with "Don't be silly." If the hon. member had listened to the Premier this morning he would have heard him say that the hon. member for Bremer had made representations to him in regard to people living in these houses. One would believe that it would be better to shift these houses onto other land and I do not think that any hon. member on this side of the Chamber has cause for complaint about that.

Mr. Power: Then what are you quarrelling about?

Mr. SPARKES: I want to be sure that the people whose land the Government will acquire want to sell that land. I do not want to see somebody pushed off his land in that area. What does it matter if a person has to go a quarter or a half a mile further? Why bring these people to Brisbane, as was mentioned? We have enough here already. Surely there is a lot of vacant land between here and Gailes.

Mr. Power: What if the people will not sell? What will you do then?

Mr. SPARKES: Eventually the cat gets out of the bag. The hon. member for Nundah had him by the back of the neck and would not let him go but you can always bet the Secretary for Public Works will let the cat out. I appreciate his interjection—"What about it if they will not sell?" Do you mean to say that everbody in that locality will not sell land?

Mr. Power: Answer my question. Don't hedge.

Mr. SPARKES: This really brings us to the acquisition of land for soldier settlement. Thousands of people want to sell but there are the few who do not want to sell.

Mr. Hanlon: And the ones who want to sell want to sell stony desert country so that the soldiers will starve.

Mr. SPARKES: What a wonderful interjection from a man of the intelligence of the Premier! I am trying to get at the case of those people who do not want to sell. I want a clear statement that it is not the intention to force people out who do not want to sell.

Only 19 people are involved but it is important to remember the rights of the people from whom land for them is to be compulsorily acquired. The owners from whom the land may be acquired may need the land for homes for themselves.

The suggestion to remove the homes from one point to another is in itself only a reasonable request. My main point is that the people from whom land is to be acquired should receive fair and equitable treatment.

Hon. E. M. HANLON (Ithaca—Premier) (2.51 p.m.): The debate on this motion has been somewhat amazing and at times amounted to a pre-discussion on the Budget that will be shortly presented. The Bill is a simple one. It seeks to amend the State Development and Public Works Organisation Act. Neither that Act nor the Public Works Land Resumption Act is altered in any way —all the present powers are retained. The Bill simply gives the Co-ordinator-General power to resume land for other than public purposes in certain cases. Already he has sufficient power to resume land for public works. The Bill proposes to give him power to resume land for the purpose of providing home sites and to give him the power to transfer that land on terms acceptable to the purchaser, whether under perpetual lease or otherwise. That is all there is in the Bill. The provisions of the original Acts, as far as possible, still apply.

The hon. member for Windsor got up and made a song and wanted to know this and that.

Mr. Pie: Why did you not tell us and we should not have had to ask you?

Mr. HANLON: The hon. member was told. I explained the provisions of the Bill when I made my first speech. That is all that is in the Bill. I explained it.

Mr. Pie: You did not. The hon. member for Bremer explained it.

Mr. HANLON: The hon. member is not telling the truth.

Mr. Pie: And you are not telling the truth.

Mr. HANLON: The hon. member is not telling the truth. As is usual, he is not telling the truth.

The TEMPORARY CHAIRMAN (Mr. Hilton): Order!

Mr. Pie: And you are not telling the truth either.

The TEMPORARY CHAIRMAN: Order!

Mr. HANLON: He knows he is not telling the truth.

Mr. Pie: And you are not telling the truth either.

The TEMPORARY CHAIRMAN: Order!

Mr. HANLON: The hon. member can keep on saying that as long as he pleases.

Mr. Pie: And you are not telling the truth.

The TEMPORARY CHAIRMAN: Order! I cannot allow the hon. member for Windsor to carry on this cross-firing without limit. If he will not obey my call to order, I shall name him.

Mr. Pie: You order him to obey your call.

The TEMPORARY CHAIRMAN: I name the hon. member for Windsor for disobedience of the Chair.

Mr. HANLON: I am sorry that this position has arisen. No-one should know better than the hon. member that he should not interrupt the Chair when he is being asked to obey the Chair.

Mr. Pie: What are you talking about? I am not in school.

Mr. HANLON: And if you were you would get the order of the cane and the order of the dunce's cap.

Mr. Pie: And you would get a crack under the chin.

Mr. HANLON: I hope the hon. member will withdraw his statement to the Chair and allow the business of the Committee to proceed.

Mr. Pie: I made no statement to the Chair.

Mr. HANLON: If the hon. member does not wish to do so——

Mr. Pie: I made no statement to the Chair. What have I got to withdraw?

Mr. Sparkes: He has not been asked by the Chair.

The TEMPORARY CHAIRMAN: I am reporting the hon. member to the House.

Mr. Pie: What are you reporting?

The House resumed.

NAMING OF MEMBER.

The TEMPORARY CHAIRMAN: Mr. Acting Speaker, I have to report that I have named the hon. member for Windsor for disobedience to the Chair.

The ACTING SPEAKER: The Temporary Chairman has named the hon. member for Windsor for disobedience to the chair.

Hon. E. M. HANLON (Ithaca—Premier) (2.57 p.m.): I hope that the hon. member for Windsor will make amends. The situation is that he disobeyed the Temporary Chairman's call to order and kept interjecting back.

Mr. Macdonald: You provoked him.

Mr. Pie: He was calling me a liar. I won't take it from him or anyone.

The ACTING SPEAKER: Order! I hope that the hon. member will contain himself.

Mr. HANLON: I hope that the hon. member for Windsor will withdraw and apologise and behave himself.

Mr. Pie: What do you want me to withdraw and I will see whether I will.

The ACTING SPEAKER: Order!

Mr. Pie: What have I to withdraw?

The ACTING SPEAKER: I understand that the hon. member has been asked by the Temporary Chairman to obey his call to order. He disregarded the authority of the Chair. I now ask him to apologise to the Temporary Chairman. If he does not he must be dealt with for disregarding the authority of the Chair.

Mr. PIE (Windsor) (2.59 p.m.): I am always quite happy to comply with any of the rules of this House. If I am told what I am to withdraw I will withdraw, but I do not know what I have to withdraw.

The ACTING SPEAKER: The hon. member was named for disregarding the authority of the Chair. I ask the hon. member now, if he wishes to comply with the rules of the House and with the direction of the Temporary Chairman, who named him for having disregarded his authority.

Mr. PIE: I have never refused to withdraw or disobeyed the Chair. The Premier called me a liar again and again.

The ACTING SPEAKER: Order!

Mr. PIE: The Premier did not like my repeating his own words. I do not know what to withdraw.

SUSPENSION OF MEMBER.

Mr. HANLON: If the hon. member does not wish to do the decent thing I have no alternative but to move—

> "That the hon. member for Windsor be suspended from the service of this House for the remainder of this day's sitting."

Question—That the motion (Mr. Hanlon) be agreed to—put; and the House divided—

AYES, 33.

Mr.	Brassington	Mr.	Hanlon
,,	Brown	,,	Hilton
,,	Bruce	,,	Ingram
,,	Burrows	,,	Jesson
,,	Clark	,,	Jones
,,	Collins	,,	Keyatta
,,	Crowley	,,	Larcombe
,,	Davis	,,	Moore
,,	Devries	,,	O'Shea
,,	Donald	,,	Paterson
,,	Duggan	,,	Power
,,	Dunstan	,,	Roberts
,,	Farrell	,,	Theodore
,,	Foley	,,	Turner
,,	Gair		*Tellers:*
,,	Graham	,,	Smith
,,	Gunn	,,	Taylor, J. R.

NOES, 18.

Mr.	Aikens	Mr.	McIntyre
,,	Bjelke-Petersen	,,	Morris
,,	Brand	,,	Nicklin
,,	Evans	,,	Pie
,,	Heading	,,	Sparkes
,,	Kerr	,,	Taylor, H. B.
,,	Low		
,,	Luckins		*Tellers:*
,,	Macdonald	,,	Chalk
,,	Madsen	,,	Decker

STATE DEVELOPMENT AND PUBLIC WORKS ORGANISATION ACTS AMENDMENT BILL.

INITIATION IN COMMITTEE—RESUMPTION OF DEBATE.

Mr. HANLON: I was saying when the interruption took place that the matter was very simple, that the Bill merely contained the alteration that the Co-ordinator-General may resume land for the purposes other than those now specified and have power to transfer that land.

The Leader of the Opposition said that the principal Act was not being used for State development. I suppose such a thing as the building of the Burdekin Bridge the Burdekin irrigation scheme, or measures to prevent erosion would not be State development to him—or even important to him—but something like making a new paddock and sliprails in his area would be. We are not using public money for the relief of unemployment. The real point is that there is no unemployment. Hon. members opposite are not happy unless there is.

Mr. AIKENS: I rise to a point of order. In view of the fact that we were prevented from discussing the provisions of the principal Act I ask you to rule that the Premier is not in order.

The TEMPORARY CHAIRMAN (Mr. Hilton): There is no point of order. I allowed the Leader of the Opposition a certain amount of latitude in developing his point and so far as I allowed the Leader of the Opposition to do that I am giving the Premier the right to reply.

Mr. HANLON: The hon. member for Windsor wanted to know what compensation was payable. That is a matter for the law. No alteration in the law is being made by this Bill in that respect.

The hon. member for Aubigny made an unworthy suggestion—and if he thinks the matter over I think he will conclude that it was unworthy—that this Bill would be used to put a tenant out of possession and put a Labour supporter in. If the hon. member wishes to think like that, that is O.K.

Mr. Sparkes: I said it could be.

Mr. HANLON: It could be if the hon. member had the power to do it. These things cannot be done or will not be done while the Treasury benches are occupied by the Labour Party, whose members have some regard for ethics. I am very sorry that hon. members opposite are very sore at the result of last Saturday's by-elections. I cannot join in their tears, so all I can do is move the motion as I have done.

Motion (Mr. Hanlon) agreed to.

Resolution reported.

FIRST READING.

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

VALUATION OF LAND ACTS AMENDMENT BILL.

INITIATION.

Hon. W. POWER (Baroona—Secretary for Public Works, Housing, and Local Government): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Valuation of Land Acts, 1944 to 1947, in certain particulars."

Motion agreed to

INITIATION IN COMMITTEE.

(Mr. Hilton, Carnarvon, in the Chair.)

Hon. W. POWER (Baroona—Secretary for Public Works, Housing, and Local Government) (3.9 p.m.): I move—

"That it is desirable that a Bill be introduced to amend the Valuation of Land Acts, 1944 to 1947, in certain particulars."

This is a small Bill with two purposes: (1), to make better provision for the early proclamation of the valuations made by the Valuer-General and (2), to place beyond doubt the power of the Valuer-General to revalue part of the local government area when that part is joined to another area the whole of which is to be revalued.

As the Act stands at present, valuations made by the Valuer-General cannot be proclaimed in force until the valuations of the entire area are completed.

It has been found by experience that, although this provision works very well when proclaiming the valuations in force in the

majority of local government areas, it causes great congestion in administration in dealing with the large municipalities. It is proposed by the Bill to make provision for the proclamation in force of valuations as they are completed in localities or sections of a local government area, but still preserving one uniform date for the coming into force of all the valuations within the area concerned.

Take, for instance, the town of South Coast. Two full local authorities and part of another area have been merged. At present under the Act it is not possible to proclaim any of the valuations in those districts until the whole of the area has been valued. It is proposed under this amending legislation that as part of an area is valued the valuations shall be proclaimed but will not come into operation until the whole of the area has been valued. The idea is to relieve the congestion that has arisen by having to wait and proclaim the whole lot at the one time. As part of an area is proclaimed under the amending legislation appeals can be dealt with by the Valuer-General or, if necessary, by the Land Court, but rates will not be assessed on the new valuation until the whole of the area has been valued and proclaimed.

Mr. Kerr: They will all pay the new rates on a common date?

Mr. POWER: Yes. This procedure, whilst preserving a common date for the coming into force of the whole of the valuations in a local government area, will enable the Valuer-General to stagger the work of the department evenly over the period of valuation. By issuing the valuation notices at intervals, the work of dealing with objections will be evenly spread and likewise by spreading the dates for the falling due of appeals against the decisions on objections, the congestion that otherwise would arise in the Land and Valuation Courts, if the appeals all fell due on the one day, will be avoided.

The proposed amendment to enable the Valuer-General to revalue part of a local Government area when that part is joined to another area, the whole of which is about to be revalued, follows closely a similar provision in Section 5 of the Local Government Act. Where all rights of valuation have passed from a local authority to the Valuer-General, the law appears as it stands to confer this power of revaluation now sought on the Valuer-General, but the Solicitor-General is of opinion that the matter is open to challenge and the Valuation of Land Act should be clarified to place the matter beyond doubt. It is essential that there should be no doubt, otherwise grave anomalies would inevitably arise in the valutions within the area, with a consequent inequitable distribution of rate liability as between ratepayers.

The Bill as a whole does not alter or infringe in any way existing principles in the Act. The proposed amendments are more or less machinery to facilitate the more efficient and economical administration of the law.

Mr. SPARKES (Aubigny) (3.15 p.m.): As far as I can see, there can be no opposition to the Minister's proposal to withhold the levying of the rate on the new valuation until the whole of the shire has been valued.

The Valuer-General's Department has made a fairly comprehensive survey of a big part of the State and it is safe to say that in probably 90 per cent. of the cases there has been a big upward tendency in values. Some values have been increased as much as 400 per cent. The Government found that prior to these fresh valuations virtually every shire council—and this applied equally to municipal and city councils—was well and truly up against it. The Government thought that by sending out valuers to make fresh valuations throughout the State and by increasing valuations they would keep the shires and the councils quiet for the time being. That is what is behind the whole thing.

Mr. Power: You supported the Act.

Mr. SPARKES: Who said anything about supporting anything? Let the Minister contain himself. Ten years ago I said in this Chamber that the shires could not carry on and provide the roads required by modern transport and what the people required in the far distant parts of the State by the simple process of collecting rates from the people on the land. The whole thing is out of date.

The TEMPORARY CHAIRMAN (Mr. Keyatta): Order! I draw the hon. member's attention that he has departed from the subject matter of the Bill. Ratable land is not the subject of the Bill.

Mr. SPARKES: Ratable land is part of the subject of this Bill. However, I will abide by your ruling.

The TEMPORARY CHAIRMAN: Order! The motion asks that the Committee consider the desirableness of introducing a Bill to amend the Valuation of Land Acts in certain particulars.

Mr. SPARKES: For rating purposes. I warn the Minister—and I think this is the appropriate time to do so—that the increases in the valuations in the far distant areas will not get over the difficulty that exists. Rates were meant to provide roads for the horse and cart to travel on; and then the distances to be travelled were short, but today hundreds and thousands of miles are travelled. The Government will have all the shires in trouble. In my shire, as soon as our valuations were known we reduced our rate by over 50 per cent.

Mr. POWER: I rise to a point of order. I desire to draw attention to the fact that the Bill deals with an amendment of the Valuation of Land Acts. The Valuer-General has nothing to do with the fixation of rates. That matter is entirely in the hands of local authorities. I contend that the hon. member is not in order in referring to the amount of rates levied by local authorities.

The TEMPORARY CHAIRMAN: Order! I uphold the point of order and I ask the hon. member for Aubigny to keep to the question before the Committee.

Mr. SPARKES: Will the Minister admit that the Valuer-General has something to do with valuations?

Mr. Power: Yes.

Mr. SPARKES: Then the two are tied. You cannot get away from it, because rates are based on valuations. Are not rates based on valuations?

Mr. Power: They are.

Mr. SPARKES: Of course they are. Do you not see, Mr. Keyatta, that one is tied up to the other? I will not attempt to embarrass the hon. gentleman any further. I have said enough to show where land values are tending.

Again I warn the Minister that this will not get local authorities out of their difficulty. The Valuer-General and his officers have made a comprehensive valuation of a large part of the State, but there will be a great deal of trouble, and so I sound the warning to the Minister that the Government cannot get themselves out of the trouble by increased valuations. The local authorities will not be able to carry on despite these increased valuations—not increased rates, but increased valuations made by the Valuer-General's Department.

I prefer to reserve any further comment on the Bill until I have seen it. We are often warned that we are led up the garden path by assuming what is in a Bill or is not in it so I prefer to wait until I see it before I make any further comment on it.

Mr. LUCKINS (Maree) (3.23 p.m.): I was pleased to hear the Minister say that a section of a local-authority area would not be subject to the new valuation until a uniform valuation had been made throughout the area. I know the difficulties that beset the department, and I know the trouble it had after the Act was passed in 1944. We have looked forward with eager expectation to an effective valuation of the metropolitan area, and I should like to know from the Minister when the Valuer-General intends to begin this work.

Mr. Power: He hopes to be able to start next year.

Mr. LUCKINS: That promise has been made to us for quite a while now, but personally I feel the Government are afraid of the job because of the peculiarities associated with taxation. Land valuations are an important aspect of Queensland economy, and this work brings in additional revenue to the Government in the way of valuation fees. The Valuer-General is not going to do the work for nothing. He will charge each local authority its share of the cost of the work, and so this will be another source of income to the Government. We have land valuations for local-authority purposes, for probate and succession duty. Eventually they will all be carried out by the Valuer-General, but I trust that he will keep in mind fluctuations in value arising from time to time from certain abnormal circumstances. We are living in the midst of a demand for land for building purposes, and so continually increasing prices are being paid. That is not an indication of its true value in normal times, and I want to make that clear to the Valuer-General and others. A prosperous industry may be established in one part of the State that may have the effect of causing land values to rise, while in another part of the State industry may lag and values thereby decline. I trust therefore that the Valuer-General and his officers will keep this balance of circumstances in mind and not be led away by the prices actually being paid for land today.

I should also like to warn the Minister that confusion may occur when the Valuer-General takes over the work of valuing all the land under the jurisdiction of the Brisbane City Council.

Some time ago an amendment was brought down to the Valuation of Land Act providing that the Valuer-General could disturb the valuations in the local-authority area for the current year. If the valuation is completed by the local authority for the June-to-June or December-to-December period, will the local authority be put to the additional expense of a further valuation by the Valuer-General? A valuation should be made for a three-year period. If in that period a fresh valuation is made by the Valuer-General additional expense will be incurred by the taxpayer. The Valuer-General should make a valuation without any charge at all. We pay sufficient taxation to enable that to be done. Local authorities are heavily burdened with costs, and therefore the Government should extend this free service to them.

I have not much more to say about the Bill, which may contain provisions I may agree or disagree with, therefore I will withhold any further comment until I have an opportunity of reading it.

Mr. DECKER (Sandgate) (3.27 p.m.): I am in favour of any amendment to the Valuation of Land Act that has for its object the making of uniform land values—when the Act was first introduced I supported it for that reason. It is a great idea that we should have this department, as it will eventually establish land values on an equitable basis and we shall then achieve some degree of uniformity. Local authorities now have varying practices. Some aim at a high valuation and a low rate and others at a low valuation and a high rate.

Our objective, as I said, should be uniformity. When the Valuer-General's Department completes the valuation of an area it is only reasonable that values in the adjoining area should be adjusted accordingly. But today, whilst we have the Valuer-General's Department endeavouring to bring about uniformity of valuations we have other Government departments that seem to have no official regard to its valuations. I had occasion to point out previously a case in which the Department of Public Lands was selling town and suburban blocks of land

on a perpetual leasehold basis. The valuations had no relationship to the fee-simple value of the land in the area. We had the peculiar phenomenon of the department establishing high and inflated values up to and over 400 per cent. in excess of the value of adjacent freehold land. It is high time the Valuer-General's valuation applied to all land, and the uniform valuation should be accepted by all parties. The Crown should not force uniform valuations on the individual and local authority and ignore the principle itself.

Let us look at the method of valuation as laid down in the Act. The Act prescribes that for the purposes of making the valuation "unimproved value" of land shall mean—

"(*a*) In relation to unimproved land, the capital sum which the fee-simple of the land might be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require; and

"(*b*) In relation to improved land, the capital sum which the fee-simple of the land might be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require, assuming that, at the time as at which the value is required to be ascertained for the purposes of this Act, the improvements did not exist:"

There is no need to go any further. What I want to point out is this: if we establish a Valuer-General's department in order to get uniformity in valuations, it is only right that our own departments should observe those valuations. That will interest the Secretary for Public Lands. It is wrong to have a valuation that is not in accord with the valuations made by other departments. I refer to the valuations of unimproved land under the Land Act.

Mr. Foley: There is nothing wrong with the method of determining unimproved values——

Mr. DECKER: I ask the hon. gentleman's department to uphold that principle. At a recent sale in Bribie four sales of land in fee simple were made at prices from £15 to a maximum of £20, while comparable lands offered under perpetual lease were valued at a minimum of £35 and sold at £75 to £80. The fixed ceiling price was obtained, which means that the hon. gentleman was valuing them up to 400 per cent. of the freehold value.

Mr. Foley: The prices were obtained under a system of fair competition.

Mr. DECKER: How shall we get uniformity when we have a department of the Crown putting up a case against uniformity in valuations? If valuations are to be uniform we should have only one department handling them. We passed a Bill to create this department and to be consistent and give a fair deal to the people we should have this department working in co-ordination with the other departments and thus laying down uniformity in valuations.

I support the amendment because I believe in uniformity. Let us achieve our objective of uniformity by abiding by those values ourselves.

Mr. AIKENS (Mundingburra) (3.34 p.m.): I regret very much that the objectives of the original Valuation of Land Act have not been put into force in their entirety, not because of any fault of the department but, I understand, because of the shortage of staff and the inability to get on with the job. At present we have local authorities making their own valuations. Whether we like it or not, the policy of the Government is to induce these local authorities to make a low valuation and then to raise the money requisite for carrying on local-authority work by striking a high rate on that low valuation. There is a definite inducement by the Government for local authorities to strike a fictitiously low valuation and a correspondingly fictitious high rate because the Government grant the subsidy to the local authorities on the amount of rate struck. The higher the rate struck by the local authority the greater percentage of subsidy the local authority will receive from the Government.

Mr. Foley: Never heard of it.

Mr. AIKENS: If the Minister has not heard of it I can only take that as an admission that he does not know the established policy of his own Government. For instance, the Townsville City Council gets a subsidy of only 17½ per cent. on certain local-authority work because its general rate until recently was 1s. in the £. Ipswich, with a general rate of over 2s., gets, I think, nearly 30 per cent. subsidy from the Government.

Mr. Power. There is nothing about subsidy in this Bill.

Mr. AIKENS: I do not want to transgress too much on your tolerance, Mr. Keyatta, but the valuation of land and the striking of the rate by a local authority are so indissoluble that it is impossible to debate one completely without touching on the other. I merely mention it here. The sooner the Valuer-General is able to get on with the job and strike a valuation for every local authority in the State, the sooner we shall remove from local authorities the tendency to do what happened in the Townsville City Council the other day. A T.C.C. alderman named Hopkins complimented the Ipswich City Council for its alleged shrewdness in keeping its valuation down and its rate up in order to get the higher Government subsidy. I asked the Treasurer a question in the House only a few days ago and he replied that the amount to be gained by keeping the valuation low and the rate high is so little that he doubted whether any local governing body did it deliberately. Nevertheless, there is an incitement by the Government to local authorities to make their own valuations fictitiously low so they will have to strike a high rate to get the same amount of revenue as they would get by the reverse process. I want to make that point particularly clear because I want to express my conviction that

at times the Government do things to which they should give more consideration than they do, and by the interjection by the Secretary for Public Lands disclosses the fact that in that respect he, as a Minister of the Crown does not know what the dickens his Government are doing.

Mr. NICKLIN (Murrumba—Leader of the Opposition) (3.37 p.m.): When the valuation of Land Bill was introduced to this Parliament in 1944 the principle received the approbation of members on both sides, although there was a considerable amount of controversy in regard to many of the clauses in the Bill as to the methods proposed to be adopted to obtain the uniform valuations that the Bill set out to achieve. From time to time, as experience is gained in the administration of legislation, it will be necessary to introduce legislation to make the required amendments and the Bill that the Minister introduced this afternoon has been brought down as the result of experience of the operation of the Act.

There is no objection to the two principles of the amending Bill he has enunciated, but I would point out that when he was considering amending the Act he could have gone a little further and inquired whether the methods being used in fixing valuations are correct. Today we have reported in the Press the first judgment given in appeals before the Land Court on valuations made by the Valuer-General of land in the Gatton shire. After all, this case is very relevant and one that was watched with a considerable amount of interest by local authorities and people throughout the State. Since the Valuer-General began to value land throughout the State he has made a remarkable increase in the values and surprised many people and it is interesting to examine some of the reasons the Land Court advanced for reducing the valuations in the Gatton shire. They appear to confirm the points raised by hon. members on this side as to the difficulty of arriving at the unimproved value of land.

The hon. member for Sandgate quoted the section of the Act that lays down the method by which the unimproved value of land shall be arrived at. When the original Bill was going through the House we pointed out the difficulty of interpreting that provision, and we suggested amendments that would have clarified the clause, but they were not accepted, with the result that we have the position that arose in the appeals before the Land Court recently.

In his judgment on behalf of the Land Court, Mr. Payne is reported in today's "Telegraph" as saying that taxation and revenue valuations must not be confused with compensation valuations, and that is true. Apparently the Valuer-General's officers, in making valuations of the Gatton shire, have confused the two. There is a vast difference between a valuation for taxation and revenue purposes and a valuation for compensation purposes. A valuation for taxation and revenue purposes must be a reasonable value such as may be obtained by the owner on the ordinary market, but apparently the Valuer-General's officers have not taken into sufficient account the value of the improvements on these lands that were valued. That is exactly what we on this side said when we were dealing with this very question and emphasised the difficulty of looking at a piece of land with improvements on it and dismissing from one's mind the value of those improvements. I think it was the hon. member for Aubigny who quoted a case in which two pieces of land of similar quality in all respects were involved, one being highly improved through the energies of the owner and the other just left as it was. He pointed out that in many instances the valuation of the highly improved property would be very much greater than that of the property that was unimproved, although both valuations were allegedly made on the unimproved value of the land.

Mr. Sparkes: That is always so.

Mr. NICKLIN: It is always so. The principle that seems to have been adopted in the valuation of the Gatton lands is that compensation valuations, not valuations for taxation and revenue purposes, were placed on them.

Mr. Power: That is Mr. Payne's opinion.

Mr. NICKLIN: After all, the Land Court is the final arbiter in these cases.

Mr. Power: There is still the right of appeal against that judgment.

Mr. NICKLIN: But it would appear from the reasons advanced by the court to support its judgment that it would be hard to knock over.

Mr. Power: But there is always the right of appeal against it.

Mr. NICKLIN: There may be. Although the Minister and his Government are too fond of taking away the right of appeal in this State by legislation, fortunately there is still the right of appeal here, as the Minister has said, and I hope he will remember that whenever he votes for legislation that takes away from the people that right of appeal which should be theirs. He applies the right of appeal when it suits him, but when it suits him politically he will take it away from the people of the State. I suggest that he have a look at this matter because the hon. member for Aubigny has already pointed out that this very high rise in the valuation of land in this State as a result of the values arrived at by the Valuer-General's officers is going to have a very detrimental effect on the country lands of this State in particular.

A rise in the value of a 24-perch allotment does not matter very much, but when it comes to a rise in the valuation of thousands of acres of land, it means a mighty lot. We want to be satisfied that the method used in arriving at valuations is the correct method, and I hope the Minister will give close attention to the judgment recently given on the first valuations tested in the Land Court.

It is very important from many angles that due regard should be given to this judgment. After all we are all agreed on the principle

that some method of uniform valuations is of advantage to local authorities and all taxing authorities, but we want to be sure that the method used in arriving at the valuations is the correct one. As we pointed out during the debate on the Act, there would be a marked difference in the values arrived at by the use of the method prescribed for arriving at the value of unimproved land. This was proved in the first test case to which the Valuation of Land Act has been subjected. I again make the suggestion to the Minister that he give close attention to the judgment of the court to see whether the Valuer-General and his officers are using the correct method of arriving at uniform values of land in this State. The judgment of the Land Court has pointed out that there is great doubt whether the correct principle is being used. That is something that should not be overlooked when considering legislation for the valuation of land.

Mr. KERR (Oxley) (3.48 p.m.): There are only two matters before the Committee in regard to the amending Bill, the first being the proclamation of valuations, and the second the power to re-value a shire amalgamated with another shire, in order to obtain uniformity. It is understandable that where one system of valuation might be in use in a particular shire, an adjoining shire may have another valuation, so that there is an anomaly requiring this power the Minister is seeking.

I am only sorry that the amending measure does not go further. At present the valuations made by the Valuer-General and his department are secret valuations, and not available to the public. In my opinion all valuations should be made available to the public, as it would facilitate matters a great deal, particularly in appeals to the Land Court. The appellant's only opportunity of knowing the value of his land is when his case comes before the court. The Government, who are in possession of the information, are therefore at a distinct advantage.

Suppose we make a comparison between this Act and the Companies Act. Anybody can go to the Court and see all particulars he wants to know concerning any particular company. I say that every landowner should have the same privilege instead of having to wait for an appeal to the Land Court before the information is disclosed. I cannot see any reason for secrecy. The general public are not able to arrive at comparable values unless they know what the valuations are.

Anyone can go to the Supreme Court and get particulars of public companies.

Mr. Power: The Valuer-General assures me that you can get particulars of valuations from his Department at any time.

Mr. KERR: I did not understand that.

The hon. member for Sandgate referred to the difference between valuation of land under perpetual leasehold and under freehold title. We have seen extraordinary differences in connection with the sale of seaside land, where perpetual-lease allotments have been sold at values 100 per cent. to 300 per cent. greater than the value of freehold land alongside. That practice can almost be described as an attempt to aid and abet higher valuations for perpetual leasehold as against freehold and it is extraordinary that there should be this difference where the object of the Act, and I suppose of the Government, is to have uniformity in valuations. This anomaly applies to seaside lands and some remedy is required. After all is said and done, there is no title to land that offers a greater permanence than freehold yet we have perpetual leaseholds with greater values.

Hon. W. POWER (Baroona—Secretary for Public Works, Housing, and Local Government) (3.53 p.m.): Let me remind the hon. member for Aubigny, who was so critical of the Valuer-General's Department, that he supported the Valuation of Land Act when it was introduced.

Mr. Sparkes: We support the principle now.

Mr. POWER: The hon. member for Maree wanted to know when the Valuer-General would be valuing the lands under the jurisdiction of the Brisbane City Council. That is a matter for the Valuer-General and not one for instruction by the Government. The only time that I have asked him to make a valuation has been when urgent requests have come from local authorities. He sent a man to Thursday Island to revalue the whole of that area and also sent a man urgently to the Mt. Morgan district to revalue the whole of the Fitzroy shire.

It is desirable to have a uniform valuation where a number of local authorities have been merged. Quite a number in the Toowoomba district have been attended to and the South Coast valuations are now being considered. The Valuer-General has told me that he wishes to get on with the work of valuing the Brisbane lands but no-one has the right to instruct him to go ahead. It is a matter entirely for him. He is not concerned about any political consideration or with the rates that may be levied. All he is concerned with is the valuation of the land.

Mr. Kerr: And for land-tax purposes——

Mr. POWER: He is not even concerned with that. He is concerned only to arrive at the true valuation.

The hon. member for Maree raised the question whether the Valuer-General or the local authority should accept the responsibility for the cost of the valuations.

The hon. member also hoped that fresh valuations would not be made in local-authority areas that had recently been valued. When the Minister of the day, the present Secretary for Public Instruction, piloted the Bill through Parliament he gave local authorities an assurance that the Valuer-General would not revalue any area that had been valued by them in the current period for three years after the passing of the amended Act of 1947. That undertaking will be honoured by the Valuer-General and myself.

I want now to refer to the cost of valuations. It is just as well that I should inform

the Committee of what this work has cost the Government up to date. The expenditure last year of the Valuer-General's Department was £31,520, and the revenue received was £3,037, making the cost of the department to the Government £28,483. I want to make this point clear: as a result of the revaluations of local-authority areas local authorities are now receiving increased revenue. Therefore it is not too much to ask local authorities, which have received increased revenue from the service, to pay the fees that have been incurred as a result of the work of the department.

The hon. member for Dalby criticised the fees paid by local authorities. He contended that the fees were excessive and said it was not too much to ask the Government to bear the full cost of the administration of the Valuer-General's Department. That statement was based on a wrong assumption. As I pointed out, the fees received by the department last year were only £3,037 and the cost to the Government last year alone was £28,483.

The Valuer-General, in a report to me on the fees charged by his Department for valuations, states—

> "On several occasions during the year criticism was levelled publicly against the prescribed scale of fees payable by local authorities for copies of the roll.
>
> "The contention in each case was that the fees were excessive and the local authorities were being asked to bear the full cost of administration of the department."

The Valuer-General states that a reference to the figures he supplied, which I have quoted, will indicate how erroneous this assumption is.

The Valuer-General further states with reference to the contention that the fees charged local authorities are excessive—

> "An aspect of the matter which should not be lost sight of is that the whole of the Local Government areas in the Downs Valuation District including the City of Toowoomba have been valued and all will budget for the ensuing financial year on the new valuations, which aggregate nearly £15,400,000, an increase of more than 132 per cent. over the previous valuation. The combined annual fee payable by this district for the valuations amounts to only £4,390 and a very small fraction of 1d. in the pound will cover it.
>
> "Whilst the fee varies in the areas comprising the Downs district, an average annual levy of .07 of 1d. of valuation will cover the departmental claim."

Yet the hon. member for Dalby has the audacity to state that local authorities will be ruined by the payment of the fees charged by the Valuer-General's Department! As I have pointed out, the cost of the valuations in the Toowoomba district alone represents only .071 of a penny of the rate levied. That is an infinitesimal levy on local-authority funds.

By way of comparison I want to quote the hon. member's statement that there has been a considerable reduction in the amount of the rate levied since the new valuations have come into force. Even in the area that he is interested in there has been a considerable reduction in rates.

Mr. Sparkes: We have reduced our rates 50 per cent. because the people would not have been able to pay them.

Mr. POWER: The hon. member frequently talks about hon. members "walking in." If any hon. member has stuck his chin out he has done so on this occasion. The hon. member says that the local authorities will be ruined if they do not get more revenue, and then he says that his own local authority has reduced the rates levied by over 50 per cent.

Mr. Sparkes: The soldiers could not pay their rates.

Mr. POWER: He is always on the back of the soldiers. He would attempt to drive to heaven on the back of the soldiers.

The report continues—

> "Considering the services provided by the department which is generally recognised as a very efficient one, this can scarcely be regarded as extortionate. Moreover, the financial position of the local authorities apparently has been so beneficially altered by the new valuations that almost without exception they have framed their budgets on reduced rates in the £, in some cases by more than 50 per cent."

On the admission of the hon. member in some cases, they were over 50 per cent.

For the information of the hon. member for Sandgate, I would point out that the unimproved value of land is arrived at by the Valuer-General in accordance with the Land Sales Control regulation. The valuation in no case exceeds the price of land sold subject to control.

The hon. member for Maree raised the question whether valuations should be made public. The hon. member can obtain the information from the Valuer-General's Department. Until the valuations are proclaimed the information is not made public.

The Leader of the Opposition, dealing with the question of appeals to the Land Court and the judgment just delivered by Mr. Payne, stated that this was the first appeal that had gone to the Land Court. He has been wrongly advised in that matter. The Gatton appeals were not the first appeals. Actually there have been several courts of appeal and most of the appeals have been dismissed. I am not going to accept Mr. Payne as the last word in this matter.

Mr. Sparkes: He is very sound.

Mr. POWER: I do not know the gentleman—I want to be quite fair to him—but it is a question of a difference of opinion about the method employed by the Valuer-General and the method Mr. Payne believes should be applied.

Mr. Wanstall interjected.

Mr. POWER: I am not going to engage the hon. member, I have some excellent men in the Solicitor-General's office.

Mr. Wanstall: What about the fellow who walked out of the court?

Mr. POWER: Let the hon. member address his remarks to him. I want to draw the attention of the Leader of the Opposition to the fact that 2,100 valuations were made in Gatton, and only 24 people appealed against those valuations.

Mr. Sparkes: Every one got a reduction.

Mr. POWER: Thirteen got a reduction. The hon. member is wrong again; he is just a little more than 50 per cent. out as usual. It is a wonder the hon. member does not settle down and be sensible and apply his mind to his work. I point out to the hon. member that 2,100 valuations were made in Gatton and only 24 appeals were lodged.

Mr. Nicklin: Was there any adjustment of those?

Mr. POWER: Yes, there were some adjustments. The hon. member knows the position.

The Valuer-General is willing at all times to confer and make an adjustment. That has taken place on a number of occasions.

An Opposition Member: It took place in Gatton.

Mr. POWER: It took place in Gatton. Twenty-four appeals went to the Land Court.

Mr. Sparkes: More than 24 appeals against valuations.

Mr. POWER: I am afraid I have not the figures with me. They are contained in another report. Mr. Payne would have his own views in the matter.

Mr. Sparkes: You will admit he is pretty sound.

Mr. POWER: I know nothing about him, to be frank, other than that he is a member of the Land Court. I have had no dealings with him. I do not want to criticise him, because he is a judge of the Land Court. I do not want to be accused of having criticised him, but the Valuer-General also has a good deal of knowledge and the directions given to him as a guide are contained in the Valuations of Land Act. He values unimproved land in accordance with the Land Sales Control Regulation, and I do not know by what other means he could determine them. I am not prepared, without going through the report, to accept the decision of the Land Court. I will refer the matter to some of our legal men for opinion.

The Leader of the Opposition is always fair in his criticism and his suggestions are usually worth considering, and I assure him that I agree that a fair method should be adopted when valuing property of the people. That is all the hon. member is asking, and I can assure him that as far as I am concerned I shall be very happy to meet his wishes. I know that the Valuer-General also will do so. I would remind hon. members opposite that legal men have advised their clients to appeal on decisions of judges of the Supreme Court, the Full Court, and the High Court of Australia, from which appeal is made to the Privy Council. Because one man has given a decision against the method of the Valuer-General in fixing land values——

Mr. Wanstall interjected.

Mr. POWER: The hon. member has been away all day defending some case in court and earning money in doing so when he should have been present here attending to his duties. He now comes along with a lot of inane interjections.

Mr. Wanstall: You wish he were away now, do you not?

Mr. POWER: I can assure the hon. member I do not. I put him in the same category as the hon. member for Enoggera.

I am not prepared to say the judgment given by Mr. Payne in the Land Court is the last word. The matter will be investigated by officers of the department, in conjunction with officers of the Crown Law Office. If they think the decision given by Mr. Payne sound we will accept it, but if they think the decision was wrong I can assure hon. members that it will be contested.

Mr. WANSTALL (Toowong) (4.8 p.m.): I rise mainly to refute the untrue statement of the Secretary for Public Works when he accused me of being away from the House all day when he knows that is not a fact. I was here until lunch time, and have been away only for the last hour attending to matters of business. I deny what the hon. member so deliberately stressed on this matter.

On the matter concerning the judgment given by the Land Court this morning, on which the hon. gentleman is going to have further inquiries made, I would point out that the Land Court is constituted for the purpose of determining valuations and unless Mr. Payne of the Land Court is wrong in law I do not see what remedy the Minister would have.

Mr. Power: I shall not have any. If he is not wrong I will accept his decision.

Mr. WANSTALL: Unless he is wrong in law. If he is wrong in fact he will have no remedy. Mr. Payne is president of the Land Court and I speak after having had a great deal of personal experience before him as an advocate. He displays outstanding ability in these matters and has a very rare appreciation of the true principles to apply in fixing the value of land.

I have a copy of his judgment that was delivered this morning. It is quite clear that the principle adopted by him is soundly based upon precedent throughout the long history of the valuation of land.

The principal point made in his judgment concerns the method of approach to this question. He points out that the Valuer-General's

officers were wrong in seeking to value land for rating or revenue or taxation purposes upon the same basis as they would adopt for compensation purposes. That was the main bone of contention between the Valuer-General's Department and the litigants who appealed, and whose opinions were upheld by the President of the Land Court, Mr. Payne.

In addition to that, Mr. Payne pointed out that the officers of the Valuer-General's Department had under-estimated the value of improvements. The effect of that, of course, as pointed out by the hon. member for Sandgate during his speech on the Address in Reply, was wrongly to increase the unimproved value of land. In other words, the valuing officers attributed too small a value to the improvements and too great a value to the unimproved land. That again is a question of fact, and Mr. Payne is the last word on that matter, subject to the right of appeal to the Land Appeal Court, comprising a Judge of the Supreme Court and two members of the Land Court.

So far as the principles applied by the Land Court in making its determination are concerned——

Mr. Sparkes: His predecessor appealed against a decision of the Land Court and came a flop over it.

Mr. Power: I can assure you I do not accept responsibility for anyone else.

Mr. WANSTALL: I am glad the Minister does not in that case, because that did not reflect much credit on the Minister concerned.

The judgment of Mr. Payne sets out the principles of valuation and I am quite certain that if the Minister refers it to his competent advisers they will have no fault to find with those principles of valuation as set out by the Land Court in these matters. Whilst there is always room for differences of opinion as to the actual application of those principles, I am prepared to back the impartial and marvellously experienced judgment of the President of the Land Court against the judgment of an officer of the Valuer-General's Department. Officers of the Valuer-General's Department have a definite interest in sustaining the accuracy of their valuations, whereas the Land Court is completely neutral and completely impartial, and I am very glad that when replying on this point the Minister did make it quite clear that he was not in any way criticising the President of the Land Court.

Mr. Power: Or any member of it.

Mr. WANSTALL: Or any member of it. Only one person is involved here, that is, the President, but I have no doubt that he will adopt the same attitude with regard to any member.

Another point in Mr. Payne's judgment that is well worthy of comment concerns the withdrawal of the Crown advocate from the Court after his argument had been overruled by the Land Court.

Mr. Sparkes: That is unusual, is it not?

Mr. WANSTALL: Not only is it unusual, but I say it is a discourtesy to the Court and most unbecoming of the Crown. I do not know who the advocate was. I may know him personally. He may be a friend of mine. I do not know who he was or what his name was, and I am not criticising him in any way at all, but I know that no advocate appearing for the Crown in those circumstances would, of his own volition, withdraw from the matter, and I blame the department and not the person concerned at all. To say the least of it, it was most discourteous——

Mr. Roberts: Men do some queer things in a moment of anger.

Mr. WANSTALL: That may be the explanation, but I am inclined to think he would not have done that unless he had been instructed to do it by his department. If that is the position, then apart from its being discourteous, it was a most improper thing to do.

When one submits argument to the court one is assumed to rely upon the judgment given by the court, although perhaps one does not agree with it. The last thing to do is to walk out in a huff with your brief under your arm. If that was done by a Crown advocate, it is a most reprehensible act and I am suggesting in all seriousness that the department is to blame and not the particular person.

Mr. Sparkes: The Minister might have instructed him. I make the suggestion.

Mr. WANSTALL: Let it be understood that I am not making that suggestion. The hon. member has the right to make his own suggestion. I am saying that it is the department's responsibility and not that of the person concerned.

It is unfortunate that this department has had such a hesitant and doubtful start in the last four years or so. It is hoped that the staff problems will show improvement in the near future and that the Valuer-General will be able to obtain all the staff he needs to carry out the job in the proper way, not in the present piecemeal way as the result of circumstances. I suggest that the Government are to blame for the present state of affairs, because they are not offering sufficiently attractive salaries to those whom they seek to employ as valuers. You cannot blame a valuer if he goes to the Brisbane City Council to get a higher salary than is offered him by the Government. In the employ of the Valuer-General a valuer would be called upon to spend a good deal of his time away from home in country areas, often living on the road. Until the Government adopt a more generous attitude on the matter of salaries they will not get the necessary staff, without which the Valuer-General cannot do his work.

Hon. W. POWER (Baroona—Secretary for Public Works, Housing and Local Government) (4.18 p.m.): I want to tell the hon. member for Toowong that I have not only the right of appeal on law——

Mr. Wanstall: To the Full Court.

Mr. POWER: The hon. member did not say that. The Valuation of Land Act says—

> "The Land Court, and on appeal the Land Appeal Court, shall have jurisdiction to hear and determine every appeal against a valuation, and for such purposes all the provisions of Part II of the Land Acts, 1910 to 1943, including Division V thereof, so far as the same are applicable, shall extend to the hearing and determination of every such appeal.
>
> "The Land Court (or on appeal the Land Appeal Court) may make such order as it thinks fit, and may either confirm, reduce or increase the valuation, and its order shall be final and conclusive on all parties, except as provided in the last preceding subsection."

It is competent for the Valuer-General to lodge an appeal to the Land Court and for the court to confirm, reduce or increase the valuation. Furthermore, there is the right of appeal by either side on points of law to the Supreme Court or the Full Court.

Mr. Sparkes: You wield the big stick. You have got all the Government money behind you, whereas the poor unfortunate cocky has only a few bob.

Mr. POWER: We want to be fair to all concerned.

Mr. Wanstall: What happened to the appeals you dismissed? I was counsel in those cases.

Mr. POWER: The hon. member is getting a cheap advertisement. I will not be sidetracked by any statement made by the hon. member for Toowong.

Mr. Wanstall: But you authorised the appeals.

Mr. POWER: No appeal can take place without authorisation by the Minister, and as Acting Minister at the time when the appeals came up for authorisation I formally put my signature to them.

I come now to the statement by the hon. member for Toowong about the solicitor walking out of the court. My information is that Mr. O'Sullivan for the appellant applied for an adjournment, which was refused. It was very high-handed on the part of the court to refuse an adjournment, because I understand that in this case the appellant was sick. I think the least the court could have done was to grant the adjournment in the circumstances. The court itself then decided to call the evidence. The solicitor for the Valuer-General then applied for a dismissal and it was refused. The court decided to call the evidence, a Crown witness, of its own motion, and the solicitor for the Valuer-General then withdrew from the case. The solicitor for the Valuer-General evidently took it upon himself to do that as he did not think the action was a correct one. A person who lodges an appeal should have the opportunity of stating his case. His solicitor asked for an adjournment and it was refused. Apparently the court was responsible for the fact that the solicitor for the Valuer-General walked out of the court. I can say this: that whenever any reasonable case is made for an adjournment the officers of my department have always agreed to it. I think it should be given. If a matter comes before a court, both sides of it must be heard, otherwise a miscarriage of justice could take place. In my opinion the action of the court was entirely wrong and high-handed and it would not have done a great deal of harm to grant the adjournment, not at the request of the solicitor for the Crown but at the request of the solicitor for the appellant.

The hon. member for Toowong complained that the Valuer-General had done his work piecemeal but in my opinion he has done an excellent job, having regard to the staff available. It is difficult to retain staff today. The hon. member for Toowong also said that the Brisbane City Council offered better working conditions to valuers than applied in the Government service. That statement is not true. We have recruited staff from outside and we have district valuers in many parts of the State. Let us look at the volume of work already done by the Valuer-General's Department. Since the beginning of 1948 valuations in the following local-authority areas have been carried out: Clifton shire, Drayton shire, Cambooya shire, Pittsworth shire, Highfields shire, Crows Nest shire, Jondaryan shire, Rosalie shire, Millmerran shire, Gatton shire.

Since the beginning of 1949 proclamations have been made in the case of Toowoomba, Dalby, Chinchilla, Wambo, Taroom, Murilla, and Tara.

A tremendous amount of work is involved in carrying out these valuations. Quite a number of valuers have been seconded to the Department of Public Lands to assist in the valuation of land for soldier-settlement purposes. The department has also trained a number of cadets and quite a number have qualified on passing the valuators' examination. The Valuer-General has discussed with me the need for more valuers and I have authorised him to advertise the vacancies but there is difficulty in getting them because they are making a great deal of money in private practice. Quite a number of people have asked members of the staff of the Valuer-General's Department to value estates for them for private purposes. And then we have the suggestion by the hon. member for Toowong that the Valuer-General is doing his work piecemeal and that statement is made in face of the fact that the expenditure by the department last year amounted to £28,000.

I am always prepared to abide by any decision of a court but in this matter provision is made in the Act for an appeal to the Land Appeal Court. We are not restricted to an appeal on law, but we are restricted to an appeal on law from the Land Appeal Court to the Full Court. The judgment was against the Valuer-General and the matter is being considered. It is a question of interpretation and the view taken by the Land Court of the methods employed by the Valuer-General's Department. The Valuer-General contends that the view taken by the court is entirely wrong. There is

a conflict of opinion. The matter is being analysed by the Crown Law Department. If it thinks we should not appeal against the decision the advice will be accepted, but if we do appeal and the court dismisses the appeal we will accept the decision and honour it in the same spirit.

Mr. WANSTALL (Toowong) (4.26 p.m.): The Minister in his reply gave the impression that I indulged in criticism of the Valuer-General. No hon. member can fairly infer that from my remarks. When I referred to the piecemeal work of the department I merely implied that by reason of shortage of staff the Valuer-General was forced to go about the work of valuing the whole of the lands of the State little by little instead of undertaking it as a whole.

Mr. Power: I will accept your apology.

Mr. WANSTALL: It is not a case of an apology.

I will be fairer than the Minister. When I made my remarks about the advocate withdrawing from the court I was relying on Press reports. I made the suggestion that the advocate was obviously instructed by his department to do a certain thing. Since then I have had the opportunity of perusing the judgment of the President of the Land Court, Mr. Payne. Although apparently the Minister was not aware of it, I want to say that Mr. Payne makes it perfectly clear that the advocate acted without instructions. He states at page 19 of his judgment—

> "I am satisfied that, in this matter, the advocate acted without instructions from the Valuer-General or any of his responsible officers, who have always been ready courteously to fulfil all the court's requirements."

I make it quite clear that my previous comment was made in error. I had not then seen this passage in the judgment and if I were not actuated by a feeling of fairness to the Minister I should not have gone out of my way to read this extract from it.

I want to take the Minister to task for criticising the court in the matter of the adjournment. This is all Mr. Payne says on the matter in his judgment—the appellant was named Armstrong—

> "Mr. Armstrong is an elderly man, and an invalid, and Mrs. Armstrong at present is in ill-health. On this ground an application for an adjournment was made on their behalf. The court refused the adjournment as no assurance was forthcoming that either of the owners, or any person on their behalf, would attend to give evidence at an adjourned hearing. Moreover, the court had made an inspection of the land, and had before it a great body of evidence relating to more or less comparable land in the district. It was, therefore, decided to proceed with the hearing."

This was a matter of whether there should be an adjournment or not, which is entirely within the discretion of the court. On the reasons stated here, which appear to me to be eminently fair, the application was refused. The High Court based its decision on the same reasoning when an adjournment was sought in Coward's taxation appeal.

Mr. Power: They gave him an adjournment.

Mr. WANSTALL: A short period for precisely the same reason as stated here. In the case I quoted, there was the added factor of the court's having inspected the land and the evidence of value of comparable land in the district was present, as was not the case in the High Court. The Land Court takes into consideration the value of comparable land throughout the neighbourhood.

To have isolated this appeal would have been a very serious hardship, not only to the court, but to the appellants themselves.

The judgment goes on—

> "Thereupon the official advocate, confusing the matter with an ordinary party issue in other courts, protested, and asked that the appeal be peremptorily dismissed, and the valuation of the Valuer-General be confirmed. On his requests being refused he withdrew from the case. In so doing he acted contrary to law, and in breach of public duty (see Sec. 21 (2) and (3) of the Valuation of Land Acts; and Re Cubbie and other Holdings, Land Appeal Court 7 C.L.L.R. 161, affirmed by the State Full Court on appeal in Australian Pastoral Company Ltd. v. the King, 8 C.L.L.R. 311; and Re Katandra and other Holdings, Land Appeal Court 8 C.L.L.R. 248, affirmed on appeal by the State Full Court 8 C.L.L.R. 411, and by the High Court of Australia 30 C.L.R. 523)."

My purpose in getting to my feet was to be fair to the Valuer-General and to withdraw the wrong statement I made that he was responsible.

Mr. SPARKES (Aubigny) (4.31 p.m.): I too accept the statement that the Minister or his department was not responsible for the withdrawal.

I do appeal to the Minister to consider the matter carefully before he appeals to a higher court, because such an appeal would be very costly to these men, who are only small farmers.

Mr. Roberts interjected.

Mr. SPARKES: The hon. member will rush in. The hon. member probably would not represent some of those poorer people because he might think he would not get his pounds, shillings and pence.

The TEMPORARY CHAIRMAN: Order!

Mr. SPARKES: I hope the Minister will consider that before taking the matter further. The gentleman who gave this decision has a knowledge of land matters second to none in Queensland; no man in Queensland has a better grip of land values than the president of the Land Court, and we are fortunate to have a man of his capabilities representing us on that court.

Mr. Roberts: A good Labour Government appointment.

Mr. SPARKES: It does not worry me whether the Labour Government appointed him. The predecessor of the present Minister appealed against his decision on one occasion and made a perfect fool of himself and this Government.

The TEMPORARY CHAIRMAN: Order!

Mr. SPARKES: I do appeal to the Minister to think carefully over the matter and accept the judgment of the court, which was delivered by a man whose knowledge of land matters is second to none in Queensland.

Hon. W. POWER (Baroona—Secretary for Public Works, Housing and Local Government) (4.34 p.m.): I want to assure the hon. member and members generally that the Valuer-General has no intention of rushing hastily into an appeal in this matter; but I am certainly not going to accept the advice of the hon. member if the Valuer-General, after consultation with the legal men, thinks that the judgment of Mr. Payne is not sound. There is no reason why in that event the matter should not go to the Land Appeal Court for decision.

There is a good deal of merit in the case made by the hon. member as to the increased costs that will have to be met by going to appeal. I have that point in mind, but such considerations must go by the board if it is a question of sustaining a principle that is sound.

It was a Mr. Harland who made the valuation on this occasion and according to the report Mr. Payne made eulogistic reference to his ability and capacity as a valuer. Because the decision made by a member of the Land Court might be wrong, I will not accept the advice of the hon. member for Aubigny that the matter should not be taken further. I can assure the hon. member and this Committee that before any action is taken on this matter every section of the judgment will be carefully analysed by competent legal men.

Mr. Sparkes: They are very small men, are they not?

Mr. POWER: They are competent legal men.

Mr. Sparkes: They are very small men who would have this appeal.

Mr. POWER: That may be so, but some very large wealthy men may be affected by this judgment.

Mr. Sparkes: Do not worry about them; they will look after themselves.

Mr. POWER: If we accept this judgment as a principle and let it go at that, it would be very hard to upset it at a later stage. We will analyse the matter very carefully, and if the legal men of the department think an appeal should be made the matter will be considered and if considered advisable a notice of appeal will be lodged.

Motion (Mr. Power) agreed to.

Resolution reported.

FIRST READING.

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

LOCAL GOVERNMENT ACTS AMENDMENT BILL.

INITIATION.

Hon. W. POWER (Baroona—Secretary for Public Works, Housing and Local Government): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Local Government Acts, 1936 to 1949, in certain particulars."

Motion agreed to.

INITIATION IN COMMITTEE.

(Mr. Hilton, Carnarvon, in the chair.)

Hon. W. POWER (Baroona—Secretary for Public Works, Housing and Local Government) (4.41 p.m.): I move—

"That it is desirable that a Bill be introduced to amend the Local Government Acts, 1936 to 1949, in certain particulars."

The Bill is a very short measure containing five clauses. Three of the provisions arose from requests made by the Local Authorities Association at its annual conference. The other two provisions arise from requests made by the Brisbane City Council and the Winton Shire Council respectively.

The matters raised by the local authorities number three. The first is the raising of the limit on the value of goods, materials, &c., that may be ordered without calling tenders from £100 to £250. The £100 limit has been the law for many years and increased costs make an increase in this limit imperative.

The next provision enables a local authority to insure its members against injury, either fatal or non-fatal, arising out of or in the course of the duties of their office, such as in attending meetings, making authorised inspections and the like. The Local Authorities Association considered this matter and asked that local authorities be allowed to take out insurance policies and to pay for them out of their funds against injury, either fatal or non-fatal, arising out of anything in the course of their duties attending council meetings or making inspections.

Mr. Sparkes: If they have a car collision on the road coming in would they be covered under the Bill?

Mr. POWER: Only the persons, not the vehicle.

A further provision indemnifies the council against claims for damages or compensation that might arise because a grid erected on a road with the permission of the local authority fails to prevent the incursion upon land of dingoes and wild dogs. This indemnity follows a similar indemnity given to the Main Roads Commission under the Main Roads Acts.

I have some further information in connection with this provision because it is important. The law with respect to licensed gates at present is that the local authority is the licensing authority. This is properly a function of the local authority as it has control of roads and gates, which constitute obstructions on roads. The local authority has to see to the public interest in the matter.

To protect the public interest, applications have to be advertised. The advertisement has, *inter alia*, to give a description of the gate to be erected. That is, its width, type of construction, and so on. Persons have a right of objection, and the application has to be judicially considered by the local authority and its decision given. The local authority can require the erection of a grid as well as a gate and can require the grid to be erected to such specification as it prescribes.

If the local authority grants a licence, the licensee has the responsibility of keeping the gate and the grid in good and sufficient repair and of maintaining the road for a distance of 50 yards on each side of the gate and grid in reasonable repair. If he fails to do so he becomes liable to a penalty of £10, and the local authority may cancel the licence.

In addition to all the foregoing safeguards, there is the overriding power of the Governor in Council, who may cancel any licence. This power has been exercised in the past. It was recently exercised in the Rosenthal shire. A complaint must be made to the department before it can act. There have been very few complaints as to the standard of gates in the past. I cannot trace any of recent years. If, however, a gate was not properly constructed or maintained, this would be sufficient ground for the Governor in Council to act.

The power proposed to be vested in the local authority is already vested in the Main Roads Commission in respect of main roads. The Local Authorities Association has asked for similar power to be vested in the local authority in respect of other roads.

Mr. Sparkes: To bring them into line with the Main Roads Commission?

Mr. POWER: Yes.

Another provision in the Bill deals with a matter raised by the Brisbane City Council and is based on the local-government law of New South Wales. When constructing, reconstructing, remetalling or repaving a road, a local authority will be authorised to place under such road conduits to carry gas service pipes and water pipes. Before laying the conduits, a local authority must consult the gas company as to the most suitable form of conduit, the method of laying and the like. After the conduit is laid all new service pipes for gas and water to be laid in the road must be laid through the conduit. When the gas company first uses the conduit, it must pay half the cost of construction to the council.

This provision will prevent unnecessary excavation of roads where capital works have been laid down. How often have we seen good bitumen roads put down and a gang from the council come along and dig up the road to put down a water main? Similarly gas companies have dug up roads to put in gas mains. Once the conduits are laid they will eliminate any damage to roads and thus save ratepayers and the business community a considerable amount of money.

Another provision of the Bill deals with a matter raised by the Winton Shire Council. In 1947 provision was made in the Local Government Act enabling a local authority to provide and maintain licensed premises as a function of local government. It was provided that the local authority had to let the premises; and it was further provided that between the letting of leases a local authority could with the approval of the Governor in Council carry on the premises by its own nominee, for periods up to three months, with a maximum of 12 months in all. The Winton Shire Council is providing licensed premises in Winton. The old premises were destroyed by fire and the council is pressing ahead to replace them. It is likely to be two years, however, before those premises can be replaced. In the meanwhile the council desires to carry on the temporary bar. It has been carrying on the temporary bar with the approval of the Governor in Council but the time limit of 12 months will expire before the premises can be rebuilt. The council is making a financial success of its venture and there is no reason why it should not carry on until proper premises can be provided. The provision in the Bill is to the effect that where temporary premises are in use through fire, tempest or like cause the time limit of 12 months does not apply. However, the matter will still be under review by the Governor in Council, who will fix the actual time limit, having regard to the circumstances of the case. This will prevent any possibility of abuse.

A similar position will soon arise in Thargomindah where the local authority will also be replacing licensed premises destroyed by fire.

Recently, I had occasion to visit Winton on matters connected with the activities of the Department of Public Works and whilst there I met members of the local authority. Hon. members will know that since the fire that took place at Winton there has been no first-class hotel there. They will also recollect that we gave local authorities certain powers in connection with the running of licensed premises. It has been impossible for this local authority to get the materials to carry out the rebuilding of this structure. The plan is an excellent one, something worthwhile and will be of advantage to Winton when erected. Instead of saying, "You have to transfer the temporary bar to somebody else," we will allow the authority to carry on until the building can be erected.

Mr. Sparkes: Allow the council to carry on?

Mr. POWER: Yes. It is making £100 a month and the money is going to the funds of the local authority. We propose by the

amendment that the Governor in Council shall have power to grant an extension of time.

These amendments have not been initiated by me as Minister in charge of local government and I feel sure that as they have come from local authorities, of which hon. members opposite speak so much, they will have the unanimous support of both sides of the Chamber.

Mr. SPARKES (Aubigny) (4.50 p.m.): Most suggestions emanating from local authorities are very sound because members of local authorities give a very valuable service to the State for little or no return. Country members of councils especially are practical men and any suggestions coming from them are usually practical suggestions. I am pleased to see that the Minister is benefiting from these suggestions. I hope he will continue to do so.

Some time ago the question was raised whether the grids built by the Main Roads Commission were allowing dingoes into people's properties and I take it that the Minister proposes that local authorities should be brought under the same obligations as that now imposed upon the Main Roads Commission in this respect.

Mr. Power: Yes, to give the same protection.

Mr. SPARKES: Very good; I am very pleased to hear that. My own shire in particular is very interested, as we are on the border fence giving protection from the inside from the dingo country.

Now I come to the question of gates. In some cases they exist only for the purpose of protecting a number of men. I take it that the gates to be erected will be up to the standard required by the local authority concerned?

Mr. Power: Yes.

Mr. SPARKES: I have no quarrel with that.

Mr. AIKENS (Mundingburra) (4.53 p.m.): It is pleasing to know that the Secretary for Local Government introduces legislation from time to time based on representations made to him from the Local Authorities Association, which is the governing body of local authorities in Queensland, thus showing that he pays some attention to their requests.

Mr. Power: I pay a great deal of attention to their requests.

Mr. AIKENS: Sometimes I think the hon. gentleman does not pay as much attention as he should and it is very gratifying to know that he pays them some attention. Some Ministers do not pay them any attention but stick to their own peculiar ideas.

I come now to the subject of the insurance of aldermen of councils. I was under the impression that the Act already provided for that. Indeed at Townsville just before the last elections we had arranged to insure aldermen in the sum of £1,000 in the event of death. That is to say, if they were killed in coming to a council meeting or in going home or in making an inspection they would be covered to the extent of £1,000. We had actually filled in the forms supplied to us from the State Government Insurance Office but the local-authority elections intervened and I do not know whether the new council will carry on the scheme. In any case we had made definite arrangements to insure the aldermen against injury and death in the performance of their aldermanic duties.

Mr. Roberts: Out of what fund would the premium be paid?

Mr. AIKENS: Out of the general fund, I suppose, but we should have found some fund out of which to pay it.

Mr. Power: We are giving local authorities that power.

Mr. AIKENS: We would not have done anything that was obviously wrong but we thought we had the authority to do it. In any case I suppose the Minister would have been good enough to bring a Bill down later on and validate the illegal thing that we had done. At one time we opened a municipal fruit market, ice works and half a dozen other things that were illegal, but eventually the Government came along and validated everything we had. Whether we had the legal right or not does not matter; the fact remains that we were going to insure the aldermen and had actually filled in the forms supplied to us by the State Government Insurance Office. I do not know whether the new council at Townsville will go on with the job.

Mr. Low: What about those councillors killed at the election?

Mr. AIKENS: They were politically killed, so they will have to bear the expense of their political demise.

I want to remark on the fact that the Minister has increased the amount that a local authority can spend without calling tenders from £100 to £150.

Mr. Power: From £100 to £250.

Mr. AIKENS: I thank the Minister. That shows the tremendous inflationary spiral that is taking place. If we do not take care and stop the tremendous increase in the cost of living and the cost of material, we shall have to bring down another Bill before the session is ended to increase it to £1,000 and £1,500. The people do not realise the real danger in the inflationary spiral. Quite recently we opened in Townsville a Sister Kenny Memorial Park. The other day I got a letter from Italy addressed to Sister Kenny, care of the Sister Kenny Park, Townsville and I forwarded it to Sister Kenny at Minneapolis. The point I wish to make is that the stamps on that letter, which was an air-mail letter, amounted to 178 lire. Prior to the war a lire was worth about 3d., so it took about £2 worth of stamps to send a letter from Italy to Queensland 10 years later. If we do not do something about rising costs of living it will cost us about £2 to send an air-mail letter. The Minister is facing facts over

which he has no control and I do not know that we can personally blame him for the staggering rise in the cost of living. All he can do is to join in the game of the dog chasing its tail and, as prices rise, to bring down amendments of the various Acts over which he has control so that they can keep pace with the rising cost of living.

Hon. W. POWER (Baroona—Secretary for Public Works, Housing and Local Government) (4.58 p.m.): I want to thank the Committee for the way it received this Bill. I want to assure the hon. member for Aubigny that I have a very great interest in the work of local authorities and appreciate the work they have done. It is amusing to me that the hon. member for Mundingburra, who remained an alderman of the city of Townsville for so long, did not know the amount of money a local authority could spend without calling tenders. It shows he had little or no knowledge of local-government law and it is pleasing to know that he and his followers have been replaced by men, who, I hope, do know something of local-government law.

Motion (Mr. Power) agreed to.

Resolution reported.

FIRST READING.

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

METROPOLITAN WATER SUPPLY & SEWERAGE ACTS AMENDMENT BILL.

INITIATION.

Hon. W. POWER (Baroona—Secretary for Public Works, Housing, and Local Government): I move—

> "That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Metropolitan Water Supply & Sewerage Acts, 1909 to 1945, in a certain particular."

Motion agreed to.

INITIATION IN COMMITTEE.

(Mr. Hilton, Carnarvon, in the chair.)

Hon. W. POWER (Baroona—Secretary for Public Works, Housing, and Local Government) (5.2 p.m.): I move—

> "That it is desirable that a Bill be introduced to amend the Metropolitan Water Supply & Sewerage Acts, 1909 to 1945, in a certain particular."

The Bill is a short measure containing only one provision.

Under the present Act, Section 33 authorises the council to undertake construction work outside the district. Section 34 confers powers of resumption, but these powers do not extend outside the district. The abolished Metropolitan Water Supply and Sewerage Board had powers of resumption outside the district, but when the Act was amended in 1928 and the council took over the functions of water supply and sewerage, the power of resumption was inadvertently curtailed. The Bill restores to the council the powers held by the abolished board in this behalf.

The matter is now raised as the council has to build new trunk mains from Mt. Crosby and part of the route of such mains is outside the district, consequently the council must have the power to resume the land required for the route of such mains.

Motion agreed to.

Resolution reported.

FIRST READING.

Bills presented and, on motion of Mr. Power, read a first time.

The House adjourned at 5.6 p.m.