

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 2 APRIL 1968

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Mr. SPEAKER (Hon. D. E. Nicholson, Murrumba) read prayers and took the chair at 11 a.m.

QUESTIONS

EGG PRODUCTION AND PRICES

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

(1) What is the percentage of—(a) large, (b) medium, (c) small, and (d) pullet eggs in the total annual egg production in South-Eastern Queensland?

(2) As from February 26, what is the advance price per dozen paid to the grower for each of these grades?

Answers:—

(1) "Information is not available on the percentage by grades of total annual egg production in South-eastern Queensland. The only figures available relate to deliveries to The Egg Marketing Board. The progressive position in 1967-68 up to March 15 of receivals by The Egg Marketing Board is as follows:—

	Per cent.
Large (24 oz.)	43·68
Medium (21 oz.)	31·52
Small (18 oz.)	14·56
Pullet (15 oz.)	2·62
Second quality eggs	7·44
Useless	0·18
	100·00

(2) "Advance payments to growers as from February 26 were as follows:— 24 oz., 41 cents per dozen; 21 oz., 29 cents per dozen; 18 oz., 22 cents per dozen; 15 oz., 18 cents per dozen. As from March 11, 1968, the advance paid on the 24 oz. grade was reduced by 3 cents to 38 cents per dozen. Other advances remained unchanged. Growers are required to pay hen levy of one dollar per bird per annum, and this is estimated at 6·66 cents per dozen."

DEPTH OF ROLL-ON/ROLL-OFF SHIPPING TERMINAL SITE, BRISBANE

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

(1) What was the original depth of dredging at the proposed roll-on/roll-off shipping terminal site in Brisbane?

(2) Was this depth completed? If so, when and at what cost?

(3) Has it now been found necessary to increase the depth? If so, to what extent and at what additional cost?

Answers:—

- (1) "Twenty-seven feet L.W.S.T."
- (2) "This work was completed at the cost of the Australian Coastal Shipping Commission on March 20, 1967. The cost was \$99,699."
- (3) "It has been found necessary to increase the depth to 30 feet L.W.S.T., but an estimate of this cost has not yet been prepared. The full cost will be a charge to the Commission."

LOSS OF PAY BY HIGH-SCHOOL TEACHERS
ATTENDING PROTEST MEETING

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

(1) Did any high-school teacher who attended a meeting on the afternoon of Wednesday, November 29, 1967, suffer a reduction in salary?

(2) If so,—(a) how many teachers were penalised, (b) for what period of time were they considered absent from duty, (c) what was the amount of each penalty, and what were the factors involved in the amount decided, (d) who imposed the penalty and under what Acts or Regulations was this decided, (e) what was the classification of the officer who signed the letter to the teachers notifying the penalty imposed, (f) was this penalty subject to confirmation by any other officer, and if so, by whom, (g) were the teachers concerned made aware of any right of appeal that lay against this decision, and (h) did any of the teachers lodge appeals against the penalties and, if so, to whom and with what result?

Answers:—

(1) "Pay for the period of unauthorised absence was deducted from the salary of each teacher concerned."

(2) "(a) 139. (b) For the actual period during which they were absent. Each teacher was advised of this period. (c) \$10. The nature of the offence. (d) The Director-General of Education in terms of the Public Service Acts. (e) Director-General of Education. (f) No. (g) The teachers concerned should be aware of the provisions of the Public Service Acts and Regulations in this regard. (h) Yes. Appeals were made to the Public Service Commissioner. He confirmed the penalties imposed."

LAUNCH-HIRERS CONTRACTING OUT OF
CIVIL LIABILITIES

Mr. Coburn for **Mr. Aikens**, pursuant to notice, asked The Treasurer,—

(1) How many launches are plying for hire in Queensland for the purpose of carrying passengers and are they all licensed to do so?

(2) How many of them issue tickets on which is printed an intimation that the launch-owner is completely absolved from the payment of any damages in respect of injury or death sustained by a passenger resulting from any form or degree of neglect or negligence by the launch-owner or any employee or agent?

(3) Has this action of launch-owners been examined to establish its legality and, if it be at present legal, does the Government propose to take any action to provide passengers on launches the same legal protection as passengers on other forms of transport?

Answers:—

(1) "There are 365 licensed passenger carrying launches. I am not aware of any passenger carrying launches which are not licensed."

(2) "This information is not known."

(3) "A very complete examination of this matter has been and is being undertaken by my officers and I expect to receive a report on the whole matter shortly."

AGREEMENT BETWEEN TOWNSVILLE CITY
COUNCIL AND YARRAWONGA PTY. LTD.

Mr. Coburn for **Mr. Aikens**, pursuant to notice, asked The Minister for Local Government,—

(1) Was an agreement entered into on June 20, 1962, between the then Townsville City Council and Yarrowonga Pty. Ltd. submitted to him or his Department for approval and was such approval given?

(2) If it were not so submitted, will he now examine the agreement in order to determine whether any rating concessions granted to Yarrowonga Pty. Ltd. in the agreement are in accord with the Local Government Act or any other relevant law, and inform the House on the matter?

Answers:—

(1) "No."

(2) "The Question seeks an expression of opinion on a question of law, such as the interpretation of a particular document."

RENTS PAID BY HEADMASTERS FOR
DEPARTMENTAL HOUSES

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

(1) Where Departmental homes are provided for the headmasters and principals of State schools, what weekly rental is charged?

(2) When did the last rise take place and what was the previous rental?

(3) Is there any intention to seek a further rise in the near future?

Answers:—

	Rate Per week \$
(1) "(a) Principals of high schools (Public Service Housing Scheme	11.00
(b) Head teachers of primary schools (Agreement Under Teachers' Award—State)—	
Primary schools in classes 1 to 4—	
From December 4, 1967	8.00
From January 1, 1969	9.00
From January 1, 1970	10.00
From January 1, 1971	11.00
Primary schools in classes 5 and 6—	
From December 4, 1967	3.00"
	Rate Per week \$
(2) "(a) Principals of State high schools—	
Last increase from February 1, 1965.	
Rate prior to February 1, 1965	10.00
(b) Head teachers of primary schools—	
Prior to December 4, 1967, provided free of rental."	
(3) "This matter is subject to review from time to time by the Public Service Commissioner."	

NEW POLICE STATION, TOWNSVILLE

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

(1) As the main building housing police in Townsville is quite obviously at the end of its useful life and as staff are forced to work in conditions which contravene all accepted industrial principles, will he give every consideration to providing a new and modern police headquarters there during the next financial year?

(2) What further staff can be anticipated for this centre in the near future?

Answers:—

(1) "There is no proposal at present for the erection of a new police station building at Townsville. Proposals to improve the accommodation position are under consideration."

(2) "Additional police personnel are not available for allocation to the Townsville police station. In the event of an increase in the strength of the Police Force the need for additional staff at the station will be considered."

BOOKMAKERS' BETTING BOARDS AND TICKETS

Mr. N. T. E. Hewitt, pursuant to notice, asked The Treasurer,—

Does the Racing and Betting Act stipulate, where a teleprinter service is installed, whether (a) bookmakers are responsible for the setting of boards at the opening of betting, (b) any price fluctuation should be changed by himself or whether alteration can be made by a member of his staff, if so desired, and (c) bookmakers should at all times write tickets during the course of betting on any race?

Answer:—

"(a and b) Whilst boards are not a requirement under the Racing and Betting Acts I can see no objection to a member of a bookmaker's staff setting or altering the board provided that bookmaker is on the stand accepting responsibility. (c) I refer the Honourable Member to section 97 of the Acts. It is the practice to allow one clerk to be employed by a bookmaker to write tickets provided the bookmaker is on the stand accepting responsibility. In no circumstances can the bookmaker and his clerk both write tickets at the same time."

CATTLE STUD LEASES

Mr. N. T. E. Hewitt, pursuant to notice, asked The Minister for Lands,—

(1) What is the total number of stud leases issued since January 1, 1958?

(2) Of the above, how many are cattle stud leases in what is known as the cattle tick area of Queensland?

(3) What are the largest and smallest numbers of bulls required to be sold by any one stud in conformity with stud lease granted within the tick area?

(4) Have all studs been requested to certify that they have been selling a specified number for five years prior to applying or have they been given a chance to qualify for a stud lease?

Answers:—

(1) "Twenty-one stud leases have been issued since January 1, 1958, 15 of which were for the production of stud Merino sheep and six of which were for the production of stud beef cattle."

(2) "The six cattle stud leases were situated in what is known as the cattle tick area of Queensland."

(3) "The smallest number of bulls to be sold annually was 60 and the highest 150."

(4) "Of the six cattle stud leases issued, two were renewals of existing stud leases and four were new stud leases over areas held under some other tenure. The law states that an application for a stud lease must be rejected unless evidence is produced that the number of stud beef bulls of a particular breed produced on the holding to which the application relates and sold for breeding purposes elsewhere than on such holding during the period of three years next preceding the date of application averaged not less than sixty yearly. In respect of the four new leases, evidence as required by law was produced and in every case the new stud lease was granted upon the recommendation of the Stud Advisory Committee (Cattle)."

PRICE OF ELECTRICAL GOODS

Mr. Sherrington, pursuant to notice, asked The Minister for Labour and Tourism,—

In view of the recent Press announcement that the price of electrical goods would increase by some ten per centum,—

(1) Has any investigation been made by the Commissioner for Prices into what circumstances justified such a steep increase?

(2) Are investigations carried out into increased prices of any commodity?

(3) What is the present numerical strength of the Prices Branch and what are their classifications?

Answers:—

(1) "The only electrical goods controlled under the State Profiteering Prevention Acts, when this Government took office, were cooking and kitchen utensils and domestic sewing machines. All other electrical items were either not controlled or were released from control by the previous Labour Government. The Press announcement included heavy electrical equipment, such as switchboards, transformers, electric motors, cables, &c. Wage increases granted recently under the Federal Metal Trades Award and, to a lesser extent, the rise in the price of copper, were blamed for the increases. I also add that, in reply to a letter received from the Trades and Labour Council on this same matter, dated March 21, I replied, on March 27, and stated that, if the Trades and Labour Council can provide me with specific details of unjustified increases in prices of home electrical appliances, manufactured in Queensland and distributed in Queensland, I shall have them investigated."

(2) "Yes. As stated by me publicly on January 27, 1967, and by the previous Premier on May 11, 1967, prices surveys have been continued and are continuing, in regard to a cross-section of commodities in every day demand."

(3) "Four, in respect of which the salary classifications per fortnight are:—

Minimum	Maximum
\$278.90	\$286.90
\$149.30	\$157.30
\$45.60	\$138.70
\$39.00	\$94.90

The Commissioner of Prices is also chairman and executive officer of The Fish Board and The North Queensland Fish Board."

CONSTRUCTION OF HIGH SCHOOL, ACACIA RIDGE

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

(1) In view of the ever-increasing number of pupils reaching secondary school age in the Coopers Plains, Acacia Ridge, Calamvale and contiguous areas, what plans have been made to construct a high school on the land held at Acacia Ridge for the purpose?

(2) When will the work of construction commence?

Answers:—

(1) "No plans have been made for the construction of a high school at Acacia Ridge."

(2) "The matter is under continual review and a high school will be provided when it is considered that students living in the area cannot be provided for in existing schools in neighbouring localities."

GAMMA GLOBULIN IMMUNISATION AGAINST HEPATITIS

Mr. Sherrington, pursuant to notice, asked The Minister for Health,—

In view of the ever-increasing incidence of infectious hepatitis and as a gamma globulin immunisation is available through private medical practitioners,—

(1) Has the immunisation proved to be effective?

(2) What is its cost?

(3) Has any investigation been carried out into the possibility of a free immunisation programme run by his Department?

(4) Is the gamma globulin immunisation in plentiful supply?

(5) If the price of the drug is so prohibitive as to preclude the possibility of a State-wide programme, has an approach been made to the Commonwealth Health Minister with a view to a joint programme?

Answers:—

(1) "Immune globulin, also known as gamma globulin, is recommended by most health authorities for the protection of close family contacts of a patient with hepatitis, if given as soon as possible after the first known exposure to infection. Given early enough it will protect against hepatitis for up to six months."

(2) "There is no cost to the patient for this product other than for the medical fee in giving it. Gamma globulin is manufactured by the Commonwealth Serum Laboratories from blood donated to the Red Cross blood banks, and the Commonwealth Government meets the cost of processing. It is supplied on the order of a doctor."

(3) "As the immunity conferred by gamma globulin lasts only a few months, it is not suitable for mass use."

(4) "Yes."

(5) "The product is available free of cost."

LABELLING OF PHENACETIN

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

Further to his Answer to a Question asked by the Honourable Member for Port Curtis on November 16, 1967, concerning the availability of phenacetin as an analgesic and the opinion of the National Health and Medical Research Council that a warning label stating "This medication may be dangerous when used in large amounts or for long periods" is necessary, what are the latest available figures relative to old stocks and when will the new regulations reported to be effective as from January 1, 1968, operate?

Answer:—

"Stocks of phenacetin not labelled in accordance with the recent Poisons Regulations amendment still exist in many parts of the State and no estimate of the amounts involved can be obtained at short notice. However, the trade will be informed that no sales of phenacetin and its compounds can be made after July 1, 1968, unless correctly labelled."

PROTECTION OF PRAWNING INDUSTRY, GULF OF CARPENTARIA

Mr. Wallis-Smith, pursuant to notice, asked The Treasurer,—

(1) Is he aware that it has been reported in the Press that a number of foreign prawning trawlers in the coming prawning

season will be operating in the Gulf of Carpentaria and that hundreds of tons of prawns will be processed and shipped to overseas markets?

(2) Has he considered taking appropriate measures to have the Gulf of Carpentaria waters included as territorial waters? If not, will he give the proposal his attention in an effort to safeguard the future of our prawning industry in the Gulf?

Answers:—

(1) "Yes."

(2) "Waters in the Gulf beyond the 12-mile limit are international waters and no action by the Commonwealth or the State can alter this position."

DIMBULAH-CHILLAGOE ROAD

Mr. Wallis-Smith, pursuant to notice, asked The Minister for Mines,—

In view of the increasing popularity of the Chillagoe Caves and the increased use of the Dimbulah-Chillagoe road by road hauliers and tourists, will he give early attention to the road, which has been severely affected by heavy rains?

Answer:—

"Repair of the road will be dealt with as a matter of routine by the District Office of the Main Roads Department, which will also no doubt be considering the possibility of recommending improvements in the next financial year."

SCHOOL BUILDINGS AND STAFFING, MITCHELL RIVER AND EDWARD RIVER ABORIGINAL COMMUNITIES

Mr. Wallis-Smith, pursuant to notice, asked The Minister for Works,—

(1) Have the schools at Mitchell River and Edward River communities been built and, if so, is the accommodation for pupils and teachers adequate and of a standard comparable with that at State schools throughout Queensland?

(2) How many teachers from the Education Department were appointed at each of the schools at the beginning of the 1968 school year?

(3) Did all the appointed teachers take up duty at the appointed time? If not, when did the replacements take up duty?

(4) Is it intended to fully staff the schools with teachers from the Education Department and, if so, when will the additional appointments be made?

Answers:—

(1) "School buildings have been erected at Mitchell River and Edward River communities. The accommodation is adequate and of a standard comparable with that provided at State schools in Queensland."

(2) "At the beginning of the 1968 school year two teachers from the Education Department were appointed to the school at Mitchell River and one to the school at Edward River."

(3) "One teacher appointed to the Mitchell River school did not take up duty. A teacher in replacement will be appointed as soon as possible."

(4) "It is intended to fully staff these schools with teachers from the Education Department when funds and circumstances permit."

Mr. P. WOOD (Toowoomba East): I ask Questions 17 and 18 standing in my name. I have been informed that a third question of which I gave notice has been disallowed because the same question was asked by the hon. member for Maryborough on 20 March. I regret, Mr. Speaker, that I did not have the opportunity to discuss the matter with you before the sitting commenced this morning, but the question asked by the hon. member for Maryborough on 20 March—

Mr. SPEAKER: Order! The disallowance of a question cannot be made the subject of debate.

Mr. P. WOOD: With due respect, the question asked by the hon. member for Maryborough and the one of which I gave notice are not the same.

Mr. SPEAKER: Order! In my opinion, they are the same and they have been adequately answered; so there will be no further discussion on the matter.

Mr. P. WOOD: They are not the same question.

Mr. SPEAKER: Order! If the hon. member continues to argue with the Chair I shall deal with him.

Mr. P. WOOD: Mr. Speaker—

Mr. SPEAKER: Order! If the hon. member continues to interject, I shall also disallow his two questions on the Business Paper.

Mr. P. WOOD: I ask Questions 17 and 18.

RESIGNATIONS OF SCHOOL TEACHERS

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

How many teachers have resigned or given notice of resignation from January 1 to the present date?

Answer:—

"Eight hundred and four teachers have resigned or given notice from January 1 to the present date."

CLASSIFICATION OF TEACHERS UNDER EMERGENCY TEACHER TRAINING SCHEME

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

What classification will be granted to teachers undergoing the emergency training scheme on the completion of their training?

Answer:—

"Teachers on probation with salary as follows:—(a) Non-graduates—\$109.20 per fortnight for men, \$103.80 per fortnight for women. (b) Graduates—\$138.20 per fortnight for men, \$132.40 per fortnight for women. In addition teachers will become eligible for the high-school allowance of \$6.15 per fortnight. Graduates will also become eligible for the graduate allowance of \$7.70 per fortnight."

SAND MINING LEASES

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

(1) What is the number of mineral sand mining leases at present approved by his Department?

(2) What are the names of the firms and companies and where are the locations of the approved leases?

(3) What was the amount of royalty received up to March 1, 1968, from such companies and firms?

(4) What is the number of mineral sand prospecting leases presently held by firms and companies and what are the locations?

Answers:—

(1) "One hundred and ninety-eight dredging leases, mineral leases, special mineral leases and applications therefor."

(2) "This material is extensive and covers three double pages—the equivalent of six foolscap pages of typing. This is tabled for perusal by the Honourable Member."

(3) "\$365,848.23."

(4) "Twenty-two. A separate statement giving particulars is also tabled for the Honourable Member's information."

Paper.—Whereupon, Mr. Camm laid upon the Table of the House the statement referred to.

EXPORT OF SUGAR AND WHEAT TO JAPAN

Mr. Davies for **Mr. Lloyd,** pursuant to notice, asked The Premier,—

(1) Has his attention been drawn to the possible detrimental reaction in Japan to recent outbursts by the Deputy Prime Minister, Hon. J. McEwen, relating to the Japanese Trade Agreement and to the

possible effects of these outbursts on exports of Queensland sugar and high protein quality wheat?

(2) In view of the great importance of these industries to the State's economy, what action is his Government taking to ensure that the industries, particularly the sugar industry, will not be subjected to the introduction by Japan of more severe restrictive trade practices than at present exist in regard to price and market?

(3) As an apparent relationship exists between his Government and sections of Japanese capital, has the Government made any recent attempts to secure an improved sugar price from Japanese importers?

Answers:—

(1) "I am aware of comments recently made by the Right Honourable the Deputy Prime Minister in relation to some aspects of Australian trade with Japan, but I cannot accept that these comments could adversely affect Queensland trade in sugar and wheat."

(2) There is no suggestion that the Queensland sugar and wheat industries will be subject to more restrictive trade practices on the Japanese market. Present trade relations with Japan are governed by the trade agreement initially negotiated by Mr. McEwen in 1957. Within the terms of the trade agreement exports to Japan of Queensland wheat, sugar, coal and other commodities have vastly expanded. There is no reason to expect that this trend will not continue."

(3) "The Government has consistently endeavoured to secure higher prices for Queensland sugar not only on the Japanese market but on all world markets and will continue to do so."

ADVERTISEMENT FOR SALE OF CROWN LAND, BRIBIE ISLAND

Mr. Bromley, pursuant to notice, asked The Minister for Lands,—

(1) Is he aware of an advertisement sheet which was issued by the Department of Lands and used in the sale of Crown Land in the Parish of Woorim, County of Canning in 1964, stating that both electricity and town water supply were available on the island?

(2) Is he also aware that neither water nor electricity was available at the site of the allotments offered for sale at that time and that electricity is still not available there?

(3) As the text of this advertisement would convey the impression that the services were available at the estates offered for sale and as the service of electricity has not yet been provided, what action does he intend to take to provide it?

(4) Would he take the necessary steps to ensure that this type of advertising does not occur again?

Answer:—

(1 to 4) "These Questions relate to an action which is pending in the District Court at Brisbane. A date of hearing was fixed in the summons on the plaint and the action is on the list of matters awaiting trial. The Questions, therefore, relate to a matter which is *sub judice*."

REASONS FOR RESIGNATIONS OF SCHOOL TEACHERS

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

(1) What were the main reasons for resignation given by the 1,112 teachers who resigned in 1967 for reasons other than marriage?

(2) For what reasons did the 102 secondary school teachers with degrees resign?

Answers:—

(1) The main reasons, other than marriage, given for resignation by teachers during 1967 were:—Family reasons (females), travel overseas, leaving the State, other employment, to attend the University."

(2) "Reasons for resignation by secondary teachers, with degrees, during 1967 were:—Family reasons (females), marriage, leaving the State, other employment, to attend the University, ill-health."

GENERAL PRIMARY COURSE, TEACHERS' COLLEGES

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

(1) Of those who failed first or second year examinations in the "General Primary" course at Teachers' Colleges in the years 1961 to 1967, how many have been admitted to the teaching service?

(2) For what reasons were Teachers' College Scholarships cancelled in the years 1961 to 1967?

Answers:—

(1) "Nil."

(2) "(a) Inability to satisfy college examination requirements; (b) Medical unfitness."

TEACHING OF ASIAN LANGUAGES IN STATE SECONDARY SCHOOLS

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

Has consideration been given to the teaching of Asian languages, especially Indonesian, in State secondary schools?

Answer:—

"Yes. Japanese is available in four city high schools and in the Toowoomba and the Townsville high schools. Indonesian was considered, but Japanese was preferred, mainly because there was a body of trained teachers of this subject available."

INSTALLATION OF SHIPS' GARBAGE INCINERATORS

Mr. R. Jones, pursuant to notice, asked The Treasurer,—

(1) Has Queensland accepted full financial responsibility for the installation of incinerators at portsides for disposal of ships' garbage?

(2) If so, has his Government made any prior or recent request to the Commonwealth for financial assistance for the incinerators and, if not, why not?

(3) Can he explain why New South Wales, Western Australia and Tasmania are being granted full costs of their port incinerators while it is reported that Queensland is not?

Answers:—

(1) "No."

(2 and 3) "See Answer to (1)."

REVALUATION OF JUNIOR AND SENIOR EXAMINATION PAPERS

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

(1) Will he supply the figures in regard to the number of applications for the revaluation of 1967 examination papers in (a) Junior and (b) Senior and, if so, what were the numbers, the charge levied on individual papers and the total amount of moneys received?

(2) Of the papers revalued, how many were rejected and how many received higher or lower marks, respectively?

Answers:—

(1) "(a) Junior—(i) 6,409; (ii) \$1 per subject except in the case of English, book-keeping and art, where the fee was \$2; (iii) \$8,085. (b) Senior—(i) 7,768; (ii) \$4 per subject; (iii) \$31,072."

(2) "(a) Junior—The results in 5,988 cases were confirmed; in 421 cases the results were raised; and in no cases were the results reduced. (b) Senior—The results in 7,307 cases were confirmed; in 461 cases the results were raised; and in no cases were the results reduced. Note: In all cases where the results were raised, the revaluation fee was refunded."

RAILWAY STATION-MASTERS, ASSISTANT STATION-MASTERS AND NIGHT OFFICERS

Mr. R. Jones, pursuant to notice, asked The Minister for Transport,—

What is the number in each instance of the Railway Department's station-masters, assistant station-masters and night officers serving within the classifications at June 30, 1957, and 1967?

Answer:—

"Classifications	As at	
	30-6-57	30-6-67
Station-masters ..	416	375
Assistant station-masters ..	423	410
Night officers ..	303	325
Staff officers ..	82	—
	<u>1,224</u>	<u>1,110"</u>

APPOINTMENT OF AGRONOMIST, MARYBOROUGH DISTRICT

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

Has an agronomist been appointed to the Maryborough district? If not, when does he expect to make this necessary appointment?

Answer:—

"No agronomist has yet been appointed to the Maryborough district. Senior officers of the Department of Primary Industries inspected the district on March 20 at the invitation of the Rural Advisory Committee of the Maryborough and District Promotion Bureau, when a submission was presented by the Advisory Committee seeking the appointment of an agriculturist to the district. This submission is being examined in the light of the staff position in the Department. However, it is unlikely that an appointment can be made this financial year."

COMPLETION OF SEALING, MARYBOROUGH-BOONOOROO ROAD

Mr. Davies, pursuant to notice, asked The Minister for Mines,—

As Boonooroo is an important fishing centre and Maryborough's nearest seaside resort, will he endeavour to persuade the Burrum Shire Council to give top priority to the sealing of the several miles of gravel on the road?

Answer:—

"No. I have no doubt that the Burrum Shire is just as anxious as the Honourable Member to have the road built and will press for it when they feel justified in doing so."

PAPER

The following paper was laid on the table:—

Regulations under the Clean Air Act of 1963.

FORM OF QUESTION

Mr. P. WOOD (Toowoomba East): I give notice of a further question that I will ask the Minister for Education. It is a reframing of the question that was disallowed earlier. I submit it to you, Mr. Speaker, for your consideration, in view of the fact that I honestly believe that you made an error in disallowing—

Mr. SPEAKER: Order! If the hon. member wishes to argue with me I trust that he will not use this Chamber as a forum. If he cares to come to my office I will talk to him reasonably about it. I think it should be known to all hon. members that the recommittal of a question in another form—in other words, a rearranged question on the same matter as the one that has been disallowed—it is still out of order.

LAW REFORM (HUSBAND AND WIFE) BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (11.41 a.m.): I move—

“That a Bill be introduced to amend the law with respect to civil proceedings between husband and wife.”

This is a short Bill, containing only one principle. Its purpose is to enable each of the parties to a marriage to have the like right of action in tort against each other as if they were not married. For the benefit of the non-legal people in the Chamber who perhaps would like to know, a tort is a civil wrong giving a right to compensation at the suit of the injured party.

The effect of the proposed Bill can be shortly stated thus: the ancient principles of the common law qualified with an important modification in section 15 of the Married Women's Property Act of 1890, according to which husband and wife are incapable of committing a tort against each other and are incapable of suing each other in court, will be abolished. This abolition will in practice be subject to two exceptions: firstly, a court will have a general power to stay proceedings in court brought by one of the spouses against the other during the subsistence of the marriage if it appears to the court that no substantial benefit would accrue to either spouse from the continuation of the proceedings; and secondly, under the provisions of the Bill a court has a twofold discretion in relation to disputes concerning the title to or the possession of property. Such a dispute can, of course, be settled by invoking section 21 of the Married Women's Property Act of 1890.

In the event of proceedings in tort being brought raising a question or questions which could more conveniently be disposed of on an application under section 21, the court can stay proceedings under this new Act. It can also, in the tort proceedings themselves, exercise any power which it could have exercised on an application under section 21 or give such directions as it thinks fit for the disposal under section 21 of any question which has arisen in the proceedings.

The Bill further requires that rules of court be made requiring the court to consider at an early stage of the proceedings in tort whether the power to stay should or should not be exercised.

The provisions of the Bill follow the provisions of the Law Reform (Husband and Wife) Act of 1962 of the United Kingdom. Similar provisions are embodied in the legislation of Tasmania.

Certain other States of Australia, namely, New South Wales, South Australia and Western Australia, have legislated in a somewhat more restricted manner in relation to the question of proceedings in tort between the parties to a marriage. In those States the right to sue is restricted to personal injuries arising out of the negligent use of motor vehicles. The Bill widens the field to cover all actions in tort. Naturally, I expect the provisions now being introduced to be most used in motor-car accident cases. As hon. members know, at present a person who is injured whilst travelling in a motor-car can sue for damages under third-party insurance, the only person excluded from so suing being the wife of the driver. Even a de facto wife can sue. The Bill removes what has been, in my opinion, a very grave injustice.

Mr. Houston: This will allow ordinary domestic fights to be made the subject of court action.

Dr. DELAMOTHE: That is the first exclusion that I mentioned. The court will have power to stay proceedings if it becomes apparent that the action is merely a battle over trivial grievances.

Mr. Houston: But it can still go to court?

Dr. DELAMOTHE: Yes, and the court will have the power to decide if it is merely a trivial domestic brawl, when the case can be stopped early in the proceedings.

The State of Victoria has not legislated to any extent in this field, but the Statute Law Revision Committee of that State has conducted an inquiry into the matter and has recommended that there should be a right of action in court between spouse and spouse without any restrictions such as are embodied in the Tasmanian and English legislation. The State of Victoria has gone some small way to remove anomalies in proceedings in court between spouse and spouse, thus enabling a husband to sue his wife in tort for the protection of his personal property.

The English legislation arose out of the Ninth Report of the Law Reform Committee (Liability in Tort between Husband and Wife), published as Command Paper 1268 in January, 1961. The following extract from the report indicates the unsatisfactory situation of the law as at present—

"The present state of the law is both anomalous and unjust. It is anomalous that at the present day a husband should be in a worse position than his wife in regard to the right of action in tort. This anomaly is accentuated by the fact that there is no restriction on a wife's right to sue her husband for a tort committed before marriage (Curtis v. Wilcox [1948] 2 K.B. 474) though he cannot sue her for an ante-nuptial tort (Bayliss v. Blackwell, [1952] 1 K.B. 154). The law is unjust in its effect on the spouses themselves as well as on third parties. The fact that the wife's right of action is limited to the protection of her property means that in no circumstances can she sue her husband for personal injury inflicted on her, however grievous. This was well illustrated in *Tinkley v. Tinkley*, (1909) 25 T.L.R. 264, in which a wife who was living apart from her husband was arrested and lost her employment as a result of a false accusation of theft made by him and was yet denied any redress. A further unsatisfactory result of the present law, of considerable importance in modern conditions, is the fact that a husband's (or wife's) third party insurance is of no avail to a spouse who is injured by the other's negligence."

The learned editor of *Salmond on Torts* sums up the objections to the law on page 82 of the Twelfth Edition in words which the committee had no hesitation in endorsing—

"It is difficult to understand some of the present-day law relating to husband and wife. First, it is generally agreed that the principle which prohibits actions in tort between husband and wife is justifiable, not on the ground of the obsolete fiction of the legal unity of the spouses, but because such litigation is 'unseemly, distressing and embittering': *Gottliffe v. Edleston*, [1930] 2 K.B. 378, 392, per *McCardie J.*

"But this must be so whether the tort takes place before or after marriage: hence it is hard to see why a wife should be permitted to sue her husband for pre-nuptial torts. Secondly, even if this is desirable, it is difficult to discover any reason in logic or justice for denying to the husband the two privileges at present possessed by his wife—the right to sue for pre-nuptial torts and for the protection and security of his property. Thirdly, whatever rule may be thought desirable to regulate the position as between the spouses themselves, it is surely indefensible that third parties should be adversely affected by any marital privileges—as they are in several cases at the moment."

It is pointed out that, in this State, section 7 of the Law Reform (Tortfeasors Contributions, Contributory Negligence and Division

of Chattels) Act of 1952 ameliorates to some extent the hardships of third parties in this respect.

The unsatisfactory state of the law with respect to spouses has been highlighted by the existence of compulsory insurance with respect to injuries arising out of the negligent use of motor vehicles. It appears unreasonable that the driver's mother or daughter should be able to recover damages in respect of his negligent driving yet the wife is placed at a disadvantage merely because of the marriage relationship. It also appears ironical that an unmarried couple living together should be in a better position in relation to protecting their property and person than a married couple. But although this question is of particular importance in connection with the insurance against road traffic risks, there are other occasions—for example, where potentially dangerous machinery is used in the home or on a farm or in a shop—on which negligence may result in grave injury and where insurance is a common practice.

The first of the two exceptions to the unrestricted right of spouse to sue spouse in tort during marriage is felt to be reasonable and is based upon the theory that the law should not readily lend its aid to the airing of petty grievances between husband and wife. The second exception confers upon the court a discretionary power in cases covered by section 21 of the Married Women's Property Act, 1890, to stay the proceedings, exercise in the proceedings the powers conferred by section 21 and which previously could have been exercised only in proceedings expressly designed to bring section 21 into play, or give directions for the disposal under that section of any question arising in the proceedings.

Section 21 provides for the settlement in a summary way of property questions arising between spouses. It has been urged that to give unrestricted right of action in tort between spouses would be liable to break up or injure a marriage. It is the wrongful act or omission, not the existence of a legal remedy, that may cause unhappiness and will, if relations are already strained, tend to disrupt the marriage.

The status and independence accorded to married women in our society in the course of the last 100 years makes it impossible at the present day to support the common-law rule. There appears to be no good reason in this day and age for perpetuating the existing state of the law. There is no reason in principle for limiting the right of action to actions arising out of the negligent use of motor vehicles. It is felt that the law should accept the view that a spouse is an individual citizen who should possess all the legal rights normally available to individual citizens.

I commend the motion to the Committee.

Mr. HOUSTON (Bulimba—Leader of the Opposition) (11.55 a.m.): I think this is a typical example of instances where, because of changing times and circumstances, the law that was once held to be good and just has now been found wanting in many of its aspects. In considering this Bill, I think we must throw our minds back to the time when the law preventing a husband from suing his wife, and vice versa, was originally introduced. In those days *de facto* wives were virtually unknown, or at least were certainly not publicised.

In addition, we did not have many motor-cars and other modern machinery the use of which could cause injury to one party or the other. I feel also that in those days there was more likelihood, because of the close-knit relationship between husbands and wives, in which the wife was considered to be no more or less than a domestic help, there was more opportunity for husbands and wives to get their heads together with a view to falsifying evidence. In fact, the wife would be in the position where she could not do anything but substantiate and support her husband in whatever statements he might make.

That was the thinking of that period and it is true, as the Minister has pointed out, that with changing circumstances there is now a need for some change. Consequently, I believe that the general principle behind this Bill is acceptable to the Opposition. Whether or not we will go along with every clause in it will have to be decided when we have seen the Bill and considered its possible repercussions in other fields.

The principle that a husband and wife can sue each other, particularly in motor-car cases, is, I think, just and fair. I have previously argued in this Chamber that it is crazy that, in the case of injury caused by a motor vehicle, a *de facto* wife can sue her *de facto* husband and that a girl-friend can sue her boy-friend, yet immediately they are married that is no longer possible. As a matter of fact, under the old law neither husband nor wife might be driving the vehicle involved in an accident yet neither was able to obtain redress. There have been cases in which a car owned by the husband accidentally knocked the wife down when backing out of the garage but no action could be taken to give her justice. After all, laws dealing with compensation are intended for the obtaining of social justice and not for the making of financial gain.

As the Minister pointed out, this Bill does not deal only with motor vehicles but will cover virtually all facets of married life in which evidence before courts is involved; so I imagine that this will lead to new ideas in regard to divorce proceedings. One of the reasons for divorce—in fact, the reason that is probably used most often—is assault by the husband of the wife, causing her injury. Normally, in such cases a divorce is granted

but no further action takes place. I imagine that in cases such as those, under this legislation the wife will be able to sue not only for divorce, if she so desires, but also for damages in respect of injuries that she has suffered at the hands of her husband. She may possibly wait until the divorce is absolute and then proceed for damages, which I believe she can do at the present time.

The position is that the Bill opens quite a large field in regard to one spouse suing the other. We will have to look at these factors to see what possible repercussions they might have not only on the two people concerned but also on their children. If the injuries sustained are to be evidence in a divorce and also evidence when damages are sought, I feel that the children have to be considered somewhere along the line.

There is one matter that I would suggest that the Minister for Justice bring to the attention of his colleague the Minister in charge of police. If people are to use this legislation to obtain justice in divorce proceedings—there could be no fight against that—it could mean that the police will be involved in domestic matters more than they are at the present time. Unfortunately, at the present time police are required at times to go to homes because of domestic upheavals.

I think it is wrong that a policeman should go on his own when he is called on to intervene in a private domestic matter. There should always be at least two policemen. Without going into the details of recent tragedies, I suggest that a repetition of them could be avoided by requiring that there be more than one police officer in attendance.

I feel that because of the provisions of the Bill there will be more requests for police assistance to prove that certain people were injured at the particular time. This could mean the use of police officers in an entirely different field. The evidence of a police officer that he saw a woman in a certain state might be required if the only other person present at the time was her husband. I should not like to think that members of the Police Force were being used purely as investigators for that purpose. The investigation of motor-vehicle accidents and the like is entirely different from the investigation of domestic arguments.

At the present time a wife is not compelled to give evidence against her husband. I think that is the common-law rule at the present time.

Mr. Aikens: She can if she wants to.

Mr. HOUSTON: That is true, but she cannot be forced to do so. I imagine that the idea behind this Bill is to allow wives to take advantage of its provisions. Perhaps a husband might want his wife to give evidence. I do not know whether or not any thought has been given to making it work both ways. The protection is being removed

on one side; I do not know whether the Minister has any idea of doing it the other way in other legislation. That is only a query that I pose at this stage, but it could affect the thinking of hon. members as to how far they should go on the damages side with actions between wives and husbands.

With those general remarks, I indicate that the Opposition will not oppose the introduction of the Bill. We welcome the third-party provisions. This is a matter that we have investigated and have advanced arguments about at different times. We will have a look at the other provisions of the Bill when it is printed.

Mr. AIKENS (Townsville South) (12.4 p.m.): I was very pleased to be here for the Minister's introductory remarks. At the outset, let me say that the Bill was introduced at this hour of the day because of what I consider to be a shirt-tail agreement between the Government and the hon. member for South Brisbane to postpone the first measure on the Business Paper until tonight because he is never here until the night sittings.

The CHAIRMAN: Order!

Mr. AIKENS: During the last State election campaign I had the temerity to announce on television that in this Parliament we would see two great legal reforms. I said, "My friend Dr. Delamothe, the Minister for Justice, will bring down a Bill to protect the housewives of Queensland against the predatory door-to-door salesmen. He will also bring down a Bill to give legal wives the same rights at law as *de facto* wives." I had no knowledge that the Minister for Justice was going to do that—I was merely relying on his sense of fairness, his sense of justice and his sense of equity—so I will be hailed as the greatest political prognosticator of all time.

If the hon. member for Bowen is in this Chamber for another couple of Parliaments—and he will be if I have anything to do with it—I feel sure other great legal reforms will be introduced in the interests of the ordinary common people. I will not mention what those necessary legal reforms are, because, during the next Address-in-Reply debate or the debate on the Financial Statement, the hon. member for Windsor will make a long speech about them and acclaim them as his brain-child, as he has done on other occasions. I dealt with this matter in 1947, when the hon. member for Windsor was little more than a twinkle in his father's eye. I do not care if he wishes to claim credit for the introduction of this measure. I do not care who gets the credit for it as long as the legal wife gets the benefit of it.

Mr. Hanson interjected.

Mr. AIKENS: I have heard the hon. member boast about northern development. I have seen him rise in the Chamber and read

word after word from my speeches in "Hansard". He should not blame the hon. member for Windsor entirely for it.

I have always believed that we should have as much statute law as possible. Anyone who has gone into the vexed question of statute law and common law knows that common law is a happy harvest time for the lawyers. Common law is not written. It is based purely and simply on precedent. When a civil action takes place in court the barrister on one side stands up with a great heap of law books in front of him and quotes from one of them where Justice "Buzzfuzz" gave such-and-such a decision on the point in question away back in, say, 1892. The lawyer on the other side then quotes the decision given by Mr. Justice Appobolicus, or some name like that, in 1895. The presiding judge has to sit like a benign umpire between the barristers' submissions. But if there is statute law, it is written for all to read.

We know, of course, that our statute law is inverted. We know that it is full of loopholes and technicalities, and that lawyers make quite a lot of money out of it. I should not like to guess how much money they have made, for example, out of section 92 of the Commonwealth Constitution.

I welcome this legislation for two reasons. First, we have statute law superseding common law. I know the lawyers do not like that, but I do, and I am not concerned with what the lawyers like. Second, a measure of justice is given to the legal wife, which was freely available to the *de facto* wife, and, in fact, to anybody else. As the Minister for Justice said, it was freely available to a daughter, a son, or anybody else, for the damage done to them. The Minister said that when this legislation becomes law—I hope with the unanimous vote of this Assembly—a wife who is a passenger in a car and who is seriously injured as a result of her husband's driving of the car will be able to sue the husband. She really sues the insurance company, but that is not the point. On the law as it stands at present, even if the wife was out in the yard, or out on the road, and the husband ran her down and crippled her or injured her for life, she still could not claim, because under common law—and this is something that the hon. member for Windsor might like to know—that we inherited from England, the wife and husband are regarded as one entity and are inseparable in law, and, on the common-law basis one cannot sue the other.

As I say, I am very happy that this legislation is being introduced. There are many other ways in which the law—on this particular basis and principle—could be amended. At the present time, if a man is killed at work—here we have it in reverse—his legal wife can get workers' compensation but his *de facto* wife cannot, even though

she may have been his *de facto* wife for 35 or 40 years and may have borne and reared his children and helped him build a home. I know of cases, as we probably all do, where men have been killed at work, and the *de facto* wife—his real wife for 30 or 40 years—could not get workers' compensation. The moment he was killed, as if by magic his legal wife appeared, hoping to claim workers' compensation, only to find that she could not get it. Nobody gets it, neither the legal wife nor the *de facto* wife. The legal wife cannot get it, of course, unless she can prove that she was dependent on her husband at the time of death. We know that the children of a *de facto* marriage are protected in this regard, but a *de facto* wife is not.

The Commonwealth Government recognises a *de facto* wife for social-service and several other benefits. We are not here at all to administer mosaic law, but as legislators—ordinary, average intelligent men—to administer the laws for the people of Queensland. Today a *de facto* marital existence is accepted by all and sundry—I know that it is somewhat scorned by some people. But *de facto* marriages have been quite successful, and hundreds of fine children have been born to them. This is denied by the cynics, and I do not want to develop into cynicism on this matter. A *de facto* marriage usually lasts because the two people have to stick together—their love and affection binds them together—whereas a legal marriage sometimes breaks up or fails to last only because one spouse waves the marriage certificate at the other and says, "I have you tied up with this and now you are mine. God help you." I have known of such cases.

If the Minister for Justice continues in the humanitarian way in which he has carried on since his elevation to the position of Minister for Justice, and if he takes his legal degrees, as he could easily, it might be a good idea, in the years to come, when he decides to finish with Parliament—I am sure that the electors will never finish with him—for him to set up in practice as a lawyer rather than as a doctor. If he became as good a lawyer as he is a doctor he would make a fortune at the Bar, as many lesser men are doing.

I had a case the other day of a man who died intestate. If a railway employee dies intestate—I assume the same position arises if he is working for any other Government department—the department decides to whom the payment for accumulated holidays, long service leave and retiring allowance will be made. Sometimes it is paid to a relative and sometimes, as was done in this case, it is paid to the Public Curator in Townsville. I was able to settle the estate for a most eminent lady who wrote to me about it, asking my advice. She wrote to me after the estate was settled and thanked me, and possibly because she had some right to do so she said, "God will abundantly bless you". He has a lot of leeway to make up, nevertheless she may be right. We should go

a little further and make it mandatory that if a Government employee dies intestate, the officer in charge of his department shall pay to the administrator of the deceased's estate any money owing to him.

Mr. Walsh: If he died intestate there would be no executor.

Mr. AIKENS: To the Public Curator or trustee. The Public Curator does not walk in automatically, as some people think. I appreciate the interjection. Anybody interested in the estate could go to the trustee or the Public Curator and have him act, and, once he acts, he can handle it.

I know that many union officials have a good deal of trouble in this regard. A degree of cynicism is developed because quite often nobody is interested in a person, until he dies, and then his legal wife, his *de facto* wife and others run to the Railway Department or to the head of the Government department in which he worked and say, "Give me all the money that is owing to him". I would not like to be in the position of the Commissioner for Railways or the Commissioner for Main Roads or other officer in such a case. They have been able to straighten these things out, but it takes quite a long time to do it.

There is another matter to which the Minister could give his august and sincere attention, namely, probate and succession duty as it applies to a legal wife. Sometimes a man dies and his wife has a good deal of property which she claims she brought with money she saved from the housekeeping money given to her by her husband. She may have many items that she claims are her own. She even holds the receipts for them. When the estate is lodged for the assessment of duties payable, the Stamp Duties Office forces the widow to prove that she actually earned the money to pay for those articles. She is told, "You got this money from your husband; he gave it to you as housekeeping money. Although you may have saved 20 per cent. or 30 per cent. of it, it is still his money. The value will be added to his estate, and you will have to pay probate and succession duty on all the goods now standing in your name." That is a matter that the Minister for Justice could well consider, seeing that the Committee is now dealing with the general question of removing all such hindrances.

Mr. Walsh: Have you had actual cases along those lines?

Mr. AIKENS: Yes, several. I had one in Townsville only the other day.

Mr. Kaus: I have one now.

Mr. AIKENS: They are very common cases. A wife may save some of the money received for housekeeping and with it buy a car, furniture, or even an allotment of land. When her husband dies, the Stamp Duties Office will say, "That is not your money. That is not your property. It is

really your husband's property, and you are going to pay probate and succession duty on all the goods that you bought with your husband's money."

I have another matter to refer to which the former Treasurer, Sir Thomas Hiley, promised to clear up. I must make some inquiries to see what he did, for it applies to all superannuation funds. On my death, as a case in point, my wife will be entitled to two-thirds of my superannuation benefits, which will be \$40 a week, or approximately \$2,000 a year. The Stamp Duties Office will say, "Well, Mrs. Aikens looks like living for another 10 years. We will therefore multiply \$2,000 by 10, to give \$20,000. We will add that to Tom Aikens's estate, and Mrs. Aikens will have to pay probate and succession duty on what he actually left, plus \$20,000, at the higher rate applicable to the total amount."

I know that Sir Thomas Hiley promised to look into that matter. If I left my money to a de facto wife, who could not inherit my superannuation benefits, she would have to pay probate and succession duty only on my estate at the lower rate. The most astonishing thing of all is that if my wife died the day after probate and succession duty had been levied on my estate, including the additional \$20,000, there would be no rebate.

Mr. Smith: She would get a re-assessment.

Mr. AIKENS: That is what the hon. member thinks. He should turn round in his seat and have a talk with the hon. member for Hawthorne, who is aware of one of these cases. He will not need to extend himself very much to beat Johnno Mann's mate, Mr. Adsett, at the next State election.

I congratulate the Minister on introducing this measure. Any who care to refer to "Hansard" will see that I raised this matter in 1947, and I have referred to it sporadically since then. I know that the hon. member for Windsor mentioned it on one or two occasions.

Mr. Smith: In 1961.

Mr. AIKENS: Well, he was a little bit late.

I am very glad indeed to see that the hon. member for South Brisbane is now in the Chamber. I should like him to tell the Committee why it is that he gets more legal work than the hon. member for Windsor. The latter is here most of the time, but the hon. member for South Brisbane is here very little.

Mr. Bennett: I am too humble to answer that.

Mr. AIKENS: Once again I congratulate the Minister on introducing the Bill and, on behalf of the married women of Queensland, I say to him, "Thank you very much".

Mr. HUGHES (Kurilpa) (12.19 p.m.): I, like the other members who have spoken, believe this to be a good Bill. I was

interested in the dissertation of the hon. member for Townsville South, who has just resumed his seat; we learnt from it quite a lot about stamp duties and wills and, indeed, almost all things but those with which the Bill is concerned. However, I join with him in championing this cause; it is fair and just, and the change is long overdue. One might say that it could be termed a "P.O.W." Bill—a protection of women Bill. Such a title would not be without reason, either, because of the current trends in society and because so many womenfolk are being deserted and left to rear and educate families. This, of course, raises very grave problems for them.

The motor vehicle is not so modern these days; it has been with us for a long time. I take issue with the Leader of the Opposition for saying that it is proposed to introduce the Bill because of the needs of today. In my opinion, such a Bill could well have been introduced many years ago. I am not suggesting that that is entirely the fault of former Labour Governments; I think Country-Liberal Governments, too, have been dilatory in this regard. The Government may be diligent now, as the hon. member for Toowoong says, but I think its diligence results from the prodding of the hon. member for Windsor, who has been championing this cause since 1961.

Undoubtedly, the hon. member for South Brisbane will try the trick to which hon. members have become accustomed in this Chamber and claim some credit and get on the band wagon. I give the hon. member credit for his adroitness and adeptness, and for his realisation that the Bill that the Minister proposes to introduce is a worthwhile measure that will receive the acclamation of the public. It occurred to me that the hon. member for Townsville South might have foreseen such an attempt and, in a very astute way, say that he had been a champion of such a course of action over many years, thus tending to prevent the question becoming a matter of dispute solely between the two practising barristers who are members of this Assembly.

Any search of the records will prove that there has been need for such an amending Bill for very many years, during which time the wife has been almost a chattel of the husband. The Act goes back to the 1800's and was amended in 1952. Between its introduction and 1952, of course, many Governments have been in office, and the position of the wife was not always associated with the motor vehicle, although, as I said earlier, such vehicles are not exactly modern. The wife is still in the same position relative to injuries to her person in a domestic accident or upheaval, or even from the driving of a horse-drawn carriage. The need for the proposed provision has not become obvious only recently. Such a change has been needed for a long time. Many Governments have not taken the action required to protect the womenfolk of the community in this respect, and the Minister,

and, more particularly, I should say, the hon. member for Windsor, who has prodded and goaded and been very diligent in his representations, should be given credit for the proposal now before the Committee.

Mr. Bennett: You should read my speeches on the matter.

Mr. Porter: Who wrote them?

Mr. Bennett: Dr. Hartwig wrote them.

Mr. HUGHES: The hon. member for South Brisbane does make some very good submissions in this Chamber. Before being elected to Parliament in 1957, I was a member of the Brisbane City Council while the hon. member was also a member of that body, and I listened then to some very good submissions by him. I mean, he cannot be wrong all the time.

The fact is that the proposed Bill will overcome many anomalies now existing that have become more apparent in later years. Today, there are many broken marriages and separations. Because of that, the provisions of the proposed Bill will have greater application in 1968 than they would have had in years past. They will give people an opportunity that they have not had up to date to recover damages or compensation for personal injury.

Apart from either spouse driving a motor vehicle and the other spouse, when injured, not being able to take action against him or her—a point that I think will be dealt with more ably by my colleague the hon. member for Windsor—there is another point on which improved protection for womenfolk is long overdue.

I could instance the case of a wife who, even in a happy marriage, is injured on some unsafe steps at the family home. It might be proved that the steps were unsafe because of lack of maintenance. I think these things should be considered because so many accidents occur in and around the family home and the question could be raised, now and in the future, whether a husband—or a wife for that matter—should take out an insurance policy as protection against this sort of thing. Even in a harmonious marriage the wife could take action against her husband for damages suffered in such an accident. She could seek to recover medical expenses, loss of wages or salary if engaged in outside employment, compensation for pain and suffering, and medical expenses. This Bill will give womenfolk the opportunity to sue their husbands in such circumstances.

Mr. Bennett: Do you think she should be entitled to sue her husband for loss of consortium?

Mr. HUGHES: The hon. member would know more about that than I would. That is more a moral issue than a legal one and I leave it to the hon. member for South Brisbane and his conscience to deal with it.

I was raising the question of whether husbands might need to protect themselves—or in the case of a wife, to protect herself—by taking out a public-risk insurance on the family dwelling. A husband who is sued under this Bill, when it becomes law, might find himself liable for the payment of considerable medical expenses and other damages. The Minister, in his reply, may be able to offer some advice in this connection because many people will be affected by this.

If a couple are separated they are still legally married, but the womenfolk, at present, do not have any protection at law in the recovery of damages. In these modern days there are very many desertions and, in most cases, it is the wife who is deserted. I represent an area in which I see very much of this sort of thing. I take pride in having been able to help so many people affected by these tragedies, particularly so many of the young women with families who are being deserted today. Whether it is immaturity or the irresponsible attitude of young men; whether it is economic circumstances, or the fact that they rush blindly into marriage, more out of lust than love, I do not know, but they seem to have a family very quickly and then cannot cope with the responsibilities of marriage, whether in a personal, social or financial sense and very many marriages among young people are breaking up today.

Mr. Davies: Perhaps it is the turmoil and instability in the Government.

Mr. HUGHES: You cannot lay the blame for everything at the door of the Government. As I said facetiously at a wedding the other day, every man needs a wife because things go wrong, and you cannot blame everything on the Government. I think that aptly answers the hon. member for Maryborough. The fact remains that there are very many of these personal tragedies among young people and it is mainly the woman who suffers. I see many of these cases at the Kurilpa Child Care Centre. I should think that most hon. members have, at some time, had to help people to overcome a grave situation caused by the break-up of a marriage. It is a grave situation financially because of the great anomaly that exists through lack of Commonwealth aid for a period of six months after desertion. However, I will not attempt to extend the terms of the Bill on that basis.

A great problem does arise. Although the husband and wife are separated, they are still legally married. In some cases the husband will visit the wife. A wife who is living apart from her husband may be working. She comes home weary from work where she has been trying to earn enough money to rear and educate her children. When her husband visits her, he might commit an assault on her, damaging her person and her clothes and involving her in medical expenses. At the present time the wife cannot sue the husband. That is why

one of the main provisions of the Bill will be a godsend to women. In most cases the woman pays and pays. Usually the woman is not as strong as the man. When an attack is made upon her person by her husband it may mean not only that she loses work—she can ill-afford to lose money that way—but that she incurs medical and other expenses. Clothing and other property might be damaged. The Bill will enable her to take action. If she is in indigent circumstances, the free legal-aid scheme recently instituted by this Government will enable her to take action for the protection and compensation she will be entitled to under this Bill.

We must look at the matter in another sense. The court should not be used as a vehicle for personal spite or the settlement of petty squabbles. We already have the Married Women's Property Act. The Minister has given an indication of other legal aspects that will provide a protection. The courts are already clogged with a backlog of work. The waiting time for the hearing of cases is already too long. Because of the characteristics of human nature we must guard against wives or husbands using the court as a vehicle to get back at their spouses for personal spite. The Minister might be able to enlarge on that point.

More womenfolk than men are affected by this legislation. From my study of these matters I know that in the United States of America the relevant law weighs very heavily in favour of the womenfolk. Indeed, it weighs so heavily in favour of the womenfolk as to be not at all funny to the American male. Apparently the American female is a more dominant personality than the American male. She holds the purse-strings. The law dealing with alimony and property settlements is so weighted in her favour that so many husbands find it more desirable economically and in every other way, particularly in the sense of being worry-free, not to take any steps that are likely to lead to the break-up of marriage. I know, of course, that there is a high divorce rate in America. At the same time, there is a greater protection for women than we have here. We are starting in Australia, and through this Bill in Queensland, to recognise that a woman is not a chattel. Recognition is being given to her sacrifice in helping to provide a home. In many cases she has had to go out to work to help provide the home and the facilities and amenities in it. In many instances she has helped to build up a business with her husband. After all these sacrifices a woman should not be simply cast aside, with her earnings and everything else being associated with those of her husband, without having the benefit of the protection of law so that she can get redress or recovery of damages where there is a moral claim, apart from the legal provision to sue now being provided. Womenfolk have been under a grave

disadvantage. Despite all that they have contributed in marriage, they have often been the parties left lamenting.

I compliment the Minister on the introduction of the Bill. I believe that women require the protection it contains. I believe that it will be used wisely because there will be ways and means of preventing the court from being made the vehicle for petty squabbles. Those who deserve and need squabbles by either spouse. Those who deserve and need fair play, justice and fair treatment will get it by the terms of the Bill and the virtues associated with it.

Mr. SMITH (Windsor) (12.35 p.m.): As at one stage the Chamber was apparently in the charge of the Minister for Primary Industries (he being seated on the front bench), while we are dealing with this matter of married women suing, perhaps we could give some consideration to the current dispute in the Press as to whether or not wives are cabbages.

Mr. Davies: That is uncalled for.

Mr. SMITH: I do not think it is uncalled for. Obviously the hon. member does not read the newspapers, otherwise he would be up to date with what is happening in the community.

The current debate is indeed very appropriate to the interpretation one gives to the place of women in society. The concept of husband and wife being one has long since disappeared. There have been many attempts to emancipate women. Over the years we have seen the removal of most of the restrictions, and I am not quite sure that this legislation is to the advantage of women. At the present time they have an advantage. A woman can sue for a pre-nuptial tort, but the husband cannot. If a man was driving his girl-friend in a motor-car and they had an accident, the girl-friend could, and does indeed quite often, sue for injury received. If marriage intervenes it makes no difference. The title is simply changed and the action proceeds. But it is quite the other way where a man is injured and marries the girl. He cannot sue the girl. So, in fact, this legislation will remove a privilege that women presently enjoy.

A woman also presently enjoys the privilege of suing to protect her own "separate property", as it is called in law. That is property which is hers, acquired with moneys other than her husband's. If she inherits property from her family it is her property and comes to her directly. It is her separate property and, at the present time, she can sue her husband to protect it. But the husband has no equivalent rights. It is idle for hon. members to talk about giving women rights when we are taking them away. In fact we are giving men a right which hitherto they did not have.

Mr. Bennett: A wife could not sue her husband in court following a motor-car collision.

Mr. SMITH: She could, and often did. A wife can maintain an action against her husband. That was decided in *Curtis v. Wilcox*, 1948, 2 K.B., 474, in the early part of this century. There is no doubt that a wife can sue her husband for injuries which the husband inflicted on her before marriage.

Mr. Bennett: Not afterwards.

Mr. SMITH: She can sue afterwards. I might as well correct the hon. member. That point was made in the Ninth Report of the English Law Reform Committee, published as Command Paper 1268. I read that report in this Chamber in 1961. As I told the hon. member for Townsville South—

Mr. Bennett: A wife could not sue for injuries that occurred after the marriage.

Mr. SMITH: No, but she could sue for injuries incurred before the marriage. But, after marriage, the husband could not sue the wife for injuries that were inflicted on him before marriage. If a car accident occurred with the girl behind the wheel and the man in the passenger's seat, he could not sue.

There has been much discussion about property today, but, as I understand the provision, it relates only to torts, because the Minister went to pains to give us a definition of "tort", which, as we understand it, is the actionable link giving rise to an action for damages. That does not arise in property disputes when the court is trying to work out ownership of something that is not a tort—that is, a declaration as to ownership. These proceedings are brought under the Married Women's Property Act and they can continue to be brought under that Act.

No actions will be brought into court between husband and wife to decide who owns the matrimonial home. This sort of dispute is at present waged in the divorce courts. In the past, wives have not been disentitled to any great extent. They have been able to sue for divorce; they have been able to get maintenance from their erring husbands; and, on occasions, when maintenance has been considered the property of the wife has had to be taken into consideration. In divorce, particularly today with the grounds that are available—separation is one of the grounds introduced by the Commonwealth Matrimonial Causes Act—quite often the property of the spouses is one of the main considerations. Before a husband can get a divorce from his wife the court must consider the property disposition that has been made in favour of the wife.

This legislation will give rise to actions in tort, that is, actions where there is a claim for damages for the infringement of this civil right. Admittedly, many of them will relate to motor-car accidents. But it

is not only in that case. One of the cases that influenced so heavily the Lord Chancellors Committee in 1961 was *Tinkley's case*. I instanced this case seven years ago and shall do so again today because it shows that this applies not only to car accidents. Mrs. *Tinkley* was living apart from her husband, who made a false accusation about her. She was arrested and lost her job because of her husband's false accusation and his issuing a summons for her arrest on that count. The accusation was quite groundless and so was the charge that was laid against her. Because she lost her job and could not get it back she suffered damage, but she could not sue her husband for it. They were not living together—they were estranged.

I repeat my sabbatical example that an estranged wife could drive a motor-car and run into a car driven by her husband—that is a classic case of husband and wife in two separate cars—and there would be a stay of action because they were husband and wife, although the legal fiction of being one person had been obviously destroyed. Therefore it is not really a question of legal fiction that has held us up. There has been a whittling down of the immunity of the husband-and-wife bar over the years. With the continued clamour for the emancipation of womenfolk, it was only to be expected that this reform would eventually come.

Only the other day there was an example of a wife seeking to recover damages for her husband's negligence. A Commonwealth public servant, on transfer from a State capital city to Canberra and driving from his former place of residence to Canberra, had an accident and injured his wife. She sued the Commonwealth Government, saying that her husband had been posted to Canberra from another place and, in taking her from the former place to Canberra, her husband, acting as the agent of the employer, injured her, and she sought to recover damages. She was estopped not on the ground that she could not sue her husband but on the question of agency. That is an interesting variation of the theme.

A husband has long since been able to give his wife cause of action for damages. Take, for instance, the case of a man, working in a garage, who does work on his wife's car. If he does the work in the ordinary course of events as the employee of the garage-owner, and if because of his negligence the brakes fail and his wife runs into a tree or a wall, I would say that she could quite safely sue the employer because of her husband's negligence. If the husband left the plug out of the hydraulic-brake system and the brakes did not work, he would be negligent in the course of his duties as a servant of the garage-owner and in my estimation his wife would have a perfectly good cause of action.

So that it is an anomaly to see that sort of action maintained when the wife of the next-door neighbour cannot sue her husband if he deliberately drives his car into a creek.

Mr. Bennett: You could get around that in some cases with the principle of vicarious liability.

Mr. SMITH: That is what I have just instanced. The husband, as the employee of the garage-owner does the job, and does it badly, and if the wife takes the car out and is injured she can sue the garage-owner for the negligence of her husband.

Mr. Bennett: She can sue the man who employed her husband also because he does it under contract.

Mr. SMITH: That is true. That is why the public servant's wife sued the employer, namely, the Commonwealth Government, for her husband's driving. She failed because she could not establish agency, and because there was no compulsion on her to ride as a passenger in the car.

Mr. Bennett interjected.

Mr. SMITH: I think the hon. member for South Brisbane would have needed his running shoes for that one, too.

One of the greatest difficulties in negligence cases has been to get a proper share of contribution. If two cars are involved in an accident, often the driver of each vehicle should bear the same responsibility. Suppose a wife is a passenger in car A, driven by her husband, which comes into collision with car B. Because the wife cannot sue her husband, who may be 90 per cent. to blame, she sues the driver of car B, who may be only 10 per cent. to blame. The difficulty in obtaining proper contribution from an erring husband has been a very real problem in matters of negligence. That difficulty will now be removed, and there will be a much fairer measure of indemnity lying upon the insurers of vehicles not mainly responsible for accidents.

Of course, if a husband injures his wife in a car accident and loses her services, there is nothing he can do about it. If he is involved in an accident with another car, he can sue the driver of that car for the loss of his wife's services and recover damages for his loss, although he was mainly to blame. In the past, there has been no contribution in those circumstances. I think that the Bill will remove such anomalies and ensure just contribution.

I urge the Committee to keep in mind that this is not legislation that goes to divorce, property or disputes of the assault type. They are quite outside the field of the Bill, which is concerned solely with torts.

Mr. Houston: Couldn't it include assaults?

Mr. SMITH: No. An assault is a quasi-criminal offence, not a tort. A person could not possibly be indicted for slapping with an open hand. Even if a husband injured his wife, that is not the type of action envisaged in torts. The discretion reposed in the court is to stay matters purely of a domestic nature.

I agree with the hon. member for Kurilpa that the Bill could produce a rush of cases. If it does, let us not hope that the discretionary power will be used to stay them. If they should be heard, let them be heard. If necessary, let us have more courts and more judges. We are not here to stultify the courts and stop people from having their remedies. We should be opening the door to all who have justifiable cases to be heard.

Mr. Houston: Tell that to your Minister. We have been asking for more judges.

Mr. Bennett: This morning I couldn't get into the court. The jury was there, and I had to wait outside.

Mr. SMITH: In that case, I can safely say that the jurymen were probably saved from being given a lot of incorrect information.

In no circumstances should discretion be used to stop issues going to court. If they are of sufficient merit to be taken to court, there should be no hoping that discretionary powers will be incorrectly used to stay them. However, discretion would not be wrongly used if, for example, it stopped an argument between a husband and wife alone.

What I am trying to say has some merit, and I trust that it can be heard by the reporters. The noise in the Chamber is fairly loud. I do not propose to try to talk above it, so I shall conclude my remarks.

Mr. BENNETT (South Brisbane) (12.49 p.m.): No doubt in this modern age the Bill is desirable.

Mr. Hughes: Let us get this clear: do you claim credit for this Bill, or not?

Mr. BENNETT: I have "Hansard" ready. I want to include in "Hansard" the history of this legislation so that fair-minded observers can see who was responsible for the introduction of the Bill. They cannot fail to conclude that it was I. (Government laughter.) In the brief time at my disposal, I have been able to discover the record of the first submissions I made on this matter.

The hon. member for Kurilpa admitted that I advocated for some reforms during my 12 years' service in the Brisbane City Council. He can be fair at times; perhaps he may be off colour when he gets into such a mood. But when I was an alderman I did refer to matters such as this when the Brisbane City Council dealt with insurance claims, and, incidentally, the council deals with big claims and very big insurance matters.

I did not waste any time in raising the matter when I was elected to represent South Brisbane as a member of this Assembly, because I dealt with it in my very first speech in this Chamber in the Address-in-Reply debate. It is true, of course, that one has to do a great deal of galvanising over

the years to get this lethargic, tired, weary Government into action. Although I have been successful in having action taken on some other points earlier, it has taken me just on eight years to get the Government to introduce this proposal to amend the law relating to married people so that justice can be done for wife and for husband. As I have pointed out so often before, it appears to me that the Government delayed the introduction of the proposed Bill in order to protect the insurance companies, which will have to pay out under orders made in actions between husband and wife for tort on the highway.

I have heard a great deal during the session—it rather pains me, because I, in my humility, do not wish to engage in such discussions—as to who has been responsible for what. However, I do like to insist on a certain standard of integrity in this Chamber, and I have been told that, in my absence, I was attacked under privilege for what I had said about Queensland Trustees Ltd. and Union Trustees.

The CHAIRMAN: Order!

Mr. BENNETT: I do not intend to deal with the Bill relating to those two companies, which is now about No. 11 on the Business Paper and will, no doubt, be discussed at a later stage; but when there is a conflict of evidence and disputation as to who said what and who was responsible for the introduction of the proposed Bill, it becomes necessary to offer material and concrete evidence to the Committee.

As I mentioned earlier, I left no stone unturned relative to this proposal, because I got into harness on it early in my parliamentary career. I have here the Queensland Parliamentary Debates for the 1960-61 Session, Vol. 227, and at page 283 I am recorded as having said on 13 September 1960, in my maiden speech, in the Address-in-Reply debate—

“I intend at this stage to make two submissions in regard to the amendment of the law.”

I think it would be fair to say that in those days, particularly in the Address-in-Reply debate, I confined my submissions in this Chamber to what amendments of the law I thought should be made. Since then, of course, I have been attacked in various ways by members of the Government, and so, instead of confining my contributions to debates in this Chamber to further submissions on amendments of the law, I have had to deal with other matters of controversy between Government members and myself. On the occasion to which I am referring, I devoted almost all my speech to concrete and specific amendments. I said—

“My first submission relates specifically to the law dealing with motor vehicle insurance. At present there is what might

be called an insurance fund, and there is a legal obligation on all owners of motor vehicles to contribute to it for third-party insurance. If anybody is injured on the roadway in a motor accident, he or she can then claim on that fund either through the courts or by way of settlement. Any person in the community who is injured by a motor vehicle can claim on the fund by suing the negligent driver of the motor vehicle involved, with one exception. The spouse of the driver is not entitled to claim against the driver if the driver claims to be her husband or his wife.”

There was then a certain inconsequential interjection by the hon. member for Windsor, who seems to interject when I am speaking on serious subjects, and then I said—

“To be perfectly candid, I would not waste my time reading speeches made by the hon. member for Windsor. I have appeared against him in court, so I do not bother reading his speeches. If he made a similar submission, I sincerely hope that my forceful advocacy will achieve better results than his weak-kneed advocacy apparently did. Let me assure the House that because of the principle of marital immunity, a wife is not entitled to sue her husband in court, and the legislation at present protects only the insurance companies. A male driver's mother, daughter, friend, or even his mistress, can sue him and recover damages, yet his wife is prevented from doing so. That is a serious anomaly, and action should be taken to remove it. South Australia has already introduced legislation for this purpose, and I hope that very soon the Queensland legislation will be amended in the same way. It will not cost the Government anything, but it will force the insurance companies to contribute their just entitlement.”

Then I went on to deal with ex-officio indictments in the Criminal Court. So it is perfectly clear that the South Australian Government awakened itself to the necessity for this legislation more than eight years ago, and in spite of my submissions, and apparently in spite of some of the things that the hon. member for Windsor says he claimed in his own Caucus, this Government has not been prepared to bring itself into line and into step with the modern system of fair-minded legislation that will enable all individuals on the roadway to obtain justice in any claims they have and not be excluded merely because they happen to be married. They are motorists and taxpayers who have contributed to the coffers of insurance companies and, like any other individual road-user, they are entitled to reap the benefits from having done so.

As I understand the Minister's proposal, the right of spouses to sue one another in court does not reside solely in highway, or running-down cases, as they are known. If one spouse has the right to sue another in court, in a civil action for damages, it seems

to me that this will give each one the right to sue the other for damages in relation to injuries sustained following an assault. I cannot see why that will not follow if the law is being amended to allow one spouse to sue the other in court, and I suppose there is on reason why it should not happen.

Let me make the position perfectly clear. The hon. member for Windsor said that a wife always had the right to sue her husband but the husband did not have the right to sue his wife. Of course, that is not true. As the law stands presently, if a wife is injured owing to the negligent driving of her husband, or if a husband is injured through the negligent driving of his wife, there is no way in the wide world they can have a cause for action for negligence, one against the other. When this legislation is amended, they will have that right. To be quite frank, in this modern age when there is a great advocacy for equality between the sexes, I concede that in some respects the womenfolk are losing certain protections and privileges that they erstwhile enjoyed.

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

Mr. BENNETT: Prior to the luncheon recess I was about to make the observation that, with the emancipation of women in this modern age, and with their acquisition of further rights, they certainly have acquired a lot more responsibilities and obligations. In spite of their clamour to gain those further privileges, sometimes they do not really need them.

I have been associated with most juries that have been empanelled this year. Since the amendment of the Jury Act I have never seen a woman on the jury—there may have been one or two without my knowledge—which would indicate that they are exercising their right to opt out with rare abandon.

Married women, of course, have always been responsible for their torts, although formerly their liability was affected in certain cases by their disabilities in other directions; that is, of course, until the passage in the various States of Australia of the Married Women's Property Act. Their disabilities in being married women were not because they were not responsible in torts but because they had disabilities in contract, and the husband had to be joined formally in a court action against his wife. So in order to sue a wife in those days you had to join the husband with her.

It would seem to me that, when introducing legislation dealing, as it were, with family law—husband and wife—we should get into step with the rest of the world, that is, the common-law world, the world that follows the same principles of law and jurisprudence as we do. To use the modern expression, we should "get with it"; there should be more togetherness with the correct procedures in family law.

Mr. CAREY: Do you believe in togetherness? I say that the A.L.P. want a little more togetherness.

Mr. BENNETT: They certainly do, but I was about to make the observation that it is rather unfortunate that this family-law, togetherness legislation is being introduced at a time when the Government families are hopelessly divided in schisms and bitter hatred for each other.

The CHAIRMAN: Order!

Mr. BENNETT: Not only that, but Liberal Party members are divided one against the other.

The CHAIRMAN: Order!

Mr. BENNETT: Perhaps they should follow the principles of family law in order to restore their lost prestige.

The CHAIRMAN: Order!

Mr. BENNETT: Before that particularly inappropriate interjection, which must be embarrassing and humiliating to the Minister for Justice, who is being weakened somewhat by his endeavours to hold the party together, I was about to say that it must be rather amusing to the Minister to see that those in the Government parties who are rocking the family boat are prepared to give lip-service to proposals such as this.

I was mentioning that in other parts of the world concrete provision is being made for the implementation of laws of this nature by the appointment of special courts, in other words, courts that are especially equipped and educated to deal with family problems. There is the court known as the Family Court, which in legal circles is regarded as the court that deals with lower-jurisdiction problems. Other places have a Court of Domestic Relations, which envisages the jurisdiction of the Supreme Court. In other States in Australia principles have been considered at seminars or conventions to deal with this matter.

Not only should we have courts that are skilled in the knowledge of family laws as such, and the laws associated with family arrangements, but in this modern age, in the world we are living in, when social ills are cured not solely by courts but also by other officers working in conjunction with them, it becomes necessary to have special courts equipped not only with the mundane machinery arrangements of the court, but also with welfare and guidance officers, with psychiatrists and social workers, and sometimes with other experts which the court requires. Procedures in such courts are calculated to assist understanding, conciliation and concern with more than narrow, stereotyped, legal issues. The application of stringent family law to family relations can work very harshly, and sometimes very unjustly, in family arrangements and in family co-operation, whereas, if we had family courts, and courts of domestic

relations, which understand these matters, and have the facilities to deal with them, the implementation of the law relating to families—husbands, wives and children—could be implemented much more smoothly.

In these courts judges often have special training, that is, training outside their strict legal training in law and jurisprudence. They have special training in the law and in its application to the family in particular, and are given an opportunity to participate in seminars.

I am always prepared to give credit where credit is due. I give credit on this occasion for a relatively minor matter (although in some ways it is not a minor matter as the work undertaken is of great importance) and that is in relation to the over-all administration of the law in Queensland. I refer to the appointment by this Government of a children's stipendiary magistrate. His appointment was certainly advantageous to the application and implementation of the law as it related to children who had to go to that jurisdiction to be dealt with for various matters. This magistrate has a knowledge of the children and of their parents. He has a knowledge of the parents' lack of attention on some occasions to the children and, by his rulings and decisions, he can implement the law much more efficiently, satisfactorily and harmoniously than perhaps would a strict, objective and detached magistrate not specifically appointed as a children's magistrate. He is an example, in a small way, of the principle I am espousing in that he has been appointed specially, because of his training in legal matters and in children's problems, to preside over the Children's Court. That is desirable. I think the principle should be extended to the jurisdiction of our other courts.

As a matter of fact, a special Family Law Committee of the Law Graduates' Association of Sydney was appointed. It has already met to consider matters of this nature. The principle suggested is that a court known as a Family Court would deal with what is known at the present time as the Magistrates Courts jurisdiction, and a Court of Domestic Relations would cover the jurisdiction presently regarded as the Supreme Court and District Court jurisdiction. Summary matters would be dealt with by a special Magistrates Court designed to be a family court to deal with the maintenance of spouses and children, custody, permission to marry for children over the statutory age but under 21 years. In recent times it has been suggested that children who are regarded under the law as children—because they are under 21—should be given the right of testamentary capacity and other rights that may be regarded as adult rights. As I understand the proposed legislation, a soldier domiciled in Queensland will be able to make a will but will not be able to marry without the consent of his parents until he is 21

years of age. As we are regarding 18 years as an adult mental age in this generation, it may well be that we should examine the requirement that young people get the consent of their parents to marry if they are under 21 years of age.

The Family Court would have jurisdiction in disputes over matrimonial property. Mr. Matthews, S.M., received special training, and the magistrates who preside over family courts should receive some training in behavioural science. This is not an attack on anybody, because we have some fine, outstanding magistrates who are well equipped and highly educated, but the appointment of magistrates to the family court should not necessarily be restricted to public servants. Certainly, if suitable magistrates are in the Public Service they should be entitled to appointment, so long as they have the qualifications. But if not, the time is overdue when qualified and willing people from outside the Public Service should be entitled to appointment to positions such as this in the Public Service.

As we are dealing with the rights of women and the emancipation of women, we have the opportunity to appoint qualified women to preside over these courts. There are some legally qualified women who could be suitably trained in behavioural science appointed to these positions. But under the system that prevails there will be no female magistrate in Queensland in the next 20 years, because as far as I know, there is not a girl within the Public Service in a position where, within the next 20 years, she will be entitled to be promoted, if I may use that term, or will qualify for appointment to the position of stipendiary magistrate. Therefore I cannot see any female magistrate being appointed, under the existing Public Service system in Queensland, within the next two decades. If we amended the law so that it would be possible to appoint qualified women to preside over these family courts, the women's section in the community who want to put their ideas on modern family relationships into effect would be given an opportunity to do so.

It is not suggested—nor do I advocate, of course—that these Family Courts should interfere in any way with the functions of the Children's Court presided over by Mr. Matthews, who deals with juvenile delinquency. That is a separate problem altogether. I would not want the two courts to become confused about their responsibilities and obligations. I mentioned earlier that the Court of Domestic Relations should have the jurisdiction of the Supreme Court and the District Court.

(Time expired.)

Mr. PORTER (Toowong) (2.30 p.m.): I speak only briefly in this debate to pay a small measure of commendation to the Minister for its introduction. I hesitated to enter this fray with such legal luminaries as the hon. member for South Brisbane,

who has just resumed his seat. He left us in no doubt that he alone is responsible for the introduction of this measure. I do not know whether that is illusion or delusion, but, whatever it is, he suffers from it in no small degree.

As a layman, I am reluctant to enter a debate of this type, which is highly specialised, but the Bill is one for the Committee as a whole to consider, not one for consideration by only the giants of the legal world. I freely confess that once these legal gentlemen begin speaking, they quickly lose me and I do not know whether they are talking sense or nonsense. We take it for granted that they are talking sense but, frankly, I do not know. I certainly intend to keep to the basic principles of the measure before the Committee, because I am only a layman having my modest five cents' worth on it.

I think that all will freely concede that this is not an earth-shaking measure. Although it is not an enormous principle that is being considered, it is important as another step forward and another symptom of the general forward move that the Government is making in order to streamline many of the legal and other procedures that have obtained for many years. Very excellent forward steps are being taken to modernise the ways in which we do things and to establish equity, as it were, according to the practices of our modern society and the dictates of modern attitudes.

In introducing the Bill, the Minister for Justice said that it was necessary because at present, under common law, a wife cannot sue her husband and a husband cannot sue his wife in tort. I think he went on to say something to the effect that this rule is of archaic origin, based on the idea that a woman completely loses her identity, which becomes merged with that of her husband, on marriage. All who have been married for any length of time know that although that may be the legal position, it is not the factual position. Very few men believe that their wives have lost their identity. There is an old saying that man is but dust and his wife settles him every time he comes home from work.

Of equal application is the famous dictum of Lord Chesterfield that the road to success is crowded with women—pushing their husbands along in front of them. I think we all recognise that in fact, if not in law till the Bill alters the position, a wife's legal entity may be merged with that of her husband, but certainly not her personality.

I hope that the Bill in no way contributes to any imbalance of partners in marriage. In other words, I should not like the Bill to lead, as the hon. member for Kurilpa suggested, to a spate of legal squabbles between husbands and wives—between spouse and spouse. I do not think it will. There is a schoolboy howler that the plural of "spouse" is "spice". I certainly hope that the legislation will not turn spice into hot pepper. I do not think it will.

I regard the Bill as a good one. It has sensible safeguards in that the court can dismiss actions which have only petty bases and, if attempts are made to bring under this legislation disputes concerning property, the court can properly say that they should be handled under the provisions of the Married Women's Property Act.

Earlier in the debate the hon. member for Townsville South talked at great length about *de facto* wives. I was not able to relate what he said to the provisions of the Bill. He also dealt with stamp duties and intestate estates, and went round the legal world, though strictly on an amateur basis, in about 10 minutes.

All that I wish to say is that I welcome the Bill. I think it is a useful measure, and another indication of the manner in which the Government is moving forward rapidly into the modern world in streamlining procedures and providing equity between classes and sexes. I think the Committee will be pleased to receive the Bill.

Mrs. JORDAN (Ipswich West) (2.35 p.m.): I welcome the introduction of the proposed Bill, which seeks to bring the law more into keeping with the developing tendency to treat women as persons in their own right, with their own personalities, not just as chattels of their husbands, as they have been in the short history of this country. That attitude was handed down by our British forebears; because of it, many injustices have been perpetrated on women, particularly on wives.

I do not think that these things have been done with deliberate intent. Like Topsy, they have just "growned", and they have been accepted over the years not only by men but also by women. They have not been questioned to any great extent till recent years, when, with the developing attitudes of men and women, it has been seen that woman is a person in her own right, and she now does have some rights in this country and in many countries throughout the world.

I think it is time that such outmoded thinking was altered and more logic, reason and common sense applied to the case as it is. The argument should not be based on an outmoded law, tradition, or prejudice. Some of the things should never have been allowed to happen in past years. I can deal with the matter only from the point of view of how it affects women in their day-to-day lives. At no stage do I think I can compete with the legal members on either side of the Chamber, who introduced many technicalities into the debate. They can lose me completely; I admit that.

However, in moving around the community, I do know a little bit about the every-day life of women who have these injustices perpetrated on them and the women who have to suffer great hardship because the law, as it now stands, does not give them a fair deal. I believe that this is the aspect about which hon. members are concerned, not how the provisions can be tied up with legal jargon so that nobody can understand them and so

that people have to go to barristers or solicitors to find out how to proceed. The ordinary person in the community should be able to understand what the law is all about and what he is entitled to under it.

Women look at things differently nowadays. Some of them—quite a number of them—work outside the home in addition to looking after a family, and some of them are doing both jobs very well. At least they now have a choice. They can please themselves whether they make a career of looking after a home and a family, taking a job and looking after a family too, or, if they do not want to have a family, simply having a career outside the home.

Without a doubt, the thing that has brought many of the injustices to women to the light of day has been the advent of the motor-car. As a result of its introduction more people have become cognisant of the injustices, and both husband and wife have been affected in their thinking by that. They see the injustice, particularly, of a wife who is travelling in a motor-car with her husband having no redress or compensation available to her under compulsory third-party motor vehicle insurance. I did not realise that that was so until some years ago, and I became aware of another aspect of it—I will not mention it now—only before Christmas last year in a short conversation that I had with the Minister for Justice.

There are always a number of injustices that the public generally, and even people who are quite au fait with the subject in some respects, do not realise. As I said earlier, husbands in particular have become cognisant of the injustice that affects them, as a member of the family unit, just as much as it affects their wives.

It has been really shocking that a wife could be injured while travelling in a car driven by her husband and have no right of redress or compensation for any injuries that she may receive. Indeed, I know intimately of one accident—a major one—caused by a driver crossing a double line, speeding around a very dangerous blind curve and colliding head on with a young couple who were engaged and about to be married. In that case damages were settled out of court because it was one of those cases that the law calls a “sitter”. It was not taken to court. The damages that that young woman received were enough to pay for the very extensive plastic surgery that she had to have done to her face. Had the accident happened a few weeks later, after the planned marriage of the young couple, the wife then, because she was a wife, would not have received one penny, yet she would have had the same expense on plastic surgery to her face and her husband would have had to foot the bill. This would have been the same young couple, the same motor-car and the same accident, the only difference being that a marriage had been performed. This would have altered the whole legal attitude to the right to damages and compensation. That

has been a most unjust situation and it is good that to some degree it is being rectified by this legislation.

Getting away from motor-cars, the provision that the court can stay proceedings if it feels that it is being used by either spouse to get even with the other, or to hurt the other, or to publicly decry one's treatment of the other, by which no good purpose can be achieved, is a wise safeguard. Whether we like it or not, this sort of thing does go on and such actions incite spouses to become even more bitter, one against the other. In addition, it affects the family unit. Therefore, I think that giving the court power to step in in such cases is very good.

The attitude that, after marriage, husband and wife are one entity and must be regarded as one and cannot proceed to law separately, is rather ridiculous. After all, in the voting that puts each and every one of us into this Parliament, men and women get separate votes and are treated as separate individuals. If either one does not vote, he or she gets a separate summons for not doing so. The husband is not summonsed because his wife does not vote, and vice versa. In that respect they are treated as separate individuals.

Women now go out and earn separate incomes and are taxed as single people, yet, in the Federal field of social services—I know this has nothing to do with the Bill but it brings out something that I think is an anomaly—if illness or even unemployment for any length of time intervenes and the earnings of one spouse cease, social service benefits, which both the wife and husband have contributed to, perhaps for a number of years—in the case of the husband for virtually the whole of his working lifetime—are not payable. If the husband takes ill and if his wife is working he does not get social service benefits. I know of several cases in which this happened. In each instance the husband had a very long illness and got no help in the payment of social service benefits because the wife was earning yet, as most of us know, in most instances the earnings of the wife would be much lower than those of the husband, and almost invariably there would be commitments in the purchasing of a home and furniture, the payments on which would have to be kept up.

Maybe there would not be a family in such instances, but the husband and wife would have their joint commitments. It is a great hardship that, although they are taxed individually as single people, for social service purposes they are not treated as individuals but the earnings of one is apportioned against both of them.

Take the case of a wife who pays her husband's debts. Should the husband die, when probate is being assessed the wife can be asked to produce evidence of an agreement between herself and her husband

as to the payment of those debts. She might be asked to produce evidence of an agreement covering repairs or improvements to the home, which was held in the husband's name. In lots of cases the home is in the husband's name. Perhaps the couple married before the wife was 21. Perhaps for some other reason—possibly because they got on very well together—they had not thought about these things. However, it can result in hardship in later years. Because money was paid in settlement of the husband's debts or for improvements to the home, or even because of the transfer of a bank account, the payment of gift duty could be involved if no written agreement had been entered into between the husband and the wife. This is an iniquitous situation when a husband and wife have worked as a joint team. One would not expect that an agreement between a husband and a wife would be drawn up and duly signed when one paid for something at one time and another paid for it at another time.

This is a matter that should be looked into. I can speak from first-hand knowledge, as this year I am directly affected. To me it seems very unjust. Something should be done about it when it affects husbands and wives in such a manner. If the husband and wife both die and the estate goes to the family it is a different matter, but when it has been the joint effort of a husband and wife, with no drawing of a line between who owns what, I feel it is a very unjust situation.

I am pleased that the Minister has a humane and fair outlook to many of these matters of law, particularly those that affect wives. I look forward to reading the Bill and seeing just what it does cover.

Since entering Parliament I have been shocked by the many cases that have come to my knowledge of the hardship that is suffered by deserted wives. Usually they are on the suffering end when it comes to maintenance, despite the enactment that was passed last year under which we could go interstate to find the husband. There is still difficulty in sheeting the responsibility home to the erring husband. There are still very grave injustices to deserted wives and their families. It is pitiful to see their plight, and more attention should be given to assisting them to obtain legal justice. Most of them have not a clue on how to proceed. They are confused; they are lost; they do not know which way to turn.

In every major centre there should be an office where a departmental official is available to advise these unfortunate women on how to proceed. This could help them mentally in many ways. As hon. members know, continued mental worry and upset can lead to the illness of deserted wives, and to psychological problems in young children which can

alter their whole future attitude to life. This is caused by what happens to the mother while they are in their formative years.

Anything that can help deserted wives is extremely important. Only the other day I heard of a deserted husband who was left with a family to look after. He was at a great disadvantage and did not know what to do. However, the man's problem is much lighter in that, in most cases, he is earning money. Finance is vitally important in these cases, and at least the deserted husband and his family are much better off than is a deserted wife and her family.

I pay a tribute to the Minister for his interest in this matter and for the fact that he has a very humane approach to the problems of women and the injustices perpetrated against them. I reserve any further comments until after I have seen the Bill.

Hon. P. R. DELAMOTHE (Bowen—Minister for Justice) (2.52 p.m.), in reply: I express my appreciation of the general favourable reception the Bill has received. Indeed, it has been so favourable that many speakers have claimed parenthood of it. I do not propose to try to decide on the validity of the claims although, if one goes by years, I suppose the hon. member for Townsville South who claims he raised it in 1947, should be declared the winner. Whoever initiated it, the principle applies equally to all measures; various people, at different times, think of a new idea and express it in this Chamber. In my particular area of responsibility, nothing is said in this Chamber that I do not make a note of and examine carefully. I have the responsibility of initiating research in connection with it. I pay a tribute to the draftsmen who then have to put an idea into a form acceptable to the Chamber.

I said that this is a small Bill and, as the poet said, we have heard a lot about this and a lot about that. Hon. members may rest assured, that everything said will be carefully examined. As hon. members have not the Bill before them, many of their comments traversed avenues that have nothing to do with the Bill. At the same time, they have dealt with the well-being of the community and, therefore, although their remarks may not be strictly relevant to the Bill, they are of value in the avenues they relate to.

I refer particularly to the comments of the hon. member for Ipswich West, who adorns this Legislative Assembly as the sole representative of womanhood. She naturally puts forward the woman's point of view, and I am sure that we all appreciate that. During her contribution she raised many matters of importance to women and they merit close study.

It has been said for many years that the hand that rocks the cradle rules the world. Unfortunately, over the years, because of this piece of doggerel women have been lulled into preening themselves and feeling that they do

in fact rule the world. Behind this smoke-screen, if I may call it that, women have suffered from many legal disabilities.

Mr. Duggan: Do you think that your private profession is reducing the number of cradles?

Dr. DELAMOTHE: No. I would say that my private profession has imbued me with the humanity that the hon. member for Ipswich West claims that I possess in my approach. In fact, I think that this is the sixth measure that we together—I with the honour of introducing the statute and hon. members on both sides helping me to put it into operation—have improved various angles and removed various disabilities that women have suffered, and together we will go on doing this while I hold this portfolio. Talking about going ahead together—the hon. member for South Brisbane, by way of interjection, had something to say about togetherness.

Mr. Bennett: The lack of togetherness in the Government parties really disturbs me.

Dr. DELAMOTHE: I should go along with the hon. member on this togetherness and say that at long last the members on that side of the Chamber have achieved togetherness in that, according to the Press, the Q.C.E. now meets with the Trades Hall.

Opposition Members interjected.

Dr. DELAMOTHE: There could not be a better example of togetherness than that.

Mr. Bennett: Are you and Dr. Hartwig members of the same union?

Dr. DELAMOTHE: Yes. I belong to the same trade union as the hon. member for South Brisbane, too, although perhaps I am only an honorary member.

I should now like to comment upon one or two important matters that were raised. The Leader of the Opposition said that he hoped that, because of a recent unfortunate occurrence, members of the Police Force would not go alone to deal with domestic upheavals. I shall bring this to the notice of the Minister who controls the Police Department because none of us likes to witness tragedies such as the recent one.

The hon. member for Windsor emphasised something that needed emphasis, namely, that this Bill has nothing to do with property claims. The Bill gives both parties to a marriage the right to claim for civil wrongs. That is important from the woman's point of view because there were many things that made women feel, rightly or wrongly, that they were second-class citizens. We have heard that remark many times recently.

Mr. Houston: You hear that remark from the Liberals, not from us.

Dr. DELAMOTHE: No, because of the togetherness I mentioned earlier. Women refer to themselves as second-class citizens.

They are individual citizens, in my view, just as males are. They should therefore have all the legal rights of any citizen.

Mr. Houston: Go to the bar?

Dr. DELAMOTHE: Let us keep the discussion on a proper plane.

Mr. Houston: The legal Bar.

Dr. DELAMOTHE: I agree with the hon. member for South Brisbane that there are no such things as rights; there are only responsibilities. He may have used words different from those, but that is what he meant. I warn women that, as they achieve more and more equity with men in the eyes of the law, such changes bring greater responsibilities for them. I am sure that they will accept them willingly and happily. The time should not be far distant when there will be no difference between men and women in the eyes of the law.

I do not wish to say any more at this stage, because I think a long discussion at the introductory stage, when only I have seen the Bill, can be beating the air to a certain extent. Consequently I shall leave further debate on the matter till the second reading.

Motion (Dr. Delamothé) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Dr. Delamothé, read a first time.

MAIN ROADS ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Hodges, Gympie, in the chair)

Hon. R. E. CAMM (Whitsunday—Minister for Mines, Main Roads and Electricity) (3.4 p.m.): I move—

“That a Bill be introduced to amend the Main Roads Acts, 1920 to 1965, in certain particulars.”

The Bill has three purposes. Firstly, it is to provide the necessary legislation for the effective implementation of urban roads proposals following the Brisbane Transportation Study and similar studies in other cities. Secondly, it is to provide for the proclamation of certain classes of declared roads as motorways. Thirdly, it is to correct various anomalies and inconsistencies which have become apparent in the legislation.

The Bill provides for two additional types of declared roads—urban arterial roads, and urban subarterial roads. The cost of permanent works on urban arterial roads will not attract any repayment by local authorities, and the cost of permanent works on urban subarterial roads and maintenance on both urban arterial roads and urban subarterial roads may attract a contribution not exceeding one-half of the expenditure.

There is provision for the creation of an Urban Roads Trust Fund to finance works associated with the urban roads. In addition, provision is made for a contribution by the Commissioner, not exceeding one-half, towards the cost of works on undeclared roads necessary to enable an urban arterial road or an urban subarterial road to function effectively after construction.

The proposed Bill makes provision for any State highway, main road, urban arterial road and urban subarterial road, or any part thereof, to be proclaimed a motorway by the Governor in Council. A motorway is a high-class road to which certain restrictions as to parking, type of traffic, etc., apply, and to and from which access is controlled. The design and operation of a motorway is such as to achieve, in terms of traffic flow, the highest return to the community on the considerable investment in these roads.

The following are some of the conditions that will apply to motorways:—

- (a) Exclusion of persons other than drivers or passengers—that is, pedestrians;
- (b) Control of traffic by prohibition of parking, stopping, etc., except in authorised areas;
- (c) Control by the Commissioner of the classes of traffic using the road.

Mr. Houston: Who will control this? Will it be the State, or the local authority?

Mr. CAMM: The State. In this case, the Minister in charge of traffic will control some of these conditions. These are the conditions that will be applied when a road is declared a motorway.

Further conditions are—

- (d) Prohibition of services (gas, electricity, water mains, etc.) on motorways, except with the Commissioner's approval;
- (e) Power to close undeclared roads intersecting a motorway;
- (f) Control of advertising signs on or in the vicinity of motorways; and
- (g) Power to acquire land adjacent to motorways and to lease such land for the provision of facilities for users of the road.

Provision is also made for the proclamation of a motorway in conjunction with the taking of land for a new road where limitation of access is being imposed under the existing provisions of the Acts, with the alternative that, until such new road is declared, the Governor in Council may designate such land as a proposed motorway and impose from time to time any of the provisions listed above.

In addition to the provisions dealing with urban roads and motorways, there are a number of amendments to correct and clarify various other points.

The Bill corrects an anomaly in so far as the Acts at present require the Commissioner's salary to be paid from Consolidated Revenue, whereas in fact it is paid from the Main Roads Fund.

Provision is made to incorporate legislation to facilitate proof of signatures in any court proceedings.

A clause in the Bill gives the Commissioner power to appoint "authorised persons". Although there is at present a definition of "authorised person" in the regulations, there is some doubt as to whether this is adequate.

Provision is made for the amendment of the definition of "median" to make it consistent with those sections of the Traffic Acts dealing with medians, and, in addition, specific authority is provided for the Commissioner to install similar traffic devices, such as safety zones, traffic islands, and raised paving.

A double numbering of sections in the Acts is corrected. At present there are two sections 9A in the Acts.

Provision is made to clarify the situation with respect to the disposal of the proceeds of the sale of old roads. The Acts provide that the proceeds shall be paid into the Main Roads Fund, but for many years the amounts have been paid into Consolidated Revenue because sales are handled by the Department of Lands and considerable difficulty would exist in identifying particular sections of old road and a complicated administration would be necessary to handle relatively small amounts.

Provision is made for a new section to provide specific authority for the Commissioner to regulate the location of means of access for prescribed classes of properties such as service stations, drive-in theatres, etc.

The Bill inserts a new section to assist local authorities which carry out works such as kerb and channelling and extra pavement widths in conjunction with a Main Roads job, by authorising the work to be done in the first instance at the expense of the Commissioner, with repayments by the local authority as a loan over 30 years in the same way as that part of a Main Roads job chargeable to it.

The Bill repeals a section of the Acts relating to the non-payment of royalties by the Commissioner on materials, etc., where the use of such materials has been reserved to the Crown by the original deed of grant. The new Land Acts made this provision redundant.

Provision is made to enable regulations to apply in various ways to particular classes of things or persons where the power to make the regulations is general. For instance, advertising regulations may differ with respect to motorways and other roads, or some weight-of-load regulations may apply to all roads with others applying to declared roads only.

The Bill includes in the schedule to the Acts power to make a regulation to close an undeclared road temporarily for the purpose of carrying out any works under the Acts.

The Bill deletes a reference to a fee of 3 guineas for registration of traction engines. Apart from the question of decimal currency, all other registration fees are determined by the Governor in Council by regulation and are not determined or limited by the Acts.

The Bill makes provision for the issue of conditional certificates of registration of motor vehicles.

The provisions in the schedule to the Acts which cover the subject matter for regulations are restated with respect to the regulation of weights of loads. This has been found necessary because of the need for the wording of the schedule and the regulations to conform very closely.

I commend the motion to the Committee.

Mr. HOUSTON (Bulimba—Leader of the Opposition) (3.13 p.m.): From what the Minister has said, this Bill is designed to put into effect many of the recommendations of the Wilbur Smith Report. May I say at the outset that I have been very disappointed that Parliament was not given an opportunity, at some stage, to debate this report, because we are now finding that it is not being implemented in full. Only certain sections of it are being implemented and there are many questions to which the public would like answers that those in responsible positions are not giving them. For argument's sake, we do not know whether or not the northside and the southside railway systems are to be connected; we do not know what procedure is to be adopted in regard to the priority of bridges; and many people who saw the maps that were published in association with the Wilbur Smith Report do not know whether their properties will be resumed in the near future or whether it will be some time before that happens.

Mr. Hughes: Tell us the future of trams on the southside; that's what we should like to know.

Mr. HOUSTON: If the hon. member for Kurilpa goes through the proper channels, I am sure he will know as much about that as I do.

The Wilbur Smith Report has such a great effect on so many people in Brisbane that the public should have been made much more aware of it before now and I trust that the Minister, in his second-reading speech, will give us some idea of where it is contemplated that these motorways will be built. We know, of course, that houses are being resumed. Certain maps have appeared in the Press showing where free-ways and the like are going. However, the public are entitled to much more information than that. They are entitled to know where a particular road is going and what effect it will have.

The Minister contemplates that with the construction of freeways or motorways there will be other roads coming on to them. He referred to urban arterial roads and sub-arterial roads. It is obvious that those roads will be feeder roads to the main motorways and main highways and, as such, in some cases they will be going through new territory. If I understood the Minister correctly, he indicated that the Government would need to resume certain land to provide entry to and exit from the main motorways.

I asked by interjection whether or not the control of a motorway was to be in the hands of the local authority. The Minister said, "No; in the hands of the Main Roads Commission".

Mr. Camm interjected.

Mr. HOUSTON: The Commissioner of Traffic? What I am trying to get around to is that some time ago the Government brought down legislation, which finally received the approval of Parliament, to place responsibility for traffic lights, crossings, and so on, in the hands of the local authority. I do not think that has proved successful. I have no fight against motorways, but we do not want dual control. We do not want control with the local authority in one case and, in the other case, with some Government subdepartment. The whole control should be in the hands of the one authority.

The Minister mentioned finance. I think he indicated that the motorway would be the responsibility of the Crown, but the other roads would be, up to 50 per cent., the responsibility of the Crown and therefore the other 50 per cent. the responsibility of the local authority. I do not want to misquote the Minister; I hope that is what he said. What is concerning both me and the local authorities is the financing of many of these schemes. I refer to Brisbane particularly, because that is the area that this Bill is designed specifically to deal with. The local authority's direct income comes from the people by way of rates. Surely the Government is not going to force on the Brisbane City Council or any other local authority a large construction programme and expect it to pay for it. If it does, the people in the area will either have to pay increased rates or miss out on some of the services that should be provided for them.

The policy of the local authority in Brisbane has been to attack the sewerage problem. Even those who are viciously opposed to the present Brisbane City Council will admit that it has done a remarkable job in overcoming the lag in sewerage installation. That work has not only required large amounts of loan money but has also meant the diversion of the council's money from other work. I think the citizens of Brisbane are appreciative of what has been done. If the council has to meet large-scale repayments for road work which is associated either directly or indirectly with motorways, it will be in very serious financial difficulties.

Before legislation such as this is finally put into practical effect, the Government should look at the position of local authority finances. Over the years subsidies to local authorities for sewerage, water channelling, road construction, and so on, have been cut down considerably. The figure is now down to 22½ per cent. or 25 per cent., whereas previously it was 50 per cent.

It is all very well for the Government to say that certain work has to be carried out and that we will pay half of the cost. In doing that, we place the other half of the burden on the shoulders of the local authority or, in other words, the ratepayers, unless some other answer is found. I recall a parallel case in the Budget debate when the Treasurer said it was completely wrong that the Commonwealth Government should make us spend so much on the university to get a matching grant. Here the position is in reverse. As a State, we will finance certain works and we expect the local authority to pay so much.

We will examine this proposal closely to determine whether or not the financial arrangement is as it should be. At this stage I do not say that we are opposed to it, but we will look at it carefully. It is very important that the legislation should stipulate percentages that will be in the best interests of all.

It has been proved overseas that the building of freeways and motorways does not in fact reduce congestion over a period. Congestion is certainly reduced at the time, but then it is found that vehicles travel faster and that more of them come onto the roads. An accumulation, rather than a diminution, of problems occurs. Overseas reports indicate that as more money is spent on freeways, highways and first-class roads, the greater becomes the demand for a further acceleration of this type of work.

Anything of this nature that we do to improve roadways and the flow of traffic must eventually add to our problems. By that I mean that the more cars that are provided for on freeways and motorways, the more will people want to travel on them; therefore the feeder roads and the feeder facilities also will have to be improved. Those who live at intersections in such places will have problems associated with the density of traffic coming onto the roads. These difficulties are not new. We have been reading about them for some time in magazines from all parts of the world.

I trust that during his second-reading speech the Minister will indicate where the first of the motorways is to be constructed and what roads will be affected so that the people in the area will know what it is all about and where they are going.

The Minister also said in relation to motorways that there will be certain restrictions. I take it that one will be a slow-speed restriction as it would be dangerous for cars to travel at less than a certain speed.

I think that some of the American and European roads of this type have minimum speed limits but no maximum speed limits. I should like more details from the Minister about what he has in mind as to speeds not only on the motorways but also on the access roads.

Much can be said about main roads. I trust that in financing the Wilbur Smith project we do not concentrate on the roads alone. The whole concept of improving traffic flow must be tied in with many other things, for instance, an improvement in the public transport system. It must be tied in also with the compensation that is payable to people who lose their homes or have to shift their places of business. It is also important that all of the money is not spent only on these projects, because many so-called main roads throughout the State are anything but up to the ordinary standard required by today's traffic.

Mr. Aikens: Some are very little better than bush tracks.

Mr. HOUSTON: That is quite true.

Mr. N. T. E. Hewitt: They are goat tracks in my area.

Mr. HOUSTON: The hon. member says that as a Government supporter. Apparently he is quite happy with the state of affairs in his area. We on this side are not happy with the position in our areas.

Mr. Aikens: That might be why he did not get into Cabinet.

Mr. HOUSTON: That could be so. However, I do not want to be diverted. The point is that at present, with the money that has been made available, not many hon. members are happy with the condition of our main roads. In fact, this morning we had the ridiculous position that the hon. member for Landsborough, in his first question since entering Parliament, asked that a double highway be provided between Beerburum and Beerwah. Surely if that could not be done at a time when the former Premier represented that area, what chance has a new member of getting it done? If that is the Government's policy, it is a completely wrong policy.

Mr. Pilbeam: There are plenty of good highways in Landsborough.

Mr. HOUSTON: If we are lucky enough to get to them over the bad roads. The hon. member for Cooroora is here. Nambour is in his electorate.

Mr. Low: I am happy.

Mr. HOUSTON: I know he is, and I do not complain about the roads in his electorate. I think that the hon. member for Wavell hit the nail on the head when he said that having a section of single-lane road, then a divided highway, and then a reversion to a single-lane highway for 40 miles, lends

itself to the incidence of traffic accidents. Every time we drive on such a road we see the impatient driver who cannot wait behind a slow car for more than 10 miles before he starts to edge out, and then an accident occurs. Then, when we get to the area represented by the hon. member for Cooroora, we have this magnificent highway.

Mr. Sullivan: Are you saying that a bad road is an excuse for an impatient driver?

Mr. HOUSTON: I do not say it is an excuse, but I have been on this earth long enough—and so has the Minister—to know human nature. We can pass as many laws as we like but we will not overcome the impatience of some people. They will not stay behind another driver mile after mile; they will attempt to pass him. If the Minister does not accept that, he is legislating blindly.

Mr. Sullivan: The breathalyser will help to overcome this.

Mr. HOUSTON: When the Government members have made up their minds on the breathalyser, I shall give our thoughts on it.

Mr. Sullivan: What is your opinion?

Mr. HOUSTON: If I voiced an opinion on that subject I would be ruled out of order. I do not want to be sidetracked, nor do I want to offend the Chair.

Mr. Aikens: Get off the fence. You have splinters in your bottom from sitting on the fence.

Mr. HOUSTON: At least I know where I am going—I always have known—and that is more than the hon. member for Townsville South can say. I do not have to be led anywhere. We can make up our own minds.

What I am driving at is that too many of our so-called highways today are in such poor condition and that the Government should not spend money only on these prestige motorways, as it apparently intends to do. In the first instance the Minister said that the work on the motorways and other roads would be done by the Government and that the councils would pay for them over 30 years. But the money will come originally from the State.

I do not say that that is wrong, but if money is to be spent in this field surely consideration has to be given to what will happen in other fields in which finance is apparently so short. Many roads at present are in shocking condition. The Minister may say that under Labour administration the position was much worse, but I am not concerned with what happened 10 years ago.

Mr. Camm: Would you like to forget about it?

Mr. HOUSTON: No, not at all. The point is that in 10 years surely some results should be shown, and they are not comparable with

what a Labour Government would have done in the same period. Let there be no argument about that.

I hope that in his reply the Minister will give an assurance that there will be no reduction of work on roads in other parts of the State. There is too much to be done to allow that to happen. Much is said about encouraging tourists to Queensland. I travelled to Cairns last year by car, and many people whom I met at caravan parks had stopped along the way and had no intention of going any further. I would say to them, "Why don't you go a bit further? The scenery there is lovely." Always the reply was, "How are the roads? Are they any better?" I could not tell deliberate lies, so I would say, "About the same" and try to get out of it that way. The reply would be, "We are not going another foot". That happened time and time again.

Mr. Sullivan: Where did you strike these people?

Mr. HOUSTON: Anywhere north of Rockhampton.

Mr. Sullivan: There used to be that sort of talk north of Caloundra 10 years ago.

Mr. HOUSTON: That is nonsense. The Minister had never been to Brisbane till he entered Parliament. He wanted to speak at Roma during the by-election campaign, but he could not get there.

Mr. Davies: He was bogged.

Mr. HOUSTON: Yes, and he was lost trying to get back to Roma. I listened with interest to the Minister's introduction of the Bill. In the first place, I think that he should give, not so much for the Opposition as for the people of Queensland, more details of the Wilbur Smith Report and what the Government has in mind. Suggestions have been made that this and that will be done. Then the Government will say, "After all, we are not going to implement the Wilbur Smith Report as presented. We are going to vary it." No-one is told what the variations are to be. Then the Government will say, "We cannot tell you any more till the local authorities tell us something". Surely the Government is building these motorways; it is not being done by the local authorities.

Mrs. Jordan: They don't tell the local authority about it, and then they drop bridge levels and everything else and leave bridges suspended in mid-air.

Mr. HOUSTON: That is quite true. The lack of co-ordination between the Government, the local authorities and the public is completely wrong. Today the Minister had an opportunity to say where the motorways are to be constructed and what the Government had in mind. Surely the people are entitled to know that, and now is the time to tell them.

Although the Opposition will not be opposing the introduction of the Bill, many of its features will be examined closely

because we feel that the people are entitled to much more information than they have been given.

Mr. NEWTON (Belmont) (3.34 p.m.): As a metropolitan member, I support the remarks of the Leader of the Opposition. The proposed motorways and freeways are linked with the Wilbur Smith Report, and one would have thought that, during the introduction of the Bill, the Minister would have elaborated on the Government's intentions.

There is no doubt in my mind that the Government has come up against very serious problems in its attempt to implement the Wilbur Smith Report. There has been, and there will continue to be, adverse reaction until the public is made fully aware of the Government's intentions relative to the carrying out of various road works. For example, difficulties have arisen on the question of compensation, particularly in cases where houses have had to be removed as part of these projects. It is to be hoped, therefore, that the Minister will elaborate as much as he can, either in his reply in this debate or in his second-reading speech, on what the Government intends doing.

Problems will arise with the introduction of freeways and motorways similar to those which the Government faced when it tried to introduce four-lane highways in the metropolitan area. No-one in this Chamber knows more than I do about the problems associated with the four-lane section of the Pacific Highway from the Mt. Gravatt tram terminus through my electorate. Representations were made continually to the late Mr. Evans, who was then Minister for Main Roads, relative to the construction of medians and the use of every second entrance for access roads. When construction works of that type are undertaken, the Government should first impress upon the public what they will mean to them and what benefits will flow from their completion.

I agree with what my Leader said about main roads. At present there is a very serious problem in my own electorate because of the closure of a railway line, and similar problems have arisen in other parts of Queensland in which the Government has closed railway lines and attempted to provide better highways. Hon. members should not kid themselves about that. I will agree that there is a beautiful four-lane highway from somewhere near the Buderim turn-off to Nambour, in the Cooroola electorate; but, because of the availability of material and the country through which the road runs, it possibly would not cost half as much as a similar road would cost in other parts of the State.

The highway to the Gold Coast, passing through the electorates of Logan, Albert, and South Coast, has been provided by the Government because a railway line was closed. But what is the position towards the other end of the Logan electorate where a railway line from Lota to Cleveland was

closed? An attempt was made to overcome the problem by improving the road from Capalaba through to Cleveland, but very little was done on the section of the road in my electorate from the Belmont tram terminus to Capalaba. It was only because of the strong representations that I made to the former Minister that some work was done on that four-lane highway. I raised the matter time and time again in this Chamber and in letters to the Minister. I pointed out to him the hazard that was created at the Belmont tram terminus and the increasing volume of traffic that the road was carrying, and it is increasing even further on that section of the road, which is a main road. Not only has it increased because of the closure of the railway line; it has increased because of the number of motor buses and motor transports using it, and because the cement company at Darra transports coral over it for about 16 hours a day, seven days a week. One can see what has happened with this highway; it has crumbled under the volume of traffic carried.

I am not complaining because in certain parts of the State the Government has done something about main roads where railway lines have been closed; but in other sections where railway lines have been closed, very little compensation has been made for the closures. I refer in particular to the section from Creek Road to Capalaba, which has again been drawn to the attention of the present Minister because of what heavy transport is doing to it.

The Leader of the Opposition referred to the position of local authorities who carry out not only main roads work but work on these motorways, and maybe freeways when they are to be built. On some of the four-lane highways the Government builds the road, and the kerb and channelling work are done afterwards by the local authority, and such questions arise as: who is to provide bus bays, who is to look after the footpaths, who is to provide footbridges over culverts and bridges and things of that nature, for children to use going to and coming from school, the shopping centre, and so on. When these matters are raised, we are told they are the responsibility of the local authority. Let us hope that, when we get to building motorways and freeways, these problems will be worked out much better than they have been in the past and that the Government will be responsible for the whole of the motorways or freeways. It is quite wrong to specify so much as being the share of the Government and so much as the share of local authorities, for the reasons that have already been outlined by the Leader of the Opposition.

Later today I hope to be able to prove how much local authorities are being fleeced by having to carry out these particular works. More and more burdens are being placed upon them with very little financial assistance towards carrying them out.

Another aspect of these motorways that interests me and that I am sure will be of interest to most members of this Committee—it has been touched on by the Leader of the Opposition—is just what traffic is going to use them. We can see what is happening on our main roads. Roads are graded, commencing at highways and going down by steps, according to the volume of traffic, to ordinary streets.

Mr. Aikens: I want to know if I can ride a bike on a motorway.

Mr. NEWTON: No.

Mr. Aikens: That is a denial of my civil rights.

Mr. NEWTON: I think the Minister should tell us just what traffic can use a motorway. He touched on the matter of slow vehicles, speed limit signs and so on, but one gains the impression from what one has been able to read about the Wilbur Smith Report that freeways and motorways are to be used to increase the flow of traffic and to keep it moving. The greatest obstacle to traffic flow in this city today, even on our main roads, is the large volume of heavy transport continually entering and leaving the city, particularly on two-lane highways, thereby cutting the traffic down to a crawl. I again ask the Minister to give us some indication of what type of traffic will be allowed onto motorways, what will be the speed limits and so on. These matters are important in view of films we have seen in the Legislative Council Chamber depicting what is happening in America with all types of transport on particular roads. We have all seen what happens there both to human bodies and to the bodies of vehicles when all types of transport are allowed on these motorways. It would be very interesting to hear from the Minister what is envisaged.

The Minister mentioned the payment of royalties on materials used in the construction of the motorways. That must refer to the purchase of materials from other Government departments. Was he referring to material from Crown land, such as gravel or whatever is required for the building of the roads? Was he referring to timber?

The Minister indicated that in the past when old roads were no longer required the proceeds from the disposal of the land had been paid into Consolidated Revenue. It seemed to me that what he was saying was that, because of the finance necessary for him to carry out the works he is responsible for under the Wilbur Smith Report, he is endeavouring to get such money back into the Main Roads Fund.

Mr. Camm: No.

Mr. NEWTON: The Minister is not? He is not endeavouring to get it at all?

Mr. Camm: No.

Mr. NEWTON: Another interesting point is that the Minister referred in his introductory remarks to proof of signatures. In any court action that may be taken it will be necessary to prove the signatures of the persons concerned. It is evident that there has been something wrong somewhere along the line in the past in land resumptions or something of that nature for road-construction purposes. Perhaps somebody has been signing on behalf of somebody else. If that is so, the Minister is entitled to overcome the difficulty by this amending Bill.

The Minister said that in the construction of the motorways the installation of power, water and other services would be avoided as far as possible. I can agree with the Minister that it would not be necessary to install certain things on the motorways or freeways. Time and time again, no sooner is a new road constructed in the metropolitan area than the Postmaster-General's Department, the Brisbane City Council, or somebody else rips it up for one reason or another. However, I cannot see how the Minister can avoid the installation of power along freeways and motorways unless he proposes to have traffic islands without traffic lights at the entry and exit points. I realise that traffic lights are not installed on the Pacific Highway where the access roads from places like Beenleigh and Yatala meet the highway. Traffic lights may not be needed there but, in the metropolitan area, judging by the number of traffic lights that have had to be installed recently, we may not be able to dispense with traffic lights, because of the growth that is taking place.

On behalf of the people in the metropolitan area I appeal to the Minister to explain these matters more fully so that we may be able to overcome the first point I raised concerning public reaction. The more the public are taken into our confidence, the more we can tell them as members representing the metropolitan area what is going to take place, particularly when we are approached by local bodies such as progress associations. We can say that a Bill has been introduced about a matter but we are unable to explain its full effect on their area. The hon. member for Mt. Gravatt has had the same experience as I in relation to the four-lane highway. When the Wilbur Smith Report was promulgated, as our electorates adjoined, we were called on to explain the position in relation to the road going through our electorates.

If the measures were aired more broadly in this Chamber, particularly when the Minister was introducing the legislation, we could play our part by trying to pass on our knowledge to the public. I am sure that in that way we would avoid much of the unfavourable public reaction of the past.

Mr. DEWAR (Wavell) (3.52 p.m.): The Minister has given the Chamber a rather brief outline of what is contained in the measure. Although I wrote as quickly as

I could I found it hard to note the few points given. He stated that the Bill had three purposes, to provide for the implementation of the urban road proposal following the Brisbane transportation study, the proclamation of certain roads as motorways, and the removal of anomalies. The Minister referred to half the cost being paid for certain arterial roads, and the proclamation of motorways. Not very long ago I gained some experience of motorways in England and drove on the autobahns of Germany and the autostradas of Italy. The M1 motorway from London to Birmingham is the best road I have ever driven on. It should not be thought—and the Leader of the Opposition sounded this note of warning—that just by building motorways we remove the problems. In fact, this type of road creates its own problems. I have referred previously to hearing the tail-end of a broadcast on a car radio a couple of years ago. I gathered that it related to one of the large cities in America, and possibly Detroit, where the greatest traffic snarl in American history took place. About one and a half million cars were trapped, and 5,000,000 or 6,000,000 people were held up on the freeway for five hours. Anyone who thinks that by building super highways we will remove the problems has much to learn.

Mr. Davies: Don't you think you created a problem when you did away with electric railways?

Mr. DEWAR: I do not know how we could do away with electric railways when we did not have any.

In Germany and England one of the very big problems of the super highways—particularly in areas subject to foggy conditions—is the shocking accidents that can, and do, occur. A week before I arrived in Frankfurt, Germany, there had been such an accident on the autobahn involving 22 cars. All of these progressive measures have their own inherent problems.

The Minister mentioned the exclusion from motorways of persons other than drivers and passengers, the control of parking, the control of the use of the roads, and powers relating to crossroads and signs. That procedure is followed in Europe and is successful. This is a forward move that at long last gets Queensland started on such work. Without a doubt Australia is 20 years behind the rest of the world in road construction, and Queensland is 20 years behind the rest of Australia.

Mr. Davies: That is the period of Country-Liberal Government.

Mr. DEWAR: I make that 10 years. The Leader of the Opposition referred to what he was concerned about and the hon. member for Kedron, by way of interjection, referred to the piecemeal implementation of the Wilbur Smith Report. I join with them in their remarks. One of the great calamities of piecemeal implementation is that each phase

when completed will be 10 years out of date. That will be the position in Brisbane. This phase will take five years. The march of time, progress, expansion and greater use of roads by more vehicles will render obsolete each phase of the Wilbur Smith plan before it is finished. This would not be unusual. It is recognised world-wide that the building of road systems has got beyond the capacity of all Governments where there is a free way of life and the standard of living is such that the owning of a motor vehicle by virtually every family has become commonplace. If America, with all the untold wealth its economy has engendered, is unable to cope with this problem, as anyone who has been on its roads will verify, then it is beyond all possibility that Australia will ever be able to cope with the vast distances we have to travel, particularly in Queensland where we are starting so far behind scratch.

I shall now refer to some comments I made last year to which the Minister for Main Roads purported to reply, no doubt thinking that he had crushed me with the weight of his argument. On page 68 of "Hansard" attention is drawn to the fact that during 10 years of this Government's occupancy of the Treasury benches, in which \$25,916,000 had been spent in the brisgalow belt and on beef roads and \$265,473,000 in other areas of the State, a total of roughly \$290,000,000, the sum of \$4,471,000 had been spent in Brisbane, representing 1 to 1½ per cent. of the total funds of the Government. Then on page 441 the Minister for Main Roads referred to my comments on the spending of this money and said that I had ignored the fact that money was spent from certain funds as follows:—

	\$
"Expenditure on declared roads from Main Roads Funds—	
Permanent works and maintenance	4,471,902
Advances from—	
(1) Commonwealth Aid Fund	1,431,055
(2) Road Maintenance Fund	2,983,820
(3) Traffic Engineering Trust Fund	120,000
Treasury Subsidies—	
Road, street, and bridge works	5,775,085
Urban Roads Construction Fund	848,613
	\$15,631,475"

The Minister conveniently forgot to mention, when he was allegedly answering me on the matter of the \$11,000,000, how much had been spent in the other areas of the State from the same funds. On 18 October I asked a question to elicit that information.

The Minister subsequently supplied me with it in a letter, and I was pleased to note last week that he included his answer in "Hansard". The reply, I remind hon. members, was that \$52,896,427 had been spent in the other areas of the State from the funds from which \$11,150,000 went to the city of Brisbane. From those funds of \$60,000,000 less than 20 per cent. was spent in Brisbane.

Mr. Aikens: That's too much.

Mr. DEWAR: I expected that comment from the hon. member for Townsville South, because justice is not one of his long suits. If we take the total for 10 years of all the funds referred to in the first case, in Brisbane \$4,471,902 was spent on permanent works and maintenance, and in other areas \$265,473,140 was spent. On beef roads and roads in the brigalow areas, \$25,916,250 was spent. From those funds that I have referred to, \$11,000,000 was spent in Brisbane and \$52,896,427 in other areas, making a grand total of \$15,631,475 spent in Brisbane, compared with \$344,285,817 spent in other areas of the State. Of all the funds spent on road works in this State over the last 10 years, Brisbane's share was 4.3 per cent. I labelled that as criminal about eight or nine months ago, and I so label it again. To me it is the greatest evidence in any governmental activity of raiding the public purse to the disadvantage of the people of this city. To my knowledge, this is the only State Government that does not accept responsibility for city roads.

In an attempt to meet my argument, the Minister mentioned a number of city roads for which the Government took responsibility. I do not cavil at that; what I cavil at is the shocking condition of the roads for which the Government is responsible. In the list given by the Minister, which appears at page 442 of "Hansard" for this session, are sections of roads, ranging from the South Coast Road to the Aspley-Clear Mountain Road, of a total length of 75.1 miles, for which the Main Roads Department is responsible.

The Minister went on to say that I was losing sight of the fact that over the next five years \$37,550,000 was to be spent on implementing the Wilbur Smith plan. Let us have another look at that. Taking into consideration the 1966-67 Budget year when almost \$40,000,000 was spent, obviously, even if there is no escalation, we will spend \$200,000,000 for the next five years in this State. Brisbane will receive \$37,550,000. By adding \$37,550,000 to what has been spent, it can be seen that Brisbane will have received over 15 years for road works the magnanimous sum of \$53,181,475, whereas the other areas of the State will have received \$506,700,000. Brisbane's percentage will be below 10.

There are some who may think that I am being narrow-minded, and do not want to see development in other areas of the State.

I am certainly not being narrow-minded, because I recognise that I would be just as foolish to adopt that attitude as I would be to cavil at the claim of the Victorians that half their taxation is going to other areas of the Commonwealth. I recognise that a large portion of the taxes taken from Victoria and New South Wales goes to Queensland, South Australia, Tasmania, and Western Australia; I recognise also that it is fit and proper that some of the taxes that come out of Brisbane should go to other areas of the State. But when more than 40 per cent.—it is getting very close to 50 per cent.—of the people of the State live in this city and are paying a substantial amount—40 per cent., if not 50 per cent.—of the repayments of all the loans that Queensland has to underwrite, surely a figure much higher than 10 per cent. of road funds allocations would be a reasonable return for that underwriting of other areas.

If half the taxation collected in this city were given to other areas of the State and half spent in this city, no-one in Brisbane would complain and there would be a far better road system here than there has ever been or is likely to be. I say again that, on the basis on which the expenditure has been computed, Brisbane will never see an adequate system of roads, and it must be remembered that the use of motor-cars and the use of the roads will increase at a much greater rate as time passes.

All Governments that have occupied the Treasury benches in this State have shockingly neglected the City of Brisbane and their responsibilities to the taxpayers in this area. As far as I am aware, no other State Government in Australia has failed to face up to the problem of providing roads within its capital city. Let us consider Perth first. For years—it is likely that Governments of both political colours had a hand in this—Perth has had a freeway system that is first class for what is a comparatively small population in terms of modern cities. The Government of Western Australia was responsible for that.

Last month I visited Adelaide, Melbourne, and Sydney, and one of the principal reasons for my going was to look at the type of road systems operating immediately outside the city proper. I found that in Adelaide, the capital city of a State that has virtually no natural resources and is dependent largely on the importation of most of the things needed for industrial production, one can travel on a first-class divided highway no matter in which direction one travels. When I drove on those highways I was ashamed of what is happening in Brisbane. In Melbourne, where I drove along at least two of the outlets from the city, the position was similar to that in Adelaide, and all hon. members know what huge strides have been made in Sydney in the post-war years in the provision of proper expressways and roads of that type.

It is not sufficient for people to pound their chests and say, "What a good boy am I. This is what I have done." The fact has to be faced that the road system surrounding Brisbane is a shocker—nothing but a shocker. In my electorate and the adjacent electorate of Aspley, which once was in my electorate, there has been a piecemeal approach to road construction over the last three or four years. My good friend from Cooroora, Mr. Low, naturally is delighted with the four-lane section of the Bruce Highway extending from the Maroochy turn-off to Nambour. The only thing wrong with it is that it is built at the wrong end of the highway. It should have been built from the Chermside tram terminus to enable people on their way to Nambour to get out of the city quickly. I have never seen such a botch in my life as the building of that fantastically good piece of highway so far out of Brisbane. That is the type of planning that we have had. All we are doing is systematically creating bottlenecks. We remove a bottleneck and create another one further down the road.

The Cabbage Tree Creek section of Gympie Road, back towards the Aspley Hotel, another piecemeal job, was done about two or three years ago. Then there was a pause for a while because Brisbane was getting a bit too much money. Another section of about five-eighths of a mile, or some other odd figure like that, was then started, from the Aspley Hotel back towards the city, just beyond the Webster Road turn-off. I drove over it last night. What has been done. Work on it has been going on for months and it is not finished yet. When it is finished it will be a wonderful job from that garage up to Cabbage Tree Creek, but once over Cabbage Tree Creek the whole of the traffic will again crawl along on a goat track right through Bald Hills and north. What wonderful road planning—moving a problem from one section to another! And at the present rate it will take 150 years to solve problems. No attempt has been made, as far as I know, to do the section from Webster Road back to the Chermside tram terminus.

I was born in Kedron and I can remember that even in the old dirt-track days we had a wide highway from Stafford Road corner right through to the Chermside tram terminus. For the last 25 years we have had the best piece of roadworks in Queensland in that section, but the moment we traverse that and pass the terminus, before getting to Downfall Creek, we get another bottle-neck. By piecemeal work all we do is to move a bottle-neck from its present position to another. The whole job is not being tackled in the proper manner and one indisputable fact is that the Government is not giving an adequate share of the Road Works Fund to this city. It is not good enough for the Minister to claim that the Main Roads Department is responsible for 75.1 miles of the roadworks in this city. I should say that some of that 75 miles is

little better than a goat track. In fact, I would be surprised if every one of the 75 miles was a fully sealed road.

I take this opportunity to say that I am pleased that at long last something is being done that at least purports to face up to the problem of our city roads. I do not think that what is contemplated is good enough because I firmly believe that by the end of this 5-year plan the whole plan will be hopelessly obsolete. We will be like the dog chasing its own tail. The only way the Government can allay this problem is to take greater responsibility for the roadworks of this city and allocate a more equitable share of available funds for this work.

Mr. AIKENS (Townsville South) (4.14 p.m.): We have just had inflicted upon us a lot of unctuous piffle from a typical city slicker. Can anyone imagine a man having the superlative nerve and hide to stand up in this Committee or anywhere else and claim that Brisbane has received a raw deal from this Government, or any Government, in comparison with the rest of the State? The hon. member for Wavell, of course, very carefully and sedulously selected from various documents little figures from here and there to prove, as he thought, his specious argument.

When the hon. member spoke of the neglect of Brisbane by this Government, he was careful to avoid, until the very last moment any mention of the terrific amount of money that is to be spent here under the Wilbur Smith Report. He was very careful to avoid any mention of the fact that the Government will bear either the whole or half the cost of the new Victoria Bridge. He was very careful not to mention that the Government of this State built the Story Bridge. He was very careful not to mention the tremendous amount of Government money that has been poured into the industrial development at the mouth of the Brisbane River, which has made Brisbane perhaps one of the most thriving industrial capitals in the Commonwealth. He was very careful to avoid mentioning the millions of dollars that are being poured into the construction of huge air-conditioned palaces in George Street for the whole horde or army of civil servants, which is growing every day, like Topsy, in Brisbane. He was very careful not to mention that a lovely big air-conditioned mansion is going up in George Street for the District Court or the Supreme Court. He was very careful not to compare that edifice with the Supreme Court in Townsville, where proceedings are frequently interrupted by the chattering and twittering of the mina birds in the ceiling and the sound of the white ants eating the wooden walls, and even the floors, of the building. Fancy the hon. member for Wavell, of all people, talking about the neglect of Brisbane and the pandering to the people of the rest of the State!

The hon. member did not mention something that we already know, that is, that if it were not for the people outside Brisbane who

produce the wealth of this State, the people of Brisbane would not have jobs; Brisbane itself would be a collection of bag-and-bark humpies along the Brisbane River. The citizens of Brisbane are living on the fat of the land, bleeding the country people white, and the hon. member is quibbling and grumbling. If we took a fair and reasonable assessment of all the money that is being spent in Brisbane, I think we would find that at least 70 per cent. of State revenue and State money was being poured into Brisbane and the south-eastern corner of the State.

How much money, for instance, is the Government spending on the reclamation of the beaches at Surfers Paradise and along the Gold Coast because of erosion that was caused by the stupidity and the cupidity of the go-getters, the shake-down men and the quick-dollar boys in that area? When incalculable damage was done as a result of their stupidity and cupidity, in rushed the Government with all the money it could get its sticky fingers onto to reclaim the beaches for the bookmakers and all the spivs and the hangers-on that own most of the Gold Coast property.

Every time we turn on the television we see the Premier and the hon. member for South Coast, Mr. Hinze, and others walking around looking as intelligent as they possible can—it is a particularly big job for them to look at all intelligent—while they are pointing here and pointing there and professing to be interested in the reclamation of the beaches on the South Coast. They do not tell the people, of course, that the hard-earned money from the people in the back country is going into the South Coast area.

Let the Government tell the people what money it is going to put into the reclamation of the roads and the repair of other damage caused by the terrific floods in North Queensland in February. That damage was not caused by stupidity and cupidity. It was not caused by go-getters and quick-quid boys coming into the area and building on the river banks or the foreshores. If I might use the term, it was the result of an act of God. We cannot get any money from the Government for that. It all has to come out of the ratepayers' pockets.

I am sick and tired of hearing this piffle from city slickers. While the Government is erecting all these lovely buildings down here in George Street, let hon. members opposite come north with me, where I will show them the hunchbacks of Aitkenvale. I will show them the teachers who are dwarfs and hunchbacks from teaching in the classrooms under the Aitkenvale State School with only 5 feet 6 inches headroom. The 6th-grade and 7th-grade boys and girls cannot be taught in them because they would have to enter in a simian position, on their hands and knees.

While the metropolitan area is getting the duck, we in North Queensland continue to get the crow. We are used to it. Goodness knows, under the Labour Party, we became injured to it, and this Government has us case-hardened to it. Unless we get something

drastic like a State of our own, which may come sooner than many people think, I do not know how the problem can be overcome.

When the Minister talks about money being spent on main roads, he should come up and have a look at Townsville. We have one Main Roads job being done. That is a Kathleen Mavourneen job that might take years to complete. Portion of the Charters Towers Road has been done, and the workmen are now down to a depth of 15 feet in a huge excavation in another portion of that road. Passers-by ask the council employees on the job when they expect to strike the reef or see colour. Just past that road is The Causeway. If hon. members want to see an example of dilapidation and decay they should look at The Causeway in Townsville. When metropolitan members talk about a bottle-neck at Chermerside or Kelvin Grove, or wherever they inflict themselves on the unfortunate people because of their place of residence, I suggest that they should look at The Causeway at Townsville.

Mr. Dewar: I have had a look at it.

Mr. AIKENS: Would the hon. member be happy with it if he were living in Townsville? It will be fixed up in the sweet by and by. If we live long enough and are prepared to wait for 10 or 15 years, we might see a start on a new causeway. Those people who go to Townsville by plane—as most do—will realise that we have the most amazing country in Queensland. Those who fly between Brisbane and Cairns, either way, always run into a 40-mile-an-hour head wind, any time of the day or any day of the week. When we get off the plane at Garbutt we have to get in from Garbutt to Townsville, and anybody who has travelled along the main Ingham road from Garbutt to Townsville knows what a goat track it is; in fact, no goat could travel along it. It is supposed to be a two-lane trafficway from the North, but there is no room for pedestrians or cyclists, and, in addition, there are little, narrow bridges along its course.

Hon. members have never seen traffic congestion such as occurs on this road. This so-called highway is partly in my electorate, partly in the electorate of the hon. member for Townsville North, and partly in the electorate of the Minister for Primary Industries. We are being bled white by the Government in the interests of Brisbane. Those who drive from the aerodrome into Townsville are fortunate to complete the journey without being killed or injured.

After reading the articles in the Press appealing for road safety, I say to the Minister, "For goodness sake get away from this old-English, stilted language". When I read in "The Townsville Daily Bulletin" an article published by the Road Safety Council, I found that it referred to a carriageway. Being an ordinary, average Australian, and a North Queenslander to

boot—and I am very proud of it—I regard a carriageway as the little bit of roadway that leads from the road into one's garage. However, I found that when the Road Safety Council was referring to a “carriageway” it was referring to a road. Why the hell didn't it say “roadway”, so that everybody would know what it meant?

According to the Minister, the Bill contains a definition of the various types of road. We will have motorways, secondary roads, and roads of all shapes, sizes and nomenclatures. There will be roads on which we can drive a motor vehicle only, and roads on which we can presumably drive a sulky and pony. Let us hope that some of the roads make provision for a humble member of Parliament trying to struggle along on his niggardly parliamentary stipend who rides a humble bicycle. From the Minister's statement, it appears that we will first have to choose the road to suit the vehicle of our choice. Let us have an end to all this nonsense; let us ask the Parliamentary Draftsman and all the other people involved to get away from the dictionary out into the streets to hear what the ordinary men and women are saying. Let us indulge in a little bit of the Kuridala lingo, as the Premier once called it. The people will then know what we are saying.

I think the Leader of the Opposition or another hon. member mentioned that if a person goes from a reasonably good road in Brisbane to a road out in the country with 10 feet of bitumen and rough gravel, soil, stones, or goodness knows what, on each side, and travels at 55 to 60 miles an hour, he is a slow driver, because anybody who drives at the maximum of 60 miles an hour on a main road in the country is a slow driver. If you drive along a narrow road in the country at 60—I defy anybody to contradict this—nine cars out of 10 will pass you and leave you for dead. You are a slow driver if you drive at the maximum of 60 miles an hour.

I have tried this. I do not drive a car myself but I ride with my grandsons, who who are very careful and good drivers. At times I have said, “Will you accelerate and see how fast this fellow will go to pass you?” They have grumbled about it and I have had to promise to pay the fine and to try to get them out of any trouble they might get into. They have gone up to 75 miles an hour, yet other drivers have shot past them just the same.

I have heard other hon. members, when talking of the problems of the road apart from drunkenness and irresponsibility, say that the greatest fault in the terrific struggle for survival on the road and the greatest boost to the carnage on our roads is the slow driver, but it is really human vanity. How many hon. members have said to me, “Drivers have said that they will not drive behind any mug on the road unless his car

is fast.” Their vanity will not let them drive behind another car travelling at the lawful maximum speed of 60 miles an hour.

Driving home from a Foley Shield match at Ingham, I was in a cortege of three cars travelling at 60 miles an hour when one of Townsville's most reputable citizens drove along on our right-hand side—he was on the wrong side of the double line—and up a hill at at least 80 miles an hour, leaving us for dead. I trembled at the thought of what might come over the rise. If anything had appeared over the rise in front of him he could not have veered to the right because of the cutting and he could not have gone straight ahead because he would have crashed into the vehicle approaching him, so he would have had to swerve to the left and crash into one of us. Luckily he got to the top of the rise before a little road-roller coming towards him hit him. I met him in the street a few days later and passed a few well-chosen contemptuous remarks to him. I told him that he had endangered not only my life and the life of everybody else on the road, but also the lives of his wife and children, who were in the car with him. Of course, it was a big, ornate, luxurious car, and you can bet your life he was a supporter of the Liberal Party or the Country Party; he would have to be to own a car like that. He tried to poke me in the belly to emphasise his point—I knocked his hand down—and he said, “Look, if I want to kill my bloody wife and children, it is my business, not yours”.

That is the attitude of these drivers. No power on earth will make a man in a big, luxurious, fast car travel behind another car on the road. Everybody knows that that is true. And everybody knows that the average fellow in the ordinary, common-model car, such as a Cortina, Falcon, or Holden, if it is souped up, will drive at faster than 60 miles an hour. Not one man in 10 keeps within the 60-mile-an-hour limit on the road.

I received a letter and a photograph the other day from a prominent grazier living in the electorate of Condamine, or Aubigny. The photograph depicted a police trap underneath a tree. The sender advanced the argument that I should raise the point in Parliament that nobody takes any notice of the 60-mile-an-hour speed limit today, that everybody travels at 70 or 75 miles an hour, so why not make the speed limit 70 or 75 miles an hour? That attitude was adopted the other day by the hon. member for Townsville North relative to the liquor laws. He said that if enough people break the law, the law should be amended to suit them. This is the attitude of many people to the dreadful toll of the road.

I did not intend to speak for very long on this Bill. However, I was so sickened that I almost vomited when I heard the hon. member for Wavell spouting about the so-called neglect of “dear old Brisbane”. If ever there was a bloated, parasitical encumbrance on the people of this State, it

is Brisbane. It is to the discredit of the Government that it is carrying on the policy laid down by Labour Governments of bleeding the rest of Queensland white in order to favour their beloved Brisbane. The next time the hon. member for Wavell, or any other city slicker, stands up and tries to make out a special case for Brisbane, let him be honest enough to quote all the figures.

Mr. Dewar: I did.

Mr. AIKENS: The hon. member quoted a few here and a few there. Like the little boy who picks out all the pink lollies from the hundreds and thousands, he chose the figures that suited him. Let him walk up George Street, or go to St. Lucia, and see the magnificent palaces being built there and in other parts of Brisbane. The Government is spending untold millions in Brisbane in other directions and is doing nothing for the country, particularly the North. Now a plea is made for the spending of untold millions on roads in Brisbane, leaving the roads elsewhere in their present deplorable condition.

In answering a question the other day, I think the Minister for Main Roads gave figures which showed that more road money was spent in Brisbane than in either the central or northern area of the State. With the Premier on the front bench, I interjected and said that once again North Queensland gets the crow and Brisbane gets the duck. Brisbane always gets it. I am not saying that this Government instituted that policy, but it is certainly following it. I know that nothing can be done about it in this Chamber. I know that there are 28 members in this Parliament representing metropolitan seats, some of them about the size of a pocket handkerchief. I know that it is said of some small selections in the West, as with these Brisbane electorates, that one can stand on a windmill and spit to all corner-posts. Of course, within a radius of about 100 miles of Brisbane there are another 30 or 40 electorates, yet in North Queensland, from a point north of Mackay to the Northern Territory border and right to the shores of New Guinea, there are 13 electorates.

If the unholy alliance between the A.L.P. and the "ginger group" of the Liberal Party continues and there is a redistribution of seats based on one vote, one value, there will be an additional four seats in Brisbane and the number in the whole of North Queensland will be reduced to nine. Thus the raw deal that we have received in the past, and are still receiving, will be accentuated because we lack the political representation that we should have. It should be based not on population but on the wealth that is produced and the good that is done for the State.

Mr. N. T. E. HEWITT (Mackenzie) (4.34 p.m.): I do not enter the debate, as I feel sure the hon. member for Townsville South

did, merely for the purpose of exaggeration, by saying, for instance, that the dreadful tragedy in my electorate on Sunday, when almost an entire family was wiped out, was caused by the condition of the road. That has nothing to do with the matter. I enter the debate solely in the interests of Central Queensland and the people whom I represent.

The main roads in my electorate are, I feel, some of the most important in the State. To appreciate that, one has only to look at the wealth produced in the Shire of Banana. It is in excess of that produced by six shires on the Capricornia Highway. With the advent of mining at Moura and the brigalow land development scheme, the wealth of the area is far in excess of what it was years ago. I believe it is high time that the Government recognised this fact, because I feel that we have had a very raw deal. I have figures supplied to me years ago by the late Ernest Evans. They serve no useful purpose in relation to that area.

No-one knows better than I do the money that has been put into main roads to meet the needs of the brigalow land development scheme and the mine at Moura; but, at the same time, it must be remembered that many people who settled years ago in the Theodore area, the Baralaba area, and other areas in my electorate, have to travel over roads that are in a shocking state. That is true not only of my electorate; the hon. member for Callide could push his own barrow if he wished to do so.

On the Leichhardt Highway, one travels 46 miles to Dululu, then turns off and heads for the very progressive town of Biloela. The road from Dululu township has not been bituminised although the bitumen has extended to Dululu for over 12 years. One then finds that the road from Banana to Theodore has not a great length of bitumen surface. Admittedly, work is now being done on a 4-mile section from Banana to the overhead bridge on the new direct Moura-Gladstone railway, but there is another very bad stretch from there to the old bitumen strip put down in 1956-57, which is about five miles in length. There is then another very bad stretch of road to near the old Lonesome Creek short-cut road.

I think it is high time that the Minister considered this problem. Last Friday morning I asked a question in this Chamber as to the mileage of road remaining unsealed from Brisbane to Cairns via the Bruce and Burnett Highways, and the extent of it in the Banana Shire. The answer was that about 44 miles remain unsealed, of which 34 miles are in the Banana Shire. The other 10 miles are in the Monto Shire. It is planned to seal another five miles, and the council has been given an assurance that a final scheme will be released when the present one is completed.

Another question that I asked related to the Bruce and Leichhardt Highways. The total distance from Brisbane to Cairns via those highways is 1,213 miles. Of that distance, 87 miles remain unsealed, 58 miles in the Shire of Banana and 29 miles in the shire of Taroom. Therefore, of the 131 miles of unsealed road on the two highways between Brisbane and Cairns, 92 miles are in the shire of Banana.

No wonder I have spoken so frequently and so strongly in this Chamber about the bad state of the roads! And I assure the Committee that the people of my electorate are behind me, irrespective of what the Minister thinks. No member in this Chamber has spoken on this subject as frequently as I have. If the hon. member for Callide wishes to have his say on the subject, it is his prerogative to do so; but I inform the Committee that I shall continue to fight just as hard as I have in the past.

The Banana Shire Council met last week and I draw the attention of hon. members to a report published in "The Morning Bulletin", Rockhampton. It said—

"Road Complaints Justified, Banana Council Told.

"Ratepayers were justified in complaining about the present poor condition of Banana Shire roads, the Council was told yesterday.

"Cr. K. M. MacLean said: 'The roads are in a mess.'

"He knew that the Council was in financial difficulties, but something had to be done."

Councillor MacLean represents the No. 3 Division, which takes in Baralaba and Rannes. Councillor C. G. Lang, who represents the Theodore area in the No. 1 Division of the shire, said that he believed road development was not keeping pace with rural development, and to quote again from the report—

"He said that lack of equipment was one of the main problems with road upkeep."

I could not agree with him more. The report said that Councillor A. C. Shepherdson, the acting chairman of the council, who is deputising for the chairman while he is in New Zealand, said, "It is not a pretty situation." The report continued—

"Cr. Lang said that every road in the Shire needed grading.

"The Moura-Theodore road is a disgrace," he told the meeting.

"He said that gravel was badly needed on the road."

The last paragraph of the report is a classic. It said—

"The Postmaster-General's Department stated that nine miles of the Eidsvold-Cracow Road could only be described as dangerous."

The department's claim is borne out by a letter to me from the general manager of the Golden Plateau mine, in which he said—

"We thank you for your representation on behalf of the Eidsvold-Theodore Main Road from Cracow to the Camboon Turn-off."

With it he enclosed a copy of a letter sent to the Minister for Main Roads relative to an offer of assistance from the Eidsvold Shire. He then said—

"We all know the Banana Shire is unwieldy, and the dirt roads throughout are in a very bad way. However, we ask you to make representations to the Hon. Minister, as this suggestion would not only assist the Cracow residents but it would also remove some of the burden off the Banana Shire."

He suggests to the Minister that he allow the Eidsvold Shire Council to take over that nine-mile section so that it can try to put the road into some reasonable state. He also stated in his letter that before it could be put into a reasonable state a tremendous amount of money would have to be spent. In fact, towards the latter part of his letter he said that in some parts drivers are going on the wrong side of guide posts to obtain a reasonable surface.

I am one member of this Committee who gets around his electorate. Only last week-end I travelled some 500 miles from Saturday lunch-time till Sunday afternoon and had a look at these roads, and I know just how bad they are and what is needed. I know how important it is that something be done. If we get a wet season in that part of the country, all I can say is that there will be no traffic whatever. Traffic will come to an absolute standstill on the Leichhardt and Burnett Highways because, in many places the gravel is completely gone. The roads are in such a state that unless they are re-gravelled, or something is done, the people will be very seriously inconvenienced.

I continually press this problem. I know the Minister will try to shoot me down by quoting figures. And what he says about what has been spent might be factual, but the people in the district know how bad the roads are and, having travelled over them last week-end, I, too, know that what I am saying is correct.

Let us look now at the road from Baralaba to Duinga, where it meets the Capricorn Highway. Once transports get into the Banana Shire they have to be pulled up the bank of the Don River because the road is so greasy; they have to get a tractor to pull them out.

I mention this matter because of a challenge I received from the Minister this morning when he and I clashed on road problems within the Banana Shire. I am not frightened to take up a challenge. I have met bigger challenges than this in my life and I did not back-pedal. However, let me say that we were told many years ago that the road from Wowan to Rannes would be

bitumen-sealed. No bitumen has been put on that road since 1956. At the present time a strip of three miles is under construction. Only recently I spoke to a friend of mine who has lived in Baralaba area all his life, and he told me that the road from Baralaba to Wowan is worse than he has ever seen it. That shows how bad these roads are. No wonder I made the interjection that some of them are goat tracks! When a man like the manager of Golden Plateau mine is prepared to put his signature to a statement that people are going on the wrong side of guideposts to get a reasonable surface, there can be no argument about the state these roads are in. I like to bring everything out into the open so I turn now to the Theodore to Taroom road, and draw attention to the 3.6 miles of the Leichhardt Highway which runs from Theodore to the Glenmoral turn-off. I have an interest in a property known as "Glenmoral" and it has been insinuated that I got this road for my own benefit.

Let me tell hon. members the whole history of this road so that they will know the facts. In 1961, the then Minister released a scheme for the gravel-surfacing of that road which, I think offhand, cost \$25,310. The gravel-surfacing done by the council of the day was so bad that people "did" tyre after tyre on it because of the huge boulders that were used. As a matter of fact I afterwards picked many of them up and put them around troughs on my property to prevent the cattle bogging. When the Minister looked at the road six months after it had been surfaced he said, "This will all have to be pulled up. The road will have to be completely resurfaced." When the job was redone the road was bituminised. All the culverts and everything else built as part of the first job that cost \$25,310 had to be pulled out and new ones put in. That is the reason why that road was bitumen-surfaced. The first 3.6-mile section of the road serves the brigalow research station, brigalow settlers in the area and the timber mill at Theodore. All the timber for the mill at Theodore comes in along the Glenmoral Road, and that mill employs some 30 men. Even if I had something to do with this road, I point out that it would still be the most logical part to seal with bitumen because it serves the brigalow research station, the sawmill and the people travelling by road from Theodore to Taroom.

I make this urgent plea in the interests of people in that part of Queensland because I feel that they have had a raw deal. Something is completely wrong when one shire has 92 of the last 131 miles to be sealed to complete the two highways from Cairns to Brisbane. Therefore I feel that I have some justification for talking in the manner that I have.

Mr. P. WOOD (Toowoomba East) (4.48 p.m.): In introducing the Bill the Minister said that it made provision for the proclamation of motorways. Most Queensland motorists

will welcome motorways when they come, but I think we ought to remember at this stage of the debate that the mere proclaiming of a road as a motorway does not make it a motorway. Making provision for the proclaiming of motorways does not mean that motorways are to be built.

Mr. Pilbeam: It is a first step.

Mr. P. WOOD: It may be a first step, but I do not think it is an important first step. The important first step is to get the surveyors and the bulldozers out onto the roads.

We on this side of the Chamber would have been very interested to hear where the Government proposes to build motorways. I was unable to gather from the Minister's remarks whether existing roadways are to be proclaimed as motorways or whether certain motorways are to be constructed. If he intends calling some of our existing highways "motorways", he will be attempting to mislead this Committee and the public, because by no stretch of the imagination could any of our State highways be called a motorway.

Mr. Camm: Why not?

Mr. P. WOOD: Because they simply do not match up to the standard of motorways that is generally accepted in overseas countries. I have travelled on motorways in England, the United States of America and Europe. I agree with the hon. member for Wavell when he says that the M1 motorway in England, stretching north from London, is one of the finest roads in the world. If the Minister intends to call even the Brisbane-South Coast highway a motorway, he really does not know what a motorway is. It is nothing at all like a motorway. If he goes further away from Brisbane—north, west, or north-west—none of the State's highways can even be remotely called a motorway. None of them bears any resemblance to a motorway.

Mr. Carey interjected.

Mr. P. WOOD: I repeat that the road to the South Coast could never come within the definition of a motorway.

A Government Member: It carries a lot of traffic.

Mr. Carey: My word it does.

Mr. P. WOOD: But it is not a motorway.

I advise hon. members, and the Minister, that if they want to call roads motorways they should look at the motorways in Great Britain, Europe and the United States. They carry absolutely no cross-traffic. All traffic comes onto them by proper entry lanes, and all traffic leaving them departs by exit lanes. All cross-traffic goes either over or under the motorway. In the United States one can travel for hundreds of miles on motorways without meeting any cross-traffic. If the Minister is hoping that by calling a

road a motorway it becomes a motorway in fact, he will not fool hon. members on this side of the Chamber.

Mr. Porter interjected.

Mr. P. WOOD: He may have fooled the hon. member for Toowong and other hon. members opposite.

This Bill in itself will not provide motorways. If the Minister tells us where he intends to provide them, I will listen to him with a great deal of interest. We would welcome motorways, although my overseas experience confirms what the hon. member for Wavell has said. While travel on motorways in country areas is very simple and fast and usually very safe, a motorway always comes to an abrupt end. When travelling south in England on M1, or to the east or west on M2, after moving at relatively high and safe speeds the motorist is reduced to a slow crawl for many hours and many miles when driving his vehicle to the centre of London. Similarly, after taking only a few hours to travel from Washington to New York on a very safe road at a very fast rate, upon crossing the Hudson River it took me about an hour to cover a few miles on Manhattan Island.

I do not wish to relate the situation in New York to that of Brisbane because the contrast is too great—although there are some similarities. The building of a motorway is only half the answer. What is the point in building a motorway from Southport to Brisbane if it takes as long to get from the outskirts of Mt. Gravatt into the centre of the city as it does to get from Southport to Mt. Gravatt? The access to the city centre is just as important as the connecting roads between the cities. We do not have a bad road from Ipswich towards Brisbane, but if one turns towards Jindalee, or along Oxley Road and comes into Brisbane from any of the roads in that direction, he immediately comes to a grinding halt. It is all very well to have a four-lane highway from Ipswich to Brisbane, but the purpose is defeated when adequate provision is not made for the rest of the journey.

This brings me to the experience in overseas countries, especially the United States. When provision is made for easy access to the centre of the city by motorways, as has been done in places such as Detroit and San Francisco, large portions of the centre of the city are devoted to car-park facilities. To use an American expression, the "downtown" area is almost strangled because of the number of motor-cars that pour into it and because of the great spaces that have to be devoted to the motor-cars when they arrive.

We can reach the stage where we can build expensive motorways connecting principal cities and expensive roads from the outskirts of our cities to the centre of our cities—I think the Minister described them

as urban arterial and subarterial roads—and then find that the city itself is almost desolate because of the impact of motor vehicles; it has been given over to motor vehicle car-parks and ancillary services.

That is not idle imagination; it has happened. I saw it in Detroit. I was amazed. I stayed in the centre of the city, half of the central area of which is devoted to car-parks. The city becomes almost a desert by day and an abandoned desert by night. While motorways between cities and good arterial roads within cities are necessary, we must arrive at some sort of compromise.

I do not want to depart too much from the principles of this legislation. It has been said that the solution to some of the problems of bringing people into the city lies not in providing expensive arterial roads but in providing better mediums of mass transportation. If this Bill facilitates the building of motorways, I am sure that all hon. members will welcome it.

The first requirement of town and city living is that it should be pleasant living for the people who reside there. That implies freedom from noise, fumes and traffic danger. On the other hand, it also implies ease of transportation within the city. It means inevitably some sort of compromise between the cars and roads on the one hand and, on the other hand, the people who live in the city and have to use the cars and roads.

I refer now to the transportation surveys conducted by the Main Roads Department in conjunction with several local authorities in an attempt to solve the traffic problems in certain cities, including Toowoomba. I relate this to my previous remarks that the aim of city living should be to provide pleasant conditions for living. It is necessary in all major cities to do some major work to handle the present heavy volume of traffic and the expected increase in it. By 1985—the period covered by the transportation survey carried out in Toowoomba—Toowoomba's population is expected to increase from 55,000 to approximately 80,000, and its motor vehicle numbers to more than double. Toowoomba's population is rising at a steady rate, and the number of motor vehicles on the road is increasing at a much faster rate. This inevitably means that considerable work will have to be done to facilitate motor vehicle transport not only in Toowoomba but also in other places.

The existing plan as presented—it has not yet been finally accepted, although I understand that it is in the process of being accepted—would remove from Toowoomba much of one of its most valued assets, namely, its natural beauty. It would remove from Toowoomba many of its trees. It may be progress to remove from a city its natural beauty and replace it by motorways so that people can move with greater speed from one place to another, but it is only progress of a kind. In other respects, it is a backward step. I do not believe it is

necessary to destroy the beauty and pleasant surroundings of any city to provide easier motor transportation.

It is necessary to determine fairly early what is wanted in our cities. As I have said, this has to be some sort of compromise. We cannot allow cities and towns to be destroyed by the motor vehicle. The plan envisaged for Toowoomba takes through traffic right through the centre of the city. Traffic proceeding from east to west, or in any other direction, proceeds to the centre of the city. Traffic from south to west or south to east does not quite go along the same route, but it still goes very nearly to the centre of the city.

It would not be difficult to survey routes not far from the centre of the city to carry all through traffic, and all local traffic leaving Toowoomba, in a circular route in whichever direction it may desire to leave. Exit to the east, the south and the west, through relatively unpopulated areas, would be simple. Exit to the north would be a little more difficult. I do not believe it is necessary to destroy much of Toowoomba's beauty merely to enable motor transport to move with greater ease.

I am sure that most members have visited Toowoomba at some time or other. They probably entered by driving along the Range Highway and then down one of the main streets, such as Margaret Street, to the centre of the city. The immediate impression that one gains upon arriving in Toowoomba is one of natural attractiveness, because each side of Margaret Street is lined with numerous trees. The proposal in the transport survey is that all of those trees be removed. The natural beauty of Toowoomba, built up over many years and irreplaceable at a moment's notice, is to be destroyed so that motor vehicles can move with greater ease from east to west and west to east. I do not call that progress. More satisfactory roads can be designed.

I have one more comment to make on the Minister's introductory remarks. He went through them rather quickly, and it was not possible for me to take a note of all the details that he mentioned. I understood him to say that advertising signs will not be allowed on motorways. I think that that was all he said, and I have to try to work out from it what he means. I take it that advertising signs on private property adjoining motorways will also be prohibited. Obviously there will not be advertising signs in the middle of a motorway.

Advertising signs along roads are now usually situated on private property, or railway property, adjacent to the roads. I ask the Minister this question: if it is possible for him to prohibit advertising signs along motorways, why it is not possible for him to prohibit such signs along State highways and main roads? That would be very desirable. Let anyone drive to Southport and count, if he can, the number of advertising

signs adjacent to that highway. Although I do not want to upset unnecessarily the members who represent those areas, I must say that one of the most unsightly drives in Queensland is from Brisbane to Southport. I cannot describe it in words other than to say that it is plain ugly, and that is mainly because of the host of advertising signs on each side of the highway between here and the South Coast. If one goes north or west, again one sees almost the same profusion of advertising. It is unsightly and ugly, and I do not think it is necessary.

Apart from its ugliness and unsightliness, and more importantly, it can be dangerous. When driving at night, I have been confused by signs on which luminous paint has been used. People who erect such signs put them in spots in which they will pick up the headlights of motor vehicles, otherwise they would be of little use. That means that they are placed at the end of a curve or bend, or somewhere where the lights of vehicles will hit them directly. In turn, this means that they are placed in the most dangerous spots.

If the Minister does me the courtesy of replying, I shall be interested to hear what he has to say about advertising signs along the highways. I should like to see every advertising sign between here and Sydney, here and Toowoomba, and here and any other point in the State, removed from places adjacent to the highways. As I said, apart from being unsightly, they can be very dangerous.

Mr. E. G. W. WOOD (Logan) (5.7 p.m.): Hon. members have used the introduction of the Bill, which sets out to deal specifically with certain matters, as an opportunity to discuss main roads throughout Queensland, and to some extent the debate has reminded me of a local authority meeting. As I have an axe to grind on some matters, I shall join in.

There are one or two brief principles that I wish to set out. I ask hon. members to remember, firstly, that the more specific work the Main Roads Department is required to do—channelling, drainage, and other improvements—the shorter will be the length of road construction in this State. The second principle is that, given enough money, the engineers can construct all the clover leaves and other things that are required. It is only a question of finance.

Then I come back to the interchange of finance between the local authority and the Main Roads Department. If the department is to take more and more of this work from local authorities, it means that registration fees will go up. Does one pay additional registration or increased local authority rates? It is as simple as that.

I must say at this stage that there is a great deal of work to be done on the main roads. It is obvious that that must be so in a developing country. At the conference

of the contiguous shires held recently, I had the honour to listen to the Mayor of Long Beach, California, give an address on traffic matters. He said, *inter alia*, "We build roads"—motorways, he called them—"to take traffic at 65 miles an hour, but we find that we are not getting the cars out of a slow crawl". He concluded his remarks by saying, "I don't know what to do with the traffic problem". It is obvious from his remarks that America, with its many years of experience in this field, has not found the answer to the problem.

A number of hon. members have risen in this Chamber and given the Minister their formulas for solving this problem. I do not think it can be wholly solved; it can be solved piecemeal. It is true that when we solve a difficulty in one section it raises another difficulty in some other section.

Let us now deal with the Wilbur Smith plan. My electorate of Logan has three highways coming into it, two of them being the highway from Beaudesert and the Mt. Lindsay Highway. The latter highway is narrow. The Main Roads Department has done some work on it but a great deal more requires to be done. I would say that it is not a safe road and more work should be done on it. We also have the Pacific Highway, parts of which south of Brisbane require a great deal more work.

The hon. member for Belmont has raised an issue related to his electorate. I am in agreement with him because the road he mentioned serves the Redlands area. However, I know from my local authority experience that the Commissioner for Main Roads has drawn up his five-year plan and has taken the councils of the State into his confidence. In each of those five years he draws up new plans and makes the very best use of the finance available to him.

Mr. Davies interjected.

Mr. E. G. W. WOOD: Unless the hon. member for Maryborough is willing to pay more in registration fees he should leave this problem with the Main Roads Department.

This is an opportunity for each member to push his own barrow. So far as I am concerned the squeaky wheel gets the oil, and I am going to yell very loudly. I appreciate, of course, the difficulties under which the Minister labours. For instance, the Cleveland railway line was closed, and with a great deal of foresight the Government and the Redland Shire Council saw that that roadway was reserved as a council reserve, and thus we are in the position that we can ultimately construct a freeway into Brisbane to connect with the eastern freeway at Tingalpa. That, too, will take the strain off the Belmont Road but it does not actually solve the problem until we get to the Rickett Road bridge, which connects with Rickett Road and proceeds through Tingalpa.

I have frequently pointed out to the Minister that between Belmont and Capalaba there is not one section of the road on which

one car can safely pass another. There are 6,000 cars a day travelling on that road, mostly from the Redlands area. I am vitally affected. I am not even prepared to wait my turn; I want to get in ahead of someone else, as everyone else does, but the Main Roads Department only has certain funds. It is ludicrous to say that Brisbane has been neglected in favour of the outside areas.

I do not know of any Main Roads plan that I have ever seen that did not provide for the construction of culverts, bridges, and so on as part of the scheme. The hon. member for Townsville South asked how the hon. member for Wavell could possibly exclude from the Brisbane estimates the cost of crossing the Brisbane River at so many places. It amazes me that bridges should be taken into the estimates in western areas but not in Brisbane. Therefore, when we deal with the published figures we must realise that they are misleading.

I know that unless something is done in Brisbane, as with Sydney and Melbourne, a dead heart will be formed. A dead heart has been formed in both of those two cities owing to the difficulty presented by traffic getting into them and big businesses going out into the suburbs. But that position has been rectified. Big cities do develop a dead heart, and a feature of town planning is to make every effort to prevent this. I suppose that is what the Wilbur Smith plan is for, but we must keep things in their right perspective. The Wilbur Smith plan was only an advisory plan for the guidance of the Government. There is nothing to say that it has to be accepted in toto. It is for the Government of the day to decide what parts of it are to be accepted. The Minister is rightly dealing with one aspect of the report now.

I was rather amazed to head the hon. member for Toowoomba East make play on the word "motorway".

Mr. P. Wood: Motorways are recognised overseas.

Mr. E. G. W. WOOD: That is not the point I raise. I do not doubt that it is a recognised term overseas. The Minister outlined various regulations that he proposes to attach to this new concept of roads, whether such roads are to be constructed now or in the future or are only being designed. Because this type of road is to have a different set of regulations, it must have a different designation. It is now being given the designation "motorway", whether the construction of motorways will take place now or in 20 years' time. At this stage motorways must have a designation of their own if they are to have a different set of regulations applying to them. I do not make any play on the word "motorway", or whatever a road of this type may be termed. A motorway will be a step above a highway. We have the "main road" and the "highway", and now the "motorway".

I should like to deal generally with the subject of main roads. What is proposed with the kerbing and channelling of main roads is a big concession to the local authority. It will be realised that local authorities, particularly developing local authorities, have been in difficulty because of the debenture-loan position. The limit of \$300,000 a year will not cope with the situation in which local authorities find themselves. It is pleasing indeed to hear that the Main Roads Department will be taking over the responsibility of kerbing main roads within local authority areas, and that councils will be allowed to treat this financial assistance as a loan in addition to their debenture loans, to be paid back over the years.

There are many things for which I have to thank the Minister for Main Roads. I shall do that right now, in the hope that I will get something else in the future. I thank him particularly for his efforts in the Slack's Creek area in putting the service roads through. I thank him very much also for the effort he made around Beenleigh. Of all people, I have everything to thank him for because of the money he spent in that section of my electorate. In the mining areas of Stradbroke Island he is spending money to provide us with a very vital road from Dunwich to Point Lookout. He is also widening the roads in the Redlands area.

I am quite satisfied with the main roads in my area, although I want a lot more done. I should like the Minister to keep particularly in mind Belmont Road and, above all, the construction of the Rickertt Road bridge to provide direct access from Thornside to Brisbane and to remove the strain on Belmont Road to Wynnum Road. I really have four access roads to Brisbane from my electorate, so main roads are of vital importance to me. I would say that the shires in my district are satisfied, too.

Advertising on main roads is a matter for the shires. A licence is granted by the shire. As I understand the by-laws and the Act, any notice that can be read from the main road must be the subject of a shire licence.

Mr. P. Wood: Does your shire allow it?

Mr. E. G. W. WOOD: My shire inspects every sign on every site. Some signs have had to be taken down. We have had them shifted from corner sites. We are particularly careful about signs. We have to be because the Main Roads Department has said that it will not allow a multiplicity of signs on its roads. It is a Main Roads Department principle and we have abided by it.

I commend the Bill.

Mr. PORTER (Toowong) (5.20 p.m.): As the hon. member for Logan pointed out this debate has broadened into a very free-ranging one. The hon. member for Townsville South certainly widened it when he used it merely

to indulge in a hymn of hate against Brisbane. He seems to imagine that he is the last of the authentic hillbillies in this Chamber. He has a number of pet hates and he virtually goes into a routine, no matter what the legislation is.

Mr. P. Wood: You are taking him too seriously.

Mr. PORTER: I was interested in the comments of the hon. member for Toowoomba East, which I would like to take seriously, but he displayed towards this measure a churlish attitude which seems to be becoming an unfortunate characteristic of his.

Mr. P. Wood: Tell me what was churlish.

Mr. PORTER: It is very easy to be destructively critical without offering anything in the way of constructive advice.

Mr. P. Wood: Can you tell me where I was churlish?

Mr. PORTER: I will if the hon. member will wait a moment and keep his voice down. The suggestion that this measure classifying a new class of road as motorways is to be condemned because we will not have motorways in the same category as those that exists in other countries of the world is a useless contribution to this debate.

Mr. P. WOOD: I rise to a point of order. The hon. member said that I condemned the legislation. I did not.

The CHAIRMAN: The hon. member for Toowong.

Mr. PORTER: I am happy to accept the point of order if I have misinterpreted the hon. member's comments. However, he was somewhat critical of the use of the term "motorways" in this legislation, and related his criticism to motorways as they exist in other parts of the world. It is quite true that many other countries have magnificent motorways but they also have vast populations to support them. The hon. member for Toowoomba East did not devote one syllable to suggesting how, in any constructive fashion, we would build the type of road systems he would accept as deserving the term "motorways".

The hon. member for Mackenzie expressed a view dissident to that of his Minister but, of course, he obviously has views regarding his own electorate, which he forcibly expressed, and I do not think anyone thinks any the less of him for that.

The Bill recognises that changes in the Main Roads Act are needed in order to overcome smoothly the continuing transition of our motorway system in this modern age. There is a recognition of urban arterial and urban subarterial roads and then, of course, there is the creation of an urban road trust fund, which is a very good move.

The provision which seems to have attracted most attention is the move to provide for the proclamation of motorways.

I heartily support it. It is an excellent move. Since this has become a free-ranging debate, perhaps it gives me an opportunity to advocate once again what I have advocated here previously, and in other places. I think the Act demonstrates the duality with which we are approaching this great problem of how best to cope with urban traffic. In Queensland we tend to split the various factors that are involved in coping with twentieth-century civilisation's greatest scourge, namely, the toll of the road. President Johnson has called it the "raging epidemic". I think about 1,000 persons a week die on the roads in the United States. As the Australian record is unfortunately relatively worse than the American record, and Queensland's record is not a good one to boast about in Australia, without doubt we are involved in a traffic war. In trying to cope with it we have responsibility shared by too many departments that should be co-ordinated.

In a paper presented at the third Pacific regional meeting of the International Road Federation last February, the School of Traffic Engineering, and the Institute of Highway and Traffic Research, University of New South Wales, made what I think are some very good points. It said that we need a total traffic war. It then pointed out—

"Wars cannot be won by gusts of emotion. And neither can safety on the road be improved by moral exhortations or fear.

"Because they look easy and cheap, attempts to alter the behaviour of drivers have a superficial attraction. But, in the short-run anyway, the traffic engineer, the highway engineer, the vehicle designer and the lawmaker (which I presume is us) will have to take the road user as he is.

"Difficult though it might be, it is easier to fit the system to the vagaries and limitations of humanity than to change the human race to fit the system."

I think that the point for us to remember—and I have advocated this before in other speeches in this Chamber—is that in most other States and in most other parts of the world the system of planning for traffic control, which involves all the problems of highway planning and so on, is placed as far as possible under one single authority.

Here in Queensland, of course, we have parts of it with the Police, parts with Main Roads, parts with Traffic, parts with Transport, and a very substantial part with the local authority. I would say that a study of the patterns of policy in this regard in other States makes it very clear that the responsibility for over-all city planning, that is, town planning, is closely tied up with the planning of urban transport, and that the two things should properly be taken together and should come under one authority. I agree with the hon. member for Toowoomba East—he may be surprised that I agree with him—that without a doubt there is, in this, a growing requirement that

we should look for the solution of traffic problems not merely in concentrating on how best to move vehicles but on how best to solve the problems of people living in cities. I think that merely to consider traffic problems in isolation, without considering the requirements of city planning, is to defeat our own purpose before we start. Because this Bill takes us a step forward in this direction I welcome it, but I hope that it will, in time, lead us forward to fuller consideration of the need for one unifying effective authority.

This is done in other places. We might well consider establishing in Queensland, at some relatively close point of time, a statutory planning authority. I would like to see this preferably as part of an over-all system for comprehensive town and regional planning which has been advanced quite often by many hon. members. I should like to see built up for a start a statutory planning authority for what I refer to as the south-east complex, which is that urban area extending from the near North Coast out to Ipswich, to Brisbane, and down to the border of New South Wales. Such an authority would of course comprise representatives of police, Main Roads, Transport, the Treasury and the local authorities concerned. I think, too, that in Brisbane, or in this complex, we have to consider the establishment of a transport authority quite apart from the planning authority. It would operate a number of services such as buses and ferries and would also determine franchise conditions for other operators. In other words, we must get together to co-ordinate in far-reaching, forward planning all those factors that currently are spread between a number of people.

In this regard I refer to Victoria which is already a long way ahead in this direction. In Victoria there is a Co-ordinator of Transport. I understand he is permanent head of the Department of Transport. He has an over-riding authority in the improved development and better co-ordination of rail, tram, road and air transport in the whole of the State. If we can consider setting up this type of statutory authority and providing as the head of it an office of Co-ordinator of Transport we will go a long way towards dealing substantially with a problem that the electorate at large wants us to cope with in a realistic and useful manner. The Bill takes us a good step forward in the direction in which we want to go. I commend the Minister for introducing it, and promise it my full support.

Mr. TUCKER (Townsville North) (5.30 p.m.): I listened to the brave words of the Minister on the provision, at some time in the future, of motorways in this State. I also listened to the peculiar argument put forward by the hon. member for Wavell that, in his opinion, the City of Brisbane is not receiving its fair share of money and works compared with what is being received by the rest of Queensland. I must say that I do not subscribe to that argument.

I rather sympathise with the Minister and his department in their problem of finding funds for work throughout the whole of Queensland. However, I believe that he and his department have been put in their present situation by the short-sightedness of the Government in closing many of the railways of the State, especially the rail connection between the metropolitan area of Brisbane and the Gold Coast. Another example of short-sightedness was abandoning the electrification of Brisbane's suburban railways. Such policies have today contributed to the constant piling up of traffic on the roads and the demand for the provision, at tremendous cost, of wider roads.

Let us consider for a moment transport between Brisbane and the Gold Coast. If there had been one statesman on the Government benches, he would have seen that the electrification of the railways and the provision of fast, clean transport between Brisbane and the Gold Coast would attract a tremendous volume of traffic. If such facilities had been offered, they would have recaptured a large portion of the traffic which presently goes to the South Coast by bus and private motor car. The Minister has had to provide a four-lane highway to the South Coast to give motor-cars and heavy transport room to manoeuvre. This has necessitated the spending of millions of dollars, which expense could have been avoided if the Minister for Transport had had the foresight to provide clean and fast rail services to the South Coast.

If the electrification of Brisbane's suburban railways had been proceeded with, thousands, and even millions, of passengers would now be carried profitably by rail, just as they are in Sydney and many other cities. Today Brisbane people have to use buses and other means of road transport to get them to their places of employment, which has forced the Main Roads Department to make efforts to provide the necessary carriageways in the capital city and its environs. A similar situation is developing elsewhere in Queensland, although at present it has not reached the proportions that it has in Brisbane.

The Minister and his department, with only a limited amount of money to eke out over the whole of Queensland, find themselves, in trying to give everybody a "fair go", saddled with such expenses and unable to do what they want to do.

I believe that, as the hon. member for Toowong said, motorways will come in the future. It will probably be a long way in the future, too, because at present there is not even a proper paved way from Brisbane to Cairns. The road between Brisbane and Cairns is paved, but some sections of it are very dangerous. Before we speak about motorways in the Brisbane metropolitan area, we should give attention to those sections of the main roads of the State that are crying out for maintenance. I refer particularly to

the section of the northern highway between Rockhampton and Mackay. Any hon. member who has travelled over that road in the past few months will know what I am talking about.

I think I may be pardoned for being a little bit sarcastic about the talk of motorways when that section of the northern highway is so dangerous, because of broken edges, and so on, that it will take only one car safely. Even if one is travelling at a speed lower than the speed limit, one faces danger in meeting another car or a heavy vehicle on that section of the Bruce Highway. Surely it is our business to see that roads such as that are safe before we begin thinking of anything bigger and better, although I agree that, if possible, motorways should be built later.

I have travelled over the Bruce Highway many times in the past few weeks and have seen what the weather has done to it. I repeat that in many places it is safe for only one vehicle to travel on it, particularly if it is a heavy vehicle. A driver may be travelling legitimately at 50 miles an hour in his vehicle when another vehicle comes over a rise. He is forced to put two wheels of his vehicle over the raw edges into the pot-holes at the side of the roadway. It is a frightening experience, and frequently drivers try to reduce speed to ensure that there will not be a bad accident.

I wish to be reasonable and responsible in my attitude. I believe that the Main Roads Department has tried very hard to overcome the problem in some sections of the road; but there are many hundreds and hundreds of miles of the Bruce Highway that are crying out for maintenance and widening. There has been a great deal of talk about the toll of the road, and I believe that bad roads contribute greatly to road accidents. It is all very well to talk about breathalysers, drunken driving, and other things—they all make a contribution to the road toll, I know—but it should be understood by everyone that bad roads undoubtedly contribute greatly to the accident rate.

Mr. R. Jones: About 29 per cent.

Mr. TUCKER: That is right, and possibly more than that.

One of the first things we should do is get on with the job not of building motorways but of maintaining the paved highways that have been laid down over the length and breadth of Queensland for many years and are now being torn to pieces by the heavy vehicles that are using them. I understand that the Minister for Transport called tenders recently for additional buses to travel to North Queensland. That is another example of the very thing about which I am speaking. The railways can do a good job, and the airways also carry many passengers. Although I have no real argument against competition, I point out to the Committee that the Bruce Highway is not capable of

carrying the loads that are being thrust on it. The Minister may not agree with me in this Chamber, but I am sure he would if we were speaking privately. The heavy vehicles are tearing the road edges, breaking up the roads and putting pot-holes in them, and maintenance becomes a very big problem in many areas of the State, especially in the North.

It is peculiar to see one department struggling to do something about maintaining our roads and another department completely unaware of what it is doing and contributing to the break-up of those roads by pushing further heavy vehicles onto them. These roads are not built to take the type and size of vehicle that is traversing them.

My contribution this afternoon is not all criticism. It might be inferred that we are levelling our criticism at the Main Roads Department and its officers, and all those who work for the department. That is not so. I believe they are doing a tremendous job for Queensland with the money that has been allocated to them. If one has been allocated \$2,000,000 one can only do \$2,000,000 worth of work, not \$3,000,000 or \$4,000,000 worth. So, in fact, the Main Roads Department is restricted in what it can do. I have a tremendous admiration for Mr. Barton, the Commissioner, and for the officers under him. They work to the very best of their ability in putting to good use the money presently available to the department for maintenance and new work throughout the State.

In the Townsville area we have an engineer named Doug Tweddell. He is very approachable and does his best in using the money available to maintain the present roads and to construct new roads in the area. I refer also to the Main Roads foremen. They are the practical men who go onto projected road sites and finally form the roads. I have a very good example of this from the gates of my home towards Ingham, where a new road which is indeed a beautiful road has been constructed. It does not go far enough, but what has been done is first-class. A road to the Upper Ross River area has also been constructed, by another Main Roads foreman, and this also was a first-class job. I went out after it was finished and looked at what had been done, and I was full of admiration for the skill of these men. This skill is amply demonstrated everywhere in Townsville.

As one approaches the city from the race-course down towards the Ross River bridge where the Ross River meatworks are situated, one sees an example of how roads break up under heavy traffic and also following bad weather conditions such as obtained in the early part of this year, when we had abnormally heavy rains. I can understand that at times these problems are forced on us because of seasonal abnormalities. Roads

break up and are patched, but they become a real danger to traffic and a worry to the people who have to use them.

Reference was made by the hon. member for Townsville South to the fact that anyone who is travelling at 60 miles an hour on our northern roads is a slow-coach and that many people will pass him travelling at 70 miles an hour. The hon. member for Townsville South obviously defeated his own argument, because if he is able to drive at 60 miles an hour and people are passing him at 70 miles an hour, the road on which he is travelling must indeed be fairly good. I should say that many of our roads are such that no-one can travel over them at such speeds. If anyone did, he would be an utter lunatic. As I say, the hon. member defeated his own argument. There may be short stretches of road on which one might be able to travel at that speed, but many stretches do not lend themselves to it. As I say, anyone who travelled so fast on them would be a complete and utter lunatic.

I mentioned to the Minister some time ago that it had come to my notice that there was a possibility of roads works being cut back in the northern part of the State because of a lack of funds. I wrote him a letter of protest. I was very pleased to receive from him a reply that there would be no lack of funds, and that maintenance work and new work would continue. Such work is vital to the northern part of the State. I did not want to see any men lost from the day-labour force, which has proved that it can do a fine job in our area. The Main Roads Department day-labour force is a body of very skilful men who are able to construct roads in the North equal to those anywhere in Queensland. It is for that reason that I do not want to see the day-labour force reduced.

It is the Government's policy to let out some of the road-construction work on contract. For example, some of the beef roads that are now beginning to extend out from Townsville to the western areas were let out on contract. I should like to see all of this work done by the day-labour force. I do not think it was ever the previous Government's intention to let that work out on contract, but I know that that is this Government's policy. I ask that the day-labour force be retained. Very often the construction work that is required does not attract contractors and has to be done by the Main Roads Department through its foremen and day-labour force. It is very necessary that we retain these men, who have the necessary knowledge and skill to do a good job.

I can speak only for the northern division, but I assume that what I say would apply equally to the rest of the State. The northern division is very fortunate in having the services of the Main Roads Department officers who are stationed in that area.

Every one of them is a very loyal, hard-working, skilful public servant with the good of the area at heart. I would not for a moment reflect on one of them. I do not think that it would be the intention of the Opposition to reflect on the ability of any of the officers of the Main Roads Department.

The only frustrating part of the whole business is that the Minister has only limited funds. I say again that this has been brought about by the short-sighted policy of his own Government in ripping up railway lines. Had the Government shown foresight, the necessary knowledge and a statesmanlike attitude, railway lines would not have been closed and the Minister would not have found himself in his present difficulty.

Mr. PILBEAM (Rockhampton South) (5.48 p.m.): I rise to support the Minister in his presentation of this measure, which recognises just how deeply we have moved into the motor age. I realise the necessity to provide new types of roads for the ever-increasing number of cars and greater use of roads.

I certainly support a measure which allows the Main Roads Department to proclaim urban arterial roads and urban subarterial roads and motorways. I do not subscribe to the remarks of the Leader of the Opposition that these will place a burden on local authorities. The effect will be quite the reverse. These roads will probably be taken almost entirely from the control of local authorities. As the Minister has indicated, the cost of constructing the urban arterial road and the motorway will be entirely a charge on the Main Roads Department, and up to 50 per cent. of the cost of the subarterial road will be met by that department. That will take a substantial burden off the shoulders of the local authority. I suggest that at this stage all the roads will be in the City of Brisbane. Therefore I do not share the apprehension of the Leader of the Opposition about a burden being imposed on local authorities. As I say, what is proposed will take some part of the burden off the shoulders of local authorities.

I recognise the necessity to put the horse in front of the cart. The hon. member for Toowoomba East was inclined to put the cart in front of the horse when he said that we must have motorways built before they are proclaimed motorways. I do not care whether a motorway is proclaimed where no road exists or whether we include some part of a highway; certain things have to be done before a motorway can be constructed. The Minister has clearly indicated that, if a highway with parking provisions is made a motorway, the parking provisions must be eliminated, and roads cutting it at right angles may be closed. Certainly, signs have to be taken off the road, if there are any signs, before it can be proclaimed. Any integrated city services will have to be removed. All these matters must be carried out before improvements in the standard of construction

can be undertaken. If we proclaim a motorway and get all these things done, surely the Minister and his department would upgrade the construction of the road, otherwise I would agree with the hon. member for Toowoomba East that it should not be classed as a motorway.

When we see the magnificent motorways in other countries throughout the world we recognise that Australia—and this State in particular—must seize the opportunity to provide similar motorways throughout its length and breadth.

Speaking specifically now about signs on the road, I completely agree with the policy of the Main Roads Department on their removal. We in the local authority in Rockhampton have adhered to the policy but it is a little disturbing to find that it is not adhered to by the Railway Department. The Bruce Highway in part runs parallel to the railway line. We have removed signs from the roadway, and it is somewhat disturbing to find that the signs are put over the fence, on railway property, in more or less the same position. They are put on railway land. It seems that the Railway Department does not abide by the policy. I know that part of railway finance is derived from advertising space, but as this department does not allow road signs some effort should be made to get the co-operation of the Railway Department to ensure that signs are not put over the fence, just off the highway, in very much the same position.

I listened with great interest to the remarks of various hon. members, some advocating that more money be spent on roads in the city, and a great many advocating that more money be spent in the country. I recognise the necessity to upgrade the streets in Brisbane. If we are to have a capital city worthy of the State of Queensland the streets must be of a certain standard.

This measure is necessary to ensure that better roads are brought into being. I commend the Government upon its implementation of the Wilbur Smith Report. Far from loading the local authority, the Government has been fairly generous in its financial contribution towards implementation of this report. However, I am a little concerned because this policy has not been applied to the same extent outside the City of Brisbane.

In recognising that we are now in the motor age and the road age, we should realise the need to build a first-class system of bitumen highways throughout the State. If we are to do so we must adopt a different approach to the problem. I have spoken about this matter on other occasions. I sympathise with the Minister when I say that there is no chance of providing out of income the necessary capital for this massive undertaking. I know of no massive undertaking of a like nature that has been provided for other than through the medium of loans. Looking at the local government field, what chance in the world would a city the size of Rockhampton have of financing a \$6,000,000 water augmentation scheme from revenue. None

at all! We would have had to do without water for 40 years. Even in a smaller field, what chance has a young person, just starting off in married life, of acquiring a home and a refrigerator or any of the other modern necessities unless he gets them on hire-purchase or is allowed to repay the amount over 40 years?

The benefits and development that would result from the immediate construction of a first-class highway through the State surely justify the introduction of a change of policy. I am quite sure that interest and redemption payments on a highway system throughout the length and breadth of the State would not exceed the amount being spent on constructing gravel roads and patching up and repairing substandard roads. I have proved that inside the city boundary of Rockhampton, and I think that the same would apply here. A bold step, a change in policy, and the introduction of fresh legislation are required. If we want to decentralise the development of this State we must provide a highway system now and pay for it later. I am sure that the tremendous amount of capital involved in the implementation of the Wilbur Smith plan will prevent the raising of the capital required to build highways throughout the State.

I have heard speakers push their own areas. I have had a look at Central Queensland and I say that with the limited means at their disposal the Minister and the department have done a good job compared with that done by the Labour Government. When we took office nine years ago the bitumen on the Capricorn Highway extended 30 miles from Rockhampton to Westwood; now it extends 180 miles to Emerald. It extends from Longreach to Barcaldine and some of the intervening parts are constructed. Bitumen on the road west from Townsville goes almost as far as Hughenden and soon it will reach Hughenden. That is tremendous development.

I am not complaining about what has been done. When I suggest the construction of a highway system throughout the State I suggest that we do the whole job; we should not do it piecemeal, a little this year and a little next year. The State must eventually come to this. I suggest that we borrow the money to do the whole job and pay for it afterwards. If we do, it will be the most important step we have taken to decentralise the development of Queensland.

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

Mr. LICKISS (Mt. Coot-tha) (7.15 p.m.): I believe that when we deal with legislation in this place, we should do so first and foremost in the interests of Queensland. Therefore, I propose to direct my consideration of this measure along those lines.

It is obvious that the additional road classifications will now enable these roads to be handled under the Main Roads Acts. I suggest to the Committee that had this action

been taken when the Wilbur Smith Report was first contemplated, it would have been possible for the Main Roads Department to act as the constructing authority and, by virtue of the Public Works Land Resumption Act in conjunction with the Main Roads Acts, to be the resuming authority for the purpose of the Wilbur Smith plan. Because that was not possible, as it was not considered wise to declare all those roads as main roads, it was necessary to invoke the provisions of the State Development and Public Works Organisation Act, and the Co-ordinator-General acted as the resuming authority. I suggest now, of course, that it would be quite appropriate for the Main Roads Department, acting under the provisions of its own Act and invoking the Land Acquisition Act, to become the constructing authority and to resume the land.

I should like at this stage to pay a tribute to the Main Roads Department. I believe that this department has done a tremendous job in Queensland. With the encouragement of the Government's policies since 1957, the work that has been undertaken and completed has been of a magnitude never before witnessed in Queensland. This State is particularly fortunate in having the services of an officer of the calibre of Mr. Barton, the present Commissioner of Main Roads. Queensland needs more such men to expedite its development.

Naturally, costs and capital will always constitute a burning issue in a fast-developing State such as Queensland. Of course, the garment has to be cut in accordance with the cloth. I feel sure that the Minister and Mr. Barton could do with many more millions of dollars to execute much of the work that they would like to see carried out. But the Main Roads Department is only one part of Government administration. Education and other matters require critical attention in terms of capital requirement, and there is just so much finance available that can be devoted to main roads.

I am not prepared to argue the claims of Brisbane against the rest of the State, because I believe that when one looks at Brisbane alone one must look at it in relation to the South-east Queensland complex. Brisbane is equally dependent upon an adequate road system in its environs as those people who live in close proximity to Brisbane are dependent on those roads to go to the city. I therefore do not believe that it is possible to look at the paper boundaries of Greater Brisbane and say, "We are not spending as much as we might inside these boundaries". I feel sure that the Commissioner of Main Roads, in looking at the requirements of an efficient trunk road system, will look at the needs of the whole of the city. He will not, I am sure, lose sight of the fact that most roads lead to Brisbane, and will ensure that they are of adequate capacity to do the job required of them.

Let me turn now to the question of planning. My colleague the hon. member for Toowong mentioned a matter that I and other hon. members have raised many times before in this Chamber—the need for town and regional planning in the State. Let me take a region—say, the South-east Queensland complex—and try to make the Committee understand how necessary it is to plan it adequately in terms of water supply, electricity, a system of roads, road transport, and so on. I believe that this will be most revealing to people who have considered the desirability of this in the past and the important role that town and regional planning play. I doubt whether they have considered the assistance that town and regional planning could give to a department such as the Main Roads Department, which at present, I suggest, often has to plan in isolation.

Many of these regions have not been planned for the future. Their future water requirements have not been planned, for example. Consequently, in determining where a road shall or shall not go, other information that is quite pertinent to that decision has not been supplied. There may be mistakes—costly mistakes—and the State can ill afford the luxury of not planning its future. I hope that hon. members on both sides of the Chamber will go out and be strong advocates for town and regional planning in Queensland. This is the only State in Australia that does not so plan. Town and regional planning is long overdue, and time is running out.

Hon. members opposite would expect me to make some comment relative to the Brisbane City Council, and the hon. member for Belmont will not be disappointed in his expectation. All I propose to say is that, where there is large capital expenditure on a main roads system or any system that comes under the control of the Main Roads Department, I should like to see the Main Roads Department play a far more active role in the planning and supervision of its construction.

If I may, I should like to raise a local problem that does touch on the work of the Main Roads Department. Moggill Road is a main road. The Main Roads Department endorsed an approval by the council to assist in finding a solution for a traffic problem in Moggill Road fronting the Presbyterian Church. Church people in my electorate have been very disappointed to find, after constructing a very fine church, that the council has withdrawn approval for the access road. The story currently being spread is that, Moggill Road being a main road, the Main Roads Department has agreed with the council on the withdrawal of approval.

Mr. Houston: That is right.

Mr. LICKISS: The inquiries that I have made indicate that it is not correct. It is only that the Main Roads Department usually leans towards the council for advice

when a main road is situated in the metropolitan area. The matter will be discussed in much greater detail at a later stage, but that is one of the instances in which I should like to see the Main Roads Department play a more prominent role than it has in the past in the planning and supervision of construction. Surely in any built-up area, provincial city or town adequate detail surveys would be available charting the services—water, gas, and so on—so that a planning authority, particularly a Government planning authority, would have all the information it needed for its task. Again I believe that the people could be assured of getting a better job done if the Main Roads Department could devote a little more time to planning and construction of main roads within the metropolitan area of Brisbane.

There is one matter that I raise in connection with roads, particularly the legal status of roads. It will be recalled that I mentioned this matter in connection with the City Square legislation. At that time the then Minister for Lands said that it was very difficult to close a road, and when I mentioned that we would probably have to close, or vary, a number of roads, particularly as a result of the Wilbur Smith plan, it was more or less intimated that this would have to be done on each occasion by an Act of Parliament. I make a plea tonight for a roads Act for Queensland, and I am going to divorce from the actual construction and maintenance of our roads this particular facet, which deals with legal procedures associated with the opening and closing of roads.

The present system is cumbersome, and I suggest most unwise—it is bordering on stupidity—that each time we want to close a road and some person objects, it cannot be closed unless we pass an Act of Parliament. In other, more enlightened, States, roads are closed and opened in accordance with the common good. No individual is deprived of his right to object, but the objections, taken singly or collectively, are examined and the matter is determined in the interests of the common good. If it is felt that in the public interest a road should be closed, it is legally closed.

Mr. Houston interjected.

Mr. LICKISS: For the information of the Leader of the Opposition, roads can be closed temporarily, I believe, under the Local Government Act, permanently under the provisions of the Main Roads Act as we see now, under the Railways Act in certain circumstances, and predominantly under the Land Acts. We have heard in relation to the Land Acts just how difficult it was to close a road and how reluctant the authorities were to do so.

Mr. Houston: They can still do it.

Mr. LICKISS: If they can still do it, we have survived for 100 years and I suppose in that time we have closed roads.

All I am asking is for a common-sense and practical approach to the legal opening and closing of roads. I know that many roads can be opened on plan—they become dedicated on an authorised and registered survey plan—but it is ever so much better if a road is advertised as being opened. However, I am not really as concerned about the opening of roads as I am about their closure. There must be a set procedure by the department and other authorities to legally close a road, not in a manner that would jeopardise any individual's rights but so that the interests of the common good shall be best served at all times. This is just part and parcel of what I suggest should be a sensible administrative measure.

I listened with a great deal of interest to the Deputy Leader of the Opposition, and I was rather surprised to hear him say that we should have electrified the Southport railway line. I think he would know full well that at the time of the closing of that line it would have needed major rehabilitation and it was doubtful whether its location would have adequately suited the requirements of a fast service. I hope that in the years to come appropriate railway communication between the capital city and the Gold Coast city will eventuate, but when it does come it should be properly planned and properly constructed, and only after the economics of such a line have been completely established.

I commend the Bill. I believe that many of the requirements that have been necessary in the past have been met by this proposed legislation. I hope that, rather than being critical of the Main Roads Department, we get behind the department and encourage it to get on with the job. We should congratulate it for a job well done and I look forward to more capital being provided for its work, which is so necessary and vital in the future development of Queensland.

Mr. MELLOY (Nudgee) (7.30 p.m.): I do not altogether envy the Minister in his efforts to extricate himself from the dilemma in which he finds himself with the State's main roads system, not that I think his dilemma is a personal or technical one. Far be it from me to suggest that it is a technical one because he has departmental officers at his disposal who are very thorough, very experienced and very capable men. I think he would be well advised by his departmental officers. I believe that his dilemma is a political one and that he suffers as a result of the policy and attitude of his Government towards road construction. The many bottle-necks along the North Coast road make it quite evident that individual hon. members have brought pressure to bear on the Government to provide good roads in their electorates.

The Minister has another problem with roads. I refer to maintenance. For every mile of road he constructs he has the added problem of cost of maintenance. As the road system increases so does the Minister's maintenance problem. I believe that individual Government members do dictate to a certain extent where and when certain roadworks will be carried out. The Minister and his departmental officers would not always be in agreement about the work that was done.

When the Australian Labour Party was in Government it foresaw the future pattern of traffic in the City of Brisbane and the surrounding area. The facts are that plans were in hand for the widening of the road at Goodna, that it proposed the elimination of the underpass at Rocklea and had resumed land at South Brisbane for the construction of a railway bridge, which are all indications of the attitude of the A.L.P. Government. In my own area at Nudgee provision was made for the realignment of Sandgate Road, which is becoming so very important today.

If the Minister for Main Roads had been given a free rein perhaps he would have organised the construction of main roads forming the Bruce Highway on a different pattern from that on which they are being constructed at this stage. To illustrate that point I have only to remind hon. members of the bottle-necks at Virginia and Cherm-side. The hon. member for Wavell has dealt with the problem at Cherm-side where the traffic converges into one lane just beyond the Cherm-side tram terminus, thus causing considerable congestion and confusion in the evening peak hours. There is a particularly bad situation in Sandgate Road from 4 p.m. onwards every day. At that time of the day there are four lanes of traffic converging into one lane, extending from Virginia to the Hornibrook Highway. There are two lanes of traffic from the city and two lanes from the Hamilton area along Toombul Road. From 4 o'clock onwards there is complete congestion in this area. If our main roads policy was directed towards getting traffic gradually out of the city, it would serve a much more useful purpose. As traffic leaves Brisbane it gradually disperses, and the idea should be to provide four-lane highways in areas immediately adjacent to the city. To the north of Brisbane the two main outlets, Gympie Road and Sandgate Road, carry only two lanes of traffic in contrast with the highway on the southern side of the city which is a first-class highway from Brisbane to Southport.

Mr. Carey: That is very good.

Mr. MELLOY: I will come to that in a minute.

There is a good highway from Brisbane to Ipswich. The road from Brisbane to Southport to a large extent carries pleasure traffic although there is certainly some commercial traffic.

Mr. Carey: That is not completely right.

Mr. MELLOY: If it is not completely right it is not completely wrong.

When we consider the use to which the Brisbane-Southport road is put we realise that it was built for the convenience of the tourist traffic, and the convenience of the individual motorist. It was also built because the Government foolishly closed the Brisbane-Southport railway line. The hon. member for Albert should agree with me because he fought strenuously against its closure. He must condemn the Government for its action.

In planning for the City of Brisbane apparently the Government is to fall back on the Wilbur Smith Report. As has been pointed out on several occasions, in 10 years' time the provisions of the Wilbur Smith Report will not cater adequately for the traffic of Brisbane. This can lead only to great confusion in the city. The city needs a series of roads on which traffic through and into Brisbane can be diffused. Motorways will make it much easier for traffic to come into the city, thereby adding to the present congestion. Without highways providing a certain amount of diffusion of traffic the Wilbur Smith Report will not be in the interests of the City of Brisbane.

Mr. Ramsden: You would support my tunnel, then, wouldn't you?

Mr. MELLOY: I would not go as far as that. It appears to me that the Government will fall back on the Wilbur Smith plan, and, I fear, will spend too much on it to try to extricate itself from this traffic problem. I think that our own engineers could have done a much better job, and, as the hon. member for Tablelands has just said, a very much cheaper job.

When speaking on the Beach Protection Bill, I said that the Government seemed to think that the Gold Coast area was more important than any other part of Queensland. I am afraid that that policy is being carried into main roads. The Government appears to be more concerned with providing a four-lane highway to the Gold Coast than it is with providing similar highways in North Queensland. The industrial, commercial and strategic needs of North Queensland are much greater than those of the Gold Coast. The Government should pay more attention to roads to the North.

Recently we learnt that the Government will issue permits for intrastate carriage of passengers by tourist coaches. If that traffic is encouraged and increases it will place a severe strain on the inadequate roads between Brisbane and Cairns. In addition, the Government's policy to encourage the road transportation of goods makes essential the provision of good roads between Brisbane and the North.

The hon. member for Cooroora is one hon. member who put pressure on the Government for the construction of good highways in his electorate. There is an excellent highway between the Maroochydore turn-off and

Nambour. On the outskirts of Brisbane—on Gympie Road and Sandgate Road—single-lane highways exist. They create one of the worst bottle-necks we have. One thin line of traffic proceeds to the Maroochydore turn-off, and then the speed is increased, but, once the traffic reaches Nambour, it must form again into one lane, and this creates another bottle-neck. These bottle-necks are not in the interests of good transport. While we have such planning, some sections of our roadway will be damaged severely, involving the Main Roads Department in heavy maintenance costs.

The lighting on motorways in the metropolitan area is an important factor. I am constrained to ask who will be responsible for the provision of this lighting. At the speeds of vehicles that will travel on these roads, ordinary street lighting will not be suitable. There will have to be brighter lighting than is now provided, and such a lighting system will have to be maintained. Is this to be the responsibility of the Main Roads Department or the local authority?

Mr. Pilbeam: The local authority.

Mr. MELLOY: I think local authorities have enough responsibility for main roads now. Only last year the Government dumped upon the Brisbane City Council the responsibility for certain main roads and traffic work, to relieve itself of increasing costs. If responsibility for the provision and maintenance of lighting is to fall upon local authorities, they will have to receive greater allocations of funds for that purpose.

Mr. Pilbeam: They are doing it now.

Mr. MELLOY: That makes the position worse. I think that this will be an increasing problem. I ask the Minister if local authorities are to be responsible for the lighting of new motorways constructed under the Wilbur Smith plan. If they are, they will find it is tremendously expensive.

I think the Government must take a very serious look at the main roads situation and provide roads where they are initially necessary, not merely construct a series of four-lane sections scattered along the length of the Bruce Highway. Perhaps that is not the Minister's fault; perhaps it is the result of the application of pressure by various members on the Government, and the unwillingness of Cabinet to offend Country Party members. I conclude my remarks on that note.

Mr. O'DONNELL (Barcoo) (7.47 p.m.): I have been induced to enter the debate by the remarks of the hon. member for Rockhampton South, who advocated a system of first-class bitumen highways over the State. That is very idealistic.

Mr. Pilbeam: No, it is not.

Mr. O'DONNELL: I think it is very idealistic; I adhere to my statement. The hon. member advocated a scheme embracing the whole of the State. I would not care

at any time to depart from the present divisional method of development. As long as there are the northern, central and southern divisions, at least every year each division receives some value in main roads construction, and I wish to see that practice continued.

Grandiose schemes have been proposed before. They are idealistic, and indeed worthy. I can remember that in the 1950's, when I was conducting Adult Education classes, a plan was put up advocating road construction in Australia, the theme being, "We must spend £150,000,000—Now." That is indeed a phenomenal amount and, whilst such a plan is entirely desirable, is it realistic? That is the point that has to be faced. If we could obtain a loan of the amount envisaged by the hon. member for Rockhampton South and those who put forward that idea more than a decade ago, we would certainly be very fortunate. I cannot see even the possibility of such a loan. I am, however, very sincere in my support of divisional programmes.

As the hon. member for Rockhampton South mentioned, decentralisation is a very important factor; but even in the field of decentralisation I advocate that certain priorities be laid down. There has been a failure in this State up to the present to make a significant contribution to decentralisation, in that there is still no bitumen road from Rockhampton to the West or from Townsville to the West. In my opinion, these are two projects that should have priority. The South and South-west of Queensland are well served by two highways, and I advocate that the divisional programme should not be departed from and that the Government should move with the greatest celerity to link the West with the coast.

What have hon. members been saying in this debate? They have been speaking about roads into the cities and roads out of the cities. It is important to remember where the cities are. Apart from Mt. Isa, which has developed because of the mining carried out there, Warwick, which has been classified as a city, and Toowoomba, which is a city of long standing, all Queensland's cities are on the coast. Can any hon. member forecast or prophesy which town in the inland of this State will become a city in the future, unless some great mineral discovery is made? I do not think anyone can do that. Therefore, if the cities, which are dependent upon primary production, mineral production and associated industries, are to prosper, the roads must go direct from inland to the coast. The trend must be towards developing roads to the West.

Let us get on with the programme. The idea of having an over-all plan is very good, but its application must encourage decentralisation. This can be done only if the idea of making progress in the North, the Centre and the South of the State is kept

in mind, and I should say that an attempt should be made to preserve equity between the divisions.

Hon. members have mentioned also the lack of co-ordination in policy. While the Main Roads Department is opposing the erection of roadside signs, the Railway Department is allowing the erection of signs on its property. A lack of co-ordination in other instances has been mentioned. It is rather surprising to find that, as a result of legislation in this Chamber, a certain amount of responsibility for traffic matters has been passed over to local authorities. Only today there has been a complaint from the inspector of police in charge of traffic control that there is no co-ordination between local authorities and the traffic branch of the department. He said that his branch learns by hearsay or from Press announcements the results of work done by the councils on the recommendation of traffic engineers; it never hears these things by direct communication. Surely that is an aspect of Government administration that should be investigated by the relevant Ministers.

It is disgraceful that a man should have to come forward at a public function and criticise lack of co-ordination of that type. I believe that the Government should take the matter in hand immediately. If the local authorities in this State are at fault, they should be asked to co-operate and to co-ordinate their activities with those of the traffic branch. If the traffic branch is at fault, those who are involved ought to be given the message.

In my opinion, all these matters are important. One must look at the State as a whole, certainly; but the very size of the State makes it virtually impossible to adopt an over-all plan. I appreciate what the hon. member for Mackenzie said. I know that at times he has looked askance at the Capricorn Highway and said, "They are getting a pretty good thing out there." I appreciate what has been done in the past and what is going on at present. However, like any other member representing his electorate and having in mind furthering the interests of Central Queensland, I say that the work is not being done fast enough.

It is not only the Main Roads Department that is tied up with road construction. In many instances local authorities depend on road construction to employ their work-force. I am very happy indeed that the councils in my area have done splendid work. Anybody who has been in my area recently can only say that the engineers have done a marvellous job. One can now travel from Springsure to Emerald on a beautiful road, one that is well engineered and a credit to the people who carried out the work. This work is going on not only from Springsure to Emerald but also on the road to Clermont and the road to Rockhampton as well.

We must, of course, give full thought to the necessity of keeping employees both of the councils and the Main Roads Department in full employment. That is why I agree with the Deputy Leader of the Opposition in his support of the principle of day labour. These activities are most important, because they play a significant part in decentralisation.

As a last appeal I say, "Let us get on with divisional development and, if possible, expedite the building of the Capricorn Highway right through to Barcaldine".

Mr. ADAIR (Cook) (7.56 p.m.): I was unable to be in the Chamber when the Minister introduced the Bill but I have been here to listen to various speakers discussing it. I am not at all concerned about roads in the metropolitan area of Brisbane. I believe that Brisbane has had too much money spent on its roads and that more should be spent on the area that really needs good roads, namely, the far northern area, particularly Cape York Peninsula. No doubt the Minister will again state that thousands of dollars are being spent on the development of what used to be known as the Mulligan Highway but is now called the Peninsula Developmental Road, which is a beef road. This development has been going on ever since I have been in Parliament, which is nearly 16 years.

Mr. Camm: You do not go up there very often now.

Mr. ADAIR: Every time I travel over that road I am put to considerable expense for repairs. At the present time it is in order, to a certain extent, but for the last three or four months it has been out, due to wet weather, and that happens every wet season. It has been declared a beef road but I suggest to the Minister that if the work goes on at the present rate it will be another 20 years before it is a good all-weather road.

Even at the present time graziers from the top of Cape York Peninsula, from Coen and further north, have to drive their cattle overland to the saleyards at Mareeba. I was speaking the other day to a contract carrier who had in the past trucked cattle and who claimed that at the present time he cannot transport them over this road because of bruising of them brought about by the heavy corduroy surface.

As the Minister has pointed out, the Government is at present spending probably thousands of dollars on building bridges and servicing the road but this work will have to be speeded up; extra money will have to be found to make it an all-weather road, and until the Minister does something to this end these people will, year after year, have to put up with the inconvenience caused by the bad condition of this road. For the life of me I do not know why other roads were given preference to that road as

a beef road. I cannot understand why roads in the Gulf were given preference to the Peninsula road. In the Gulf country graziers have railway facilities to which they can drive their cattle to truck them out. Without an adequate road in the Peninsula the only way they can get their cattle to the saleyards is to bring them down by boat or drive them overland, which takes 12 to 14 weeks from the top of the Peninsula. Because of the rocky nature of the Byrnestown Range and other ranges in the area many of the cattle are crippled by the time they get to the saleyards. I have seen cattle in the saleyards that could hardly hobble around because of their swollen legs. As I have said many times in this Chamber the cattle have to be thrown and shod. Surely the Main Roads Department could construct this road to Cooktown or to Laura to an all-weather standard so that people could bring their cattle as far as either of those places to be transported by lorry out of the area.

The area also has a mining venture where over \$100,000 was spent on prospecting. Then there is the plymill at Bloomfield of which Mr. Patterson is the owner. The plywood was taken on that road to Cairns. The lack of adequate roads tends to make it difficult for people to carry on in that area.

It is all very well for people in Brisbane to grizzle about roads down here. With the four-lane highway to the Gold Coast and the good roads to the North Coast and elsewhere, they are not badly treated. If more money was spent in my area and other areas that really need good roads, a better service would be provided for the whole State.

I know the Minister's thoughts. He has taken over the portfolio only recently, and what I am speaking about is not his fault at all. Ever since I have been in Parliament I have been stressing the need to complete the Mossman-Daintree road, a distance of only 22 miles. It was the Government's policy to give preference to the construction of gazetted highways or main roads before taking on anything extra. That has been happening for the last 15 or 16 years. Only four miles of the Mossman-Daintree road have still to be constructed, but in reply to my question the other day the Minister said that more important roads have yet to be constructed, and that this one would receive due treatment at the appropriate time. But we have been waiting 15 years for that treatment! I know that it is not his fault because he has not held the Main Roads portfolio during that period.

I should like the Minister to look into these matters because people in the area I am talking about are getting a rough deal. I know that the Main Roads Department takes notice of certain departmental officers stationed in the Far North. I suggest that is one reason why this road has been neglected. I think the Minister held the opinion that the road was in good order, but it was not. I should like him to visit the area and see it for himself, but not when Mr. Gallop tells

him to come up. He should go up there unannounced, not two days after Mr. Gallop has put a bulldozer or grader over the road. That sort of thing does happen.

Hon. R. E. CAMM (Whitsunday—Minister for Mines, Main Roads and Electricity) (8.5 p.m.), in reply: After listening to the debate, one would think that this measure was the introduction of the Estimates for the Main Roads Department, because very few hon. members spoke about the principles of the Bill.

Mr. P. Wood interjected.

Mr. CAMM: Despite the interjection of the hon. member for Toowoomba East that I did not tell him much about it, I will give him a copy of my speech as well as of the Bill. He will see that every provision in the Bill was outlined in my introductory speech. He chose to get away from the Bill, just as did every other hon. member who spoke. That is the prerogative of hon. members. It is their business if they wish to take a Cook's tour around their electorate and push the barrow for a particular road. The hon. member for Cook even invited me to go on a tour of his electorate.

Some hon. members from the city claimed that too much money is being spent in country areas, while hon. members from the country claimed that too much money is spent in the city. Yet again, hon. members from other parts of Queensland claimed that insufficient money was spent in their areas. No-one claimed that too much was spent in any particular area, so it appears to me that Main Roads Department finance has been fairly evenly distributed.

I should like hon. members to bear with me and to realise that Queensland, with such a vast area and relatively small population, makes the job of the Main Roads Department very difficult to carry out.

I think the hon. member for Logan was the first hon. member to have the courtesy to express appreciation for the work carried out by the department. Member after member rose to his feet and criticised the department, but the hon. member for Logan, through his knowledge of local authority work and his appreciation of the difficulties involved, paid a tribute to the department. I also give credit to the hon. member for Townsville North and other hon. members who followed him.

Mr. N. T. E. Hewitt interjected.

Mr. CAMM: I will deal with that point in a minute, if the hon. member will keep quiet.

Other hon. members also paid a worthy tribute to those gentlemen who have to travel around Queensland—and they have travelled around Queensland extensively in the last seven years. I cannot help feeling proud of them and also of what the department and the various Governments have

done for this State. When I say "Governments" I mean all Governments, not necessarily the present one. We must realise that in this State we have development right along the coast and also in the inland areas. Queensland is the most decentralised State in Australia, all of it crying out for more and more roads.

If some hon. members opposite want to be political and talk about what this Government has done compared with what they did during their term of office, I point out that recently I toured 4,000 miles of our beef roads and other outback roads. I travelled for three weeks and went right out in the outback, up to Normanton and Cooktown, but nowhere did I travel on a stretch of road as bad as the road from Proserpine to Mackay was 10 years ago. Since this Government has been in power it has spent—and I accept full responsibility for it—more money in the country areas of Queensland than did any previous Government.

I will deal individually with hon. members who have spoken because some of them contributed worth-while comments to the debate. The Leader of the Opposition prefaced his remarks by a reference to the Wilbur Smith Report. He claimed that people were not notified when work associated with the Wilbur Smith Report was to be implemented.

Let me make it clear that the Wilbur Smith Report and the plans associated with it are only lines on a map—recommendations from a world-wide authority on traffic control and road construction that is necessary to cope with that traffic. It does not necessarily follow that merely because there are lines on a map, that is where the road will actually go. That has caused a great deal of confusion in the minds of people who live close to where the lines are delineated on the map. I have frequently said that people have been told not to take any notice of those lines, because the final decision on where the road will be built rests with our engineers and surveyors. It is only when the final plan has been drawn and models are made and put on display at the Main Roads Department that people can really find out where a road will be built.

I feel that the officers of the department have done a remarkably good job in circulating these plans and inviting the people who could be affected by the proposed roads to visit the Main Roads Department. There is there a big room where the plan and models show exactly where the proposed roads will go. I have given an assurance to the people involved that as the Government adopts further stages of this plan they will receive notice as quickly as possible. The Government has adopted only Stage I of the report, and it is a modified version.

The Leader of the Opposition mentioned the expense involved in supplying signals and signs. A Traffic Engineering Trust Fund has been established, and many of those

lights and traffic devices are financed through the Main Roads Department. Approximately \$180,000 a year is allocated to local authorities, in addition to what is spent by the Main Roads Department.

The hon. gentleman said that the only way local authorities have to raise money is by way of rates and that the expenditure involved in sewerage, water supply and other amenities is increasing. I concede that. Finance is a problem in most undertakings associated with local, State or Federal Government. It is in the way that we allocate that finance that our policies may differ.

I do not agree with the hon. gentleman that this Government has reduced the subsidies for road work and other work associated with local authorities. Since the road plan was introduced in 1963 the Main Roads Department has virtually halved the responsibility for repayments for road work carried out in any local authority. Today, highways built through a local authority cost the ratepayers not one cent in construction. For main roads they contribute 10 per cent. of the capital cost, for developmental roads 5 per cent., and for secondary roads 25 per cent. That is about half of what it was 10 years ago.

When one bears in mind that the Main Roads Department is responsible for building and maintaining 24,500 miles of roads in Queensland, carrying 80 per cent. of all traffic flow in this State, one realises the responsibility that has been accepted by the Main Roads Department. At the same time, one must recognise and pay just tribute to the work done by local authorities, because they themselves control some 80,000 miles of road and street works in this State.

The Leader of the Opposition said also that we have not yet indicated where we will build these proposed roads in Brisbane. I think he was the one who said that. We have said many times that the Riverside Driveway, the Woollongabba Interchange, the Point Bridge, and the South-east Freeway will be constructed at no cost to the ratepayers of Brisbane. In the next five years approximately \$30,000,000 will be spent on this work.

The hon. member then waxed a little sarcastic and said that some main roads are little better than goat tracks. I tell the Committee that I am not happy with all the main roads in Queensland. Anyone who claimed such satisfaction would be trying to mislead people. But I am happy and satisfied that the Main Roads Department and the Government have spent the money available as advantageously as possible, taking into consideration traffic flow, development in the State, and the needs of rural and urban areas. All of this money must be collected from 1,500,000 people and hon. members can work out how many of them would be contributing to these funds. Attempts were also made to compare Queensland with other States. Someone had the

temerity to compare Queensland with England, the United States, and some sophisticated European countries that have been inhabited by millions of people for hundreds of years. Queensland is four or five times the size of some overseas countries. If all our main roads, bridges and highways were confined to an area in South-east Queensland equal to that of England or the land mass of Japan, what a wonderful road system we would have! And that has been built by 1,500,000 people, not 50,000,000, or the hundreds of millions of people in some other countries.

Even in our neighbouring State of New South Wales, the Main Roads Department is responsible for the same mileage of roads—24,500—as is our department, and its finance is collected from 4,500,000 people. Reference was made also to Victoria. If our highway from Coolangatta to Mossman could be rolled up and taken to Victoria, it would provide a six-lane highway from Albury to Melbourne. This whole question should be looked at in the proper light and a realisation of what has been done by the Government, through the Main Roads Department, for the road system of Queensland. There would then be no knockers, only praise and pride.

Mr. N. T. E. Hewitt: Do you mean that we should not criticise at all?

Mr. CAMM: Everyone can criticise. I am not happy—

Mr. N. T. E. Hewitt: I am not happy, either, and I will continue to criticise.

Mr. CAMM: I am not happy with the position, either. When all the gazetted roads in Queensland are built and bitumen sealed, we will still be unhappy because we will be gazetting more and more dirt roads. There will always be dirt roads associated with the main roads of Queensland, because we will always be gazetting extra sections of road. If hon. members wish to compare what has been done by this Government with what was done by previous Governments, I remind them that we did more in seven years on the Bruce Highway, which is the road that I am most conversant with, than Labour Governments did in 40 years.

I remind the hon. member for Belmont that this Bill is not associated with the Wilbur Smith Report. It is a Bill that will enable the Main Roads Department to assume responsibility for constructing and meeting the costs of arterial and subarterial roads in the urban areas of Queensland, and outlining provisions necessary to have any road, whether it be an arterial road, a subarterial road, a highway or a main road, declared a motorway. The Bill contains provisions enabling the Main Roads Department to declare such roads motorways.

There was a query concerning the type of traffic to be allowed on motorways. This will be governed by the traffic flow in the

area, and it will be the type of traffic necessary to relieve congestion in a particular locality.

The hon. member for Wavell criticised the short explanation that I gave of the provisions of the proposed Bill. As I said earlier, every provision was outlined in my introductory speech; I took good care to do that. When hon. members have had an opportunity of studying the Bill, I am sure that in the debate on the second reading they will outline specific problems associated with the Bill itself. Perhaps they can be excused for getting away from the Bill somewhat at this stage, because they may consider that it contained provisions that I did not outline.

I know that what I am about to say has been said in this Chamber before, but it bears repeating when a member from the city—a good member, too—criticises what has been done in Brisbane and what has been built in Brisbane by the Main Roads Department. When the Government was planning the expansion of the road system in Queensland about seven or eight years ago, it recognised that the main highways into the area ended on the outskirts of the city. Roads were deliberately gazetted from the outlying areas and the department assumed responsibility for them, but they were left terminating on the outskirts of the city. At the same time, the department indicated that a firm of experts would be employed to assist and advise where the roads should go through Brisbane to provide a connection between the southern areas and the western and northern areas. That has been said in this Chamber many times.

However, the Government did go ahead with the construction and improvement of many other roads in Brisbane. There are over 70 miles of gazetted roads in the Brisbane metropolitan area, and figures that I have given in this Chamber indicate that many hundreds of thousands of dollars have been spent on those roads. An assurance was given that, when the results of the traffic survey had been submitted to it, the Main Roads Department would undertake comprehensive construction of freeways and highways through the city. Stage 1 of that report has been adopted, and the department will be spending about \$50,000,000 in the next few years to provide reasonable access roads to the city area. The hon. member for Wavell has compared what has been done here with what has been done in the remainder of the State. I invite him to wait another 10 years and then make an assessment of what has been spent.

One would be foolish to deny that the greater part of the taxes collected for main roads purposes is collected in the south-east portion of Queensland. Those taxes are collected where the population is greatest and where the registration of motor vehicles is heaviest. I ask anyone who raises the question of where the money is collected

from: "Why is the City of Brisbane here in the first place?" Brisbane is the capital city of this State, and we are all proud of it. But it has grown only because of the produce flowing to it from the outlying areas. Much of the money collected in the city comes from institutions and businesses having their headquarters and the majority of their staff in Brisbane but whose interests and productive elements are in country areas. It is to ensure that that produce gets to Brisbane and flows through to the point of embarkation or to the railway station that the department is now constructing roads through to Brisbane.

Mr. O'Donnell: Do not forget that the Northern and Central Divisions of the Railway Department pay for the rail services in the south-east corner.

Mr. CAMM: That is another fallacy.

Mr. O'Donnell: I do not think it is.

Mr. CAMM: It is another story; the hon. member can stick to it if he wishes. I will leave it to the Minister for Transport. The hon. member may be right when he says that the Northern Division makes a profit and the Southern Division does not.

Mr. O'Donnell: The Central Division does, too.

Mr. CAMM: They will always make a profit, because the Government has to fix the freight rates in such a way as to amortise the cost of the railway and, at the same time, build up the Gladstone-Moura line and the Mt. Isa-Townsville line. The northern and central areas will always make a profit.

Mr. O'Donnell: "Sandwich Corner" shows a big loss.

Mr. CAMM: I will leave that to the Minister for Transport.

We were criticised about a so-called piecemeal approach to road-building at Aspley. I wonder if the hon. member who voiced the criticism really appreciates the difficulty of constructing a road where there are no effective by-passes and where the engineers have to keep traffic flowing while they build the road, and shift all the services such as water mains, P.M.G. cables and electricity lines? It would be quite simple for the Main Roads Department to close the road completely. Then we would see some movement. They could put 20 bulldozers, graders and rippers to work and finish the job in very quick time. But when a very big road-construction job has to be implemented and traffic has to be kept flowing, of necessity the job has to be done in short sections. It may be called piecemeal, but eventually from that piecemeal construction will emerge a four-lane highway that will flow north and back into the suburbs of Brisbane.

Mr. Mann: The Main Roads Department should give some credit to the local member.

Mr. CAMM: I never hesitate to give credit to any member for what he does in his area. Even hon. members opposite will readily admit that they receive credit for their representations. But one must realise that there are 131 local authorities in this State and they all rely to a great extent on money allocated from the Main Roads Department to keep their work-force in operation. That is why every shire in Queensland receives an allocation each year from the Main Roads Department. It would be quite a simple matter for the Main Roads Department to say, "We are going to spend \$20,000,000 on a highway", and to pick out a long stretch of road and construct it. But that would vitally affect the economy of many local authorities in this State. That is why, when one drives around, one can see road jobs going on all over Queensland. Some might claim that it is piecemeal construction, but it is construction that is keeping the local authorities' work-force intact so that they can pass from Main Roads work to their own local authority work as required.

I know that the hon. member for Wavell would like to see most of this money spent in and around Brisbane in eliminating what he calls bottle-necks, but those bottle-necks are only caused by traffic that is coming in from north, south and west, and, as I have indicated twice already, they are being taken care of by the Wilbur Smith study and by other work going on throughout Brisbane.

The hon. member for Townsville South, of course, was the other way round; he wanted all the money spent in his "beloved North". I cannot blame him. He comes here representing a particular part of Queensland and in his view that is the area that should receive the greatest allocation of Main Roads funds. I do not agree with him that we are pouring Main Roads funds into the protection of beaches on the South Coast. No Main Roads money is going into the wall-construction work that is at present being done on the South Coast. A small amount is being put in where the Main Roads Department wishes to protect one of its own roads. We are spending, I think, \$100,000 on the construction of a wall to strengthen the road, but the bulk of the money that is being spent on the South Coast is the responsibility of the local authority and the ratepayers of the area.

Mr. Murray: He was more interested in better bicycle tracks.

Mr. CAMM: He did mention that he was travelling on northern roads with his grandson at 60 miles an hour and that other cars were passing them, and that his grandson boosted his speed to 70 miles an hour and they still went past him. I do not think the roads in the north can be as bad as he claimed if motorists can travel on them at those speeds. I think that the hon. member's complaint was dealt with very effectively by the hon. member for Townsville North.

Mr. Duggan: He said that nine out of 10 motorists were travelling at 60 miles an hour, which is gross exaggeration.

Mr. CAMM: Yes. I have been here long enough to be able to assess what the hon. member for Townsville South really means when he speaks. He is a rather colourful speaker, and one can discount quite a few claims that he makes.

I want to talk a little about roads in the Banana Shire, a matter that is worrying the hon. member for Mackenzie. I will concede that it is a rather difficult area. It is a very large shire that is dissected by many highways. There are the Burnett Highway and the Leichhardt Highway running north and south, and there is the Dawson Highway running east and west. Just to the north of the Banana Shire there is the Capricorn Highway, and not too far to the east is the Bruce Highway. In addition, there are quite a few main roads in the area. The total gazetted mileage in the shire, which is the responsibility of the Main Roads Department, is close to 500 miles. To be exact, 495.9 miles of road are the responsibility of the Main Roads Department. Of that total, close to half would be highway construction. To be accurate, there are 229.6 miles of gazetted highway in the area.

I always feel that it is far better for an hon. member to pay a tribute to the department for what has been done in the area than to criticise it for what has not been done.

Opposition Members interjected.

Mr. CAMM: I am quite sincere in this. Everyone can pick out particular sections of a road that need construction. The hon. member for Mackenzie claimed that from Cairns to Brisbane, travelling on the Burnett Highway—some 1,200 miles—there were something like 44 miles to be bitumen surfaced. Forty-four miles to be bitumen surfaced on the full length of that highway! Unfortunately, they are in the Banana Shire. The bitumen sections must meet somewhere. We start from Brisbane and work north; we start from the north and work south. We must meet somewhere. Goodness me, the two sections of the Bruce Highway met in my own electorate! I had many miles of unconstructed road in my electorate. Surely people must realise that the full length of a road cannot be constructed at the same time. The two sections must meet somewhere.

Mr. N. T. E. Hewitt: Ninety-two miles out of 131 miles in one shire!

Mr. CAMM: That is right, but wait a minute. There is a section of this unconstructed road on the Leichhardt Highway which makes 92 miles of unconstructed highway. When I say "unconstructed", I mean unsealed. In two highways leading from the North down to Brisbane there are in this shire some 90-odd miles of surface that is not bitumen. What the hon. member neglected to say was that on each of those

sections in his shire a Main Roads job is going on at the present time. Some months ago we released a job north of Taroom towards Theodore. Should we have started at Theodore and worked south, or should we start from Taroom and work north? The road from Miles to Taroom is already bitumen-surfaced and the bitumen section is extending from Miles to the north.

Mr. N. T. E. Hewitt: That is the Taroom Shire.

Mr. CAMM: It may be the Taroom Shire but, goodness me, it will not be long before it is in the Banana Shire. Then the Taroom people will say, "You are not doing any construction on our highway. It is all going to the Banana Shire." That is a section that has to remain till the last.

As the hon. member will not indicate just how much work has been done in the Banana Shire, I should like to put on record just what has been done. During the last five years, from Main Roads funds alone, \$3,817,000 has been spent on these roads. If we add to that sum an amount of over \$200,000 contributed from the Commonwealth Aid Roads Fund we find that some \$4,000,000 has been spent in the Banana Shire during the last five years. This may not have been spent where the hon. member would desire it to be spent, but we must be guided to some extent—

Mr. Houston: Don't you take notice of his representations?

Mr. CAMM: Of course I do. He should admit that, because I recently gave him a job between Theodore and Banana. I have also given him an assurance that when that job has been completed we will be allocating another one to his area.

Mr. N. T. E. Hewitt: Twelve months ago you promised that the road would be sealed within three years. Can you give me an assurance that that work will be carried out?

Mr. CAMM: If I promised the hon. member anything, I will have to see that the work is carried out.

Only recently the local authority concerned indicated that it wanted some money diverted for the construction of a road to the aerodrome at Theodore. The hon. member may say that he did not want a road to the aerodrome at Theodore.

With the development that is taking place in that area, it is understandable that the Dawson Highway, which leads from Moura and Biloela to Gladstone, should be receiving some attention. We have had representations on behalf of the meatworks at Biloela, which desires to transport its beef by road to the port of Gladstone. We have also had representations from the people at Moura, who desire to travel by bitumen road through Biloela to Gladstone. We have informed the Banana Shire Council that there are three highways leading out of Biloela that

will be receiving attention. One is the highway to Rockhampton; the second is the highway to Monto; and the third is the highway to Gladstone. We have decided that we should complete the bitumen-surfacing of the highway to Rockhampton first. That may not be acceptable to the hon. member for that area but we must be guided, as I have stressed many times, by the representations concerning priorities from the local people, through their local council. There may be times when we do not accede to these priority recommendations but, by and large, we take notice of the local authority recommendations.

Mr. Houston: Do you adopt them in preference to the representations from the local member?

Mr. CAMM: I will say for the hon. member for Mackenzie that no hon. member is more assiduous than he is in looking after the interests of his people. He has written to me on many occasions. I pay him the tribute that he is one of the few hon. members who is prepared to put down on paper where his priorities lie in his own electorate. Not many hon. members will do that, because they are a little wary of upsetting their own local authorities. The hon. member has the courage to indicate to me where his priorities lie for the construction of roads in his electorate.

Mr. Houston: And you take no notice of him.

Mr. CAMM: I indicated a moment ago that I do. It is useless for the hon. member to try to prosecute a quarrel. I said a moment ago that we have already given him a job on the Leichhardt Highway.

Mr. N. T. E. Hewitt: I would like to ask you if you will honour the agreement under your signature that the road will be bituminised within three years.

Mr. CAMM: If I have given an undertaking that any particular road will be constructed within three years, it will take some very extraordinary circumstance to prevent us from doing so.

There are always members, such as the hon. member for Mackenzie, with sections of unsealed highways in their electorates. A good deal of criticism in this respect was levelled by some hon. members. Have a look at the present road set-up in Queensland. This will be good for the hon. member for Barcoo, too. Proceeding from Cairns, there is a bitumen road to Mt. Garnet, then there is a small section between Mt. Garnet and Mt. Surprise that it not bitumen, then there is bitumen to Georgetown, and we are releasing a job to bituminise sections of the road between Georgetown and Croydon, and from Normanton to Julia Creek. These are things that were not even dreamed of 10 years ago. When one job is finished three will be a

bitumen road through to Hughenden, and at the same time it is working east from Cloncurry.

The hon. member for Flinders has a right to complain, because he has a long section of unconstructed road in his electorate. Before long, the constructions from east and west will meet. There is only one section of 15 miles between Longreach and Brisbane that is not sealed. Ten years ago the road from Longreach to Barcaldine was unsealed. From the coast the road is sealed west as far as Emerald and the next job will take it to Anakie. As the hon. member for Mackenzie mentioned, only small sections of the highways to the North and the South are unsealed. On the Warrego Highway from Brisbane to Charleville only one section at Morven remains to be sealed. The Condamine Highway is all sealed. We have released the last job for bitumen-surfacing between Dalby and St. George on the Moonie Highway.

That is a record to be proud of, and we should pay tribute to the men who built the roads. Shouldn't hon. members get up and say that the Main Roads Department has not done a bad job after all, instead of always complaining about one particular little section that might be annoying them?

Mr. Wallis-Smith: You admitted that there will always be gravel roads.

Mr. CAMM: Yes, but different people give little consideration and no praise for what has been done.

Mr. N. T. E. Hewitt: If you check my speeches over the years you will see that I have given plenty of credit, but the time comes—

Mr. CAMM: Very good.

The hon. member for Toowoomba East said he would like some information if I extended to him the courtesy of a reply. When he said that, I wondered if he considered that what he was saying was not worth replying to. However, I intend to reply to him. For his benefit, "motorways" is the name that is to be given to a particular class of gazetted. He aired the little knowledge that he has of motorways in England, America and other countries. That is all right, but I remind hon. members that in the Main Roads Department we have men—I say this in all sincerity, because I meet road authorities from all over the world—who are recognised as the equal of any main roads engineers or construction men in the world. These are the men who recommend that we classify these roads as motorways. Anybody can be an engineer if he has not the responsibility to implement what he outlines. The hon. member criticised our calling them motorways, and pointed out how they compared with other roads. I wondered what criteria he used when he said that by calling

them motorways I would be deliberately misleading the people. That is what he said, and it is simply ridiculous. It is a name to be given to a gazettal so that we can differentiate between that type of road and ordinary highways, main roads, subarterial roads and arterial roads.

Mr. Houston: "Motorway" has a world-wide meaning—high speed.

Mr. CAMM: Doesn't the Leader of the Opposition think that we should conform to what has been done world wide?

Mr. Houston: You are not going to argue that the Brisbane-Toowoomba Highway is a high-speed road?

Mr. CAMM: Does the hon. member know that by the time those roads are constructed, there will be motorways in Queensland that could be equal to some of the motorways in other parts of the world?

Mr. Houston: Name two of them.

Mr. CAMM: The Bill is not one to set out which roads will be motorways.

Mr. Houston: Don't you know?

Mr. CAMM: We do not know yet. This is a Bill to introduce the machinery.

Mr. Houston: There must be some reason for it.

Mr. CAMM: Of course there is. It is realised that in the future Queensland must have roads that can be designated as motorways, and the Bill merely introduces machinery by means of which that can be done. It is not intended to indicate where any specific motorway will be. That will depend on the flow of traffic when arterial and subarterial roads are constructed. It may be that some of today's highways will later be designated motorways. They will be ungraded and certainly improved. Those declared motorways will be worthy of the name.

The hon. member for Toowoomba East wishes to see a prohibition on advertising signs on private property bordering all main roads and highways. That is exercising our minds at present, and I assure him that that possibility, and his recommendations, will be examined.

The hon. member for Logan had the courtesy to begin his speech by recognising the value of the work done by the Main Roads Department. He also outlined, as has been mentioned earlier, that the money spent on roads can be acquired only in taxation from motorists. Everyone knows that the only funds the Main Roads Department has to spend are those collected in motor-vehicle registration fees, petrol-tax reimbursements, and road maintenance charges. If extra money is necessary, the only way to obtain it is by increasing charges, and I do not think anyone would advocate that. I can assure the hon. member

for Logan that his request will receive consideration. His practical knowledge of road-building, acquired as chairman of a shire council, and member of a local authority for many years, has given him a full appreciation of the difficulties that face the Main Roads Department.

I say to the hon. member for Toowoong that there is at present a body investigating and planning traffic control and dealing with transport problems associated with many of our cities. As those investigations are completed, reports will be made to the Main Roads Department.

The hon. member for Townsville North was critical of the Rockhampton-Mackay road, and justifiably so. I have travelled on it many times, and was over it only a few weeks ago. I remind him, however, that between Rockhampton and Mackay five different jobs are now being undertaken. It is no longer the Bruce Highway but the Marlborough-Sarina main road. The Bruce Highway was gazetted in 1963 to run down the coast, so that that could be built as a highway on highway terms, at no cost to the local authorities through which it passes.

Mr. Houston: So it should have been.

Mr. CAMM: I am saying that it was gazetted as a highway and the other road was de-gazetted to a main road. It was recognised that with heavy traffic using the road, and with the increase in the number of lighter vehicles travelling over it, the inland road would crack up before the coastal road was completed. Money was therefore diverted to the Marlborough-Sarina main road, and there are at present about five jobs being undertaken on it. I think it will be conceded that north of Mackay the road is in very good condition. It must be recognised that road pavements constructed many years ago are not able to take the loads of 20 tons or more that are quite common nowadays.

The hon. member for Rockhampton South stuck more closely than did any other hon. member to the provisions of the Bill that I outlined. Perhaps he may have more knowledge of the subject because he and I have discussed many of these matters at different times. He has advocated in this Chamber before that the Main Roads Department should borrow a great deal of money to build roads and then service the debt through revenue received each year. That idea is not new. However, it is thought that, once the department goes into the field of borrowing, it comes under the control of the Loan Council, and if it did enter that field the borrowing of the Main Roads Department would affect the over-all borrowing of the State of Queensland. With the amount of money that the department is receiving from registrations, Commonwealth aid, and so on, it is the consensus of opinion at present that, at least at this stage, the method that the department is using to finance road construction is in the best interests of the State as a whole.

Mr. Houston: What are you going to do about the local authorities? Are you going to relieve them in any way?

Mr. CAMM: I said earlier that since 1963 the department had virtually taken over half the responsibility of local authorities for building main roads and secondary roads in their areas.

The hon. member for Mt. Coot-tha mentioned a problem associated with access to main roads. That problem has been examined. Again, the department must be guided by the local authority in charge of the area relative to the access from private property to a main road.

The hon. member for Nudgee also mentioned providing better roads leading towards Brisbane. He must recognise that the maintenance costs on the roads in this State are getting so high that they affect significantly the amount the department can spend on permanent works. Maintenance costs are becoming very high indeed, particularly in a wet season.

The hon. member mentioned also Sandgate Road at Virginia. The Main Roads Department is now constructing a four-lane highway from Virginia to Sandgate.

Mr. Melloy: Very slowly.

Mr. CAMM: The Brisbane City Council is the constructing authority. The hon. member said that the outlets from the city should all be four-lane highways, but then spoilt his argument by criticising the four-lane highway to the South Coast. Surely he must be realistic. I do not agree with him that the only people who use the South Coast road are pleasure-seekers. It is the main arterial road between New South Wales and Brisbane.

The hon. member referred also to Ipswich Road and to the Rocklea overpass. There will be a good four-lane highway leading in from Ipswich in the near future.

He did not criticise the road to the north of Brisbane. I suppose that is only to be expected, because now there is a road to the north of Brisbane and 10 years ago the Labour Government had a policy laying down that roads were not to be built parallel to railway lines. Wherever there was a railway line, one found that a bitumen road was not built parallel to it.

The hon. member for Barcoo spoke about his own electorate. He pushed his own barrow, so to speak. Well, that is all right. He also mentioned the financial arrangement referred to by the hon. member for Rockhampton South. To give the Committee an idea of the cost involved in endeavouring to plan and to construct a fully integrated system of sealed roads in Queensland, I intend to give some figures. The construction of beef roads that have been recommended to this Government alone—and they do not include any highways—would involve the expenditure of some thousand million dollars. That will give hon. members some idea of the amount

of money that would be necessary for a fully integrated sealed road system in this State. It is quite impossible for a State with a population of just a little over 1,500,000.

I have travelled over the western road many times and the hon. member for Barcoo might be surprised to know that one can go from Longreach to Mackay quite comfortably in a day. Not so long ago, when I was young, it used to take me two days to go from Proserpine to Alpha, and I used to be in a hurry. It also took two days to go from Alpha to Rockhampton. Now it is quite an easy trip from Rockhampton to Longreach in a day.

I think the hon. member for Barcoo will concede that in his area there is a big increase in the sealing of roads. The road to Anakie will tap most of the agricultural areas to the west of Emerald; the road to Emerald from Rockhampton is already sealed. From speaking to many people producing wool in the Barcaldine district I know they sell their wool in Brisbane and that it is their desire to come to Brisbane. Naturally, as soon as the bitumen road to Brisbane is finished they will be right behind the hon. member for a bitumen road to Rockhampton, and eventually that will be built, taking into consideration the demand for roads in other areas, and the availability of funds at the time.

Mr. O'Donnell: The road to Rockhampton has improved.

Mr. CAMM: There is a little bit at Morven that is not sealed.

The hon. member for Cook advocated an all-weather standard for the Peninsula Developmental Road. I do not want to take anybody to task about all-weather roads but an all-weather road does not exist. Even in Europe, in places such as Germany and many other countries, weather conditions often close the main highways, so it cannot be claimed that in this State we should have an all-weather road.

Mr. Adair: You have not one mile of bitumen on the road.

Mr. CAMM: There is a little bit of bitumen leading out of Mt. Molloy but the hon. member for Cook must also concede that there has been a tremendous improvement in the Peninsula Developmental Road. I was in Cooktown recently and I know that you can drive from Cooktown to Cairns in five and a half hours. There is a bus run twice a week to Cooktown.

Mr. Adair: You would have been stranded for a fortnight just recently.

Mr. CAMM: There are times when these streams are high in flood and a person might be stranded but transport of beef cattle is not done at those times.

Mr. Adair: You have no bridges.

Mr. CAMM: We have let contracts for several bridges in this area. I answered a question by the hon. member last week relative to the money we will be spending on that road in the very near future.

I thank you, Mr. Smith, for bearing with me when I got away from the provisions of this Bill.

I feel that hon. members will agree that the men associated with the construction of main roads in this State deserve nothing but praise from the people who live in the State.

Mr. Houston: You still make the policy.

Mr. CAMM: And it is a jolly good policy, too.

Motion (Mr. Camm) agreed to.

Resolution reported.

FIRST READING

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

LAND ACTS AMENDMENT BILL

SECOND READING

Hon. V. B. SULLIVAN (Condamine—Minister for Lands) (9.1 p.m.): I move—

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

As I outlined during the introduction of this Bill, the amendment is of a machinery nature to provide a way whereby defective or defunct trusts may be regularised or wound up.

The trusts we are dealing with are not those trusts which are constituted by the Crown, but trusts constituted by private persons under the Real Property Acts and, in particular, such private trusts which are for public purposes or a purpose similar thereto.

As I pointed out during the earlier debate, a trust can become defective, requiring legislation to put the matter in order. Rather than provide a special Act for special cases, I am introducing a Bill to provide machinery of a general nature which, I am confident, will meet the cases likely to arise. We do not get many of these problem cases but from time to time they do arise. Most of them are so relatively unimportant that the passing of special legislation would not be warranted.

By bringing in a Bill of a general nature such as this, we should be able to clean up the cases which are presently on hand, and those which may arise from time to time, and we can do this in such a way that no great expense will be involved.

No principle of moment is involved in the Bill, and I suppose it is fair to say that the introductory stage indicated a general acceptance of the Government's approach to this matter.

To summarise the position, I point out that trustees of a defective trust may, if the purpose of the trust is of a public nature, apply to the Minister to surrender the trust in order that a fresh trust can be constituted, free of any imperfection. The necessary safeguards are provided to ensure that no encumbrance is disadvantaged and, of course, the making of an application under the amendment is purely on a voluntary basis.

In the case where one of these real property trusts has failed in its objects or is no longer required, the local authority concerned may ask that the trust be wound up.

If, after appropriate investigation, the Minister is satisfied with the application, he may revest the trust property in the Crown in order that appropriate action might be taken to constitute a fresh trust or to dispose of the assets of the trust for the benefit of the community concerned.

Mr. Speaker, I feel sure that you will agree that the Bill commends itself for favourable consideration, and I endorse it accordingly.

Mr. O'DONNELL (Barcoo) (9.4 p.m.): I suppose it could be said that the debate on the Bill before the House will be something like the calm after the storm rather than the usual calm before the storm. I indicated when the Minister introduced the Bill that, on his outline I felt the amendment was timely and apposite and that there was very little possibility of our criticising the various parts of the one big clause. Having seen the Bill, that is still my opinion. We have examined the addenda to the Land Acts very thoroughly and we appreciate what has happened in the past in relation to these trusts for which people excised part of their estate, to transfer the land to a trust for public purposes. We also know that they held the land in fee simple and that it was a gracious act on their part in the public interest. It does not matter whether the trusts are held under the Land Act or the Real Property Act. They exist all over Queensland and, whilst many of them are functioning satisfactorily, others are in a great state of disrepair and some are defunct.

The Opposition believes that this amendment will cope with a situation that previously required special treatment in the form of a special Bill. We understand that the Minister will adopt a cautious approach to any application or representations to wind up a private trust. He will examine the matter very carefully to see that the trust was originally for a public purpose and he will also fully examine the situation, or the case put forward, to ensure that it is no longer possible for the trust to operate according to the original wishes of the benefactor. Furthermore, he will also examine debarring factors. The Minister referred very clearly to "gift over or any such provision". Protection is

also afforded to anybody who is a mortgagee, a tenant, a lessee, a licensee or an encumbrancee of the trust. These people must agree to the surrender, and the Minister must know about the agreement. If they guarantee that their approach to the question is in line with that of the applicant, whether it is a local authority, or the residue of a trust, he, in turn, will allocate another trust under the Land Act for this particular purpose which will of course, be very firmly in his mind because he will want to continue, wherever possible, the original idea of the donor. These people will be protected, irrespective of who they are. The attitude of the local authority is also covered.

We also see, particularly where there are defunct trusts, that every care is taken to ensure that if the trust cannot be maintained for its original purpose the Crown, in its wisdom, can use that land under the Land Act.

I do not want to labour every point, but it occurs to me that justice could be done in one or two cases. Last year we discussed the Acquisition of Land Bill very carefully, and both sides agreed that the person from whom the land was originally resumed should have priority if the land became surplus. Take the case of a trust that becomes defunct, perhaps in an area where the parties to the trust could not put it into operation even if it were resurrected by the Crown. It may be a ghost town or an area that has deteriorated, where there is no longer any use for the land. As the land had been excised from an estate in fee simple for a public purpose under trustees no longer capable of maintaining the trust, could that specific piece of land be returned to the heirs of the original donor? When these people give these areas of land for specific purposes there is a possibility that in the future the purpose cannot be maintained. This is very difficult and I know the legal eagle from Windsor will have something to say about it. The situation could arise where the person who owned the property, or whose heirs own the property by inheritance, could own land adjoining that property that could not be used for any specific purpose under the original instrument of transfer. I look at this objectively because perhaps there are cases where this could occur. It occurs in the Department of Education. Going back in history, people in farming communities excised pieces of land and transferred them to the Department of Education for education purposes, such as building a school, and with the centralisation of schools and the provision of school transport services some of that land is no longer being used for school purposes, and it is a difficult task to get the department to transfer it back to the original donor. Similarly, with a defunct private trust, there could be cases where the Government has no particular use for the land and it could be given back or revert to the heirs. Possibly there are some legal angles such as transfers

and perhaps some fee is payable. But sometimes an additional 3, 4, or 5 acres would be quite welcome in closely-settled areas, because it would be valuable land.

I think the Bill is quite acceptable to the Opposition. It contains no red herrings. It is open and just. It is far more satisfactory to adopt this general approach to a situation than to introduce separate Bills for specific cases. I appreciate the Minister's approach to the whole question and his honesty of purpose in stating the particular case he had in mind.

Hon. V. B. SULLIVAN (Condamine—Minister for Lands) (9.15 p.m.), in reply: I thank the hon. member for Barcoo for his general acceptance of the Bill. As he stated at both the introduction and the present stage of the Bill, he feels that, in the main, it meets what is required. I think that that is quite a tribute to my officers and the manner in which they prepared it. I made a pretty close study of it with them, and neither they nor I can see any reason to doubt that it will do what it is designed to do. As mentioned by the hon. member for Barcoo, it removes the need for special legislation in specific cases.

The hon. member for Barcoo raised the matter of trusts that become defunct, and asked what will become of land that is no longer required for the original purpose of the trust. I think it will be found in most cases that the donors of the land are deceased. The land would therefore revert to the Crown and would receive consideration in the light of the situation as it then existed. We did not feel that this position warranted any special mention in the legislation.

Mr. O'Donnell: As long as some consideration can be given to it, and the Crown could perhaps sell the piece of land.

Mr. SULLIVAN: Yes. An assurance can be given that that would be done at the time, although we do not feel that it requires special mention in the Bill.

The hon. member mentioned school grounds. I suppose most members have had experience—I know I had as a private member—of land being given to the Education Department and later being no longer required for the purpose for which it was given. If the original owner is still living, it is returned to him. Of course, some delays do take place. If the original owner is deceased and there are various beneficiaries under his will, it would take some time to finalise the matter.

Mr. Bennett: It would take longer if Queensland Trustees drew up the will, too.

Mr. SULLIVAN: That may be so. If the original owner is still alive, I have never found the matter presented any great difficulty.

There are no other comments that I wish to make at this stage. I thank the Opposition for the easy run that they have given me

on presenting my first Bill. No doubt things will get a little more difficult as time goes on! I assure the Committee that, as Minister for Lands, there is a lot of Queensland that I want to see, and I shall be doing that during the recess. Any problems that come along can be faced up to at the time.

Motion (Mr. Sullivan) agreed to.

COMMITTEE

(Mr. Smith, Windsor, in the chair)

Clauses 1 and 2, as read, agreed to.

Bill reported, without amendment.

BEACH PROTECTION BILL

SECOND READING

Hon. J. C. A. PIZZHEY (Isis—Premier) (9.21 p.m.): I move—

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

I think it is fair to say that the reception given to the Bill at the introductory stage by hon. members on both sides of the Chamber was favourable. In my introductory speech I gave hon. members an outline of the need for the legislation. I do not think that there is very much for me to comment on relative to matters raised by hon. members in speeches at the introductory stage, because I covered most points that were raised in winding up the debate on that occasion.

However, I should like to say now, in answer to the hon. member for South Coast, that all matters relating to mineral-sand mining operations in areas subject to the provisions of this Bill have been examined in detail with the guidance and assistance of officers of the Department of Mines; further, that evidence is not lacking that ready co-operation will be forthcoming from holders of existing leases in conducting their future operations in a manner that will not hinder the objectives of the Bill. Future leases, claims, and authorities to prospect, will be granted subject to conditions complying with the provisions of the Bill. More will be said on this matter later.

In further reply to the hon. member for Salisbury, liaison has been established with the Department of Primary Industries, following an offer from that department, for assistance in matters requiring the services and advice of a botanist.

The hon. member referred also in his speech at the introductory stage to instances of the levelling of dunes on the North Coast. The facts of these occurrences were known during the months occupied by the presentation of the Bill, and conversations have taken place with representatives of one of the development companies concerned. The determination of what action would be possible and practicable under the provisions of the Bill is a question that could well receive early attention after the establishment of the Beach Protection Authority.

In response to the hon. member's request that the findings of the authority be made public, I shall move in the Committee stages an amendment to provide for a report from the authority to be submitted to Parliament annually.

As I stated in my introductory speech, the prime purpose of the Bill is to set up a statutory authority whose duty it will be to ensure that all measures necessary for the preservation and restoration of the beaches are taken, and that actions damaging to beaches are controlled and prevented where necessary and practicable.

As hon. members now know, the Bill provides for the establishment of a Beach Protection Authority consisting of six members, whose chairman is to be the Co-ordinator-General of Public Works, and so constituted that Ministers carrying responsibility for the administration of existing legislation that is likely to be affected by the provisions of this Bill will have representation on the authority through their senior public servants. The authority will be assisted by an advisory board so constituted that direct contact with the authority is maintained in all important provinces, and through the collective representation upon which all interests concerned with beach protection and restoration will find a channel of communication. Executive responsibility will be carried by the authority, and its communication with Cabinet will be through the Premier and Minister for State Development.

Duties and responsibilities of the authority are defined in clause 34 of the Bill, from which it will be seen that these include the carrying out of investigations, the recording and interpretation of the results of such investigations, and the planning of protective and remedial works. The manner in which these responsibilities shall be undertaken is defined in the succeeding clauses, and further particular reference to these matters will be made in due course.

In addition, the authority will be the agency by which protection against damage due to wind erosion in beach areas can be secured, by which all construction activities in these areas can be regulated in terms of the objectives of the Bill, and by which citizens can seek redress if action approved by the Governor in Council as necessary to secure the purposes of the Bill is felt to constitute injurious affection. And to aid pursuit of all of these aims, the Bill defines the acts which the authority may control in unoccupied Crown lands and on land held under title or lease or under any agreement with the Crown of whatever nature.

It will be seen that the first step to be taken in any instance in which action affecting property or person is contemplated by the authority is the declaration by the Governor in Council, upon the recommendation of the Minister, of a beach erosion control district. These districts must necessarily lie within the area of the coast as

defined in clause 3 of the Bill, that is, within an area bounded by a line not more than one-quarter mile (except where amended by the Governor in Council to be greater than one-quarter mile) shorewards from mean high-water mark of the main sea at spring tides, and a line 1 mile seawards from mean low-water mark of the main sea at spring tides. It could be re-emphasised that the responsibilities of the authority will lie entirely within these two boundaries, and that all acts of the authority affecting person or property can be undertaken only within the boundaries of a beach erosion control district which must first have been gazetted in the manner defined in the Bill.

In this province some further comment upon the nature of alienated land and unoccupied Crown land might assist hon. members in interpreting the provisions of certain clauses of the Bill, particularly clauses 47 and 48. As the Bill provides in its definitions, unoccupied Crown land is all land except land held under Crown title, grant or licence. In the Committee stage I propose moving an amendment to provide that the word "licence" shall include any authority to prospect, permit or dredging claim under any Act relating to mining. The effect of this amendment will be such that to all intents and purposes the Bill provides for authorities to prospect, permits or dredging claims as for private land. Thus the provisions of subclause (1) of clause 47 of the Bill, which defines prohibited acts, and of clause 48, do not in the first instance apply to such lands.

Should the provisions of clause 44, clause 45 and subclauses (2) and (3) of clause 47 be implemented in any areas presently held under Crown title, on lease of any kind or under dredging claim, authority to prospect, or permit, then rights of owners are protected under clause 46 of the Bill wherein provisions for compensation for injurious affection are detailed.

It would be proposed that grant of title, lease, claim or authority in areas presently existing as unoccupied Crown land and situated in declared or prospective beach erosion control districts would be subject to conditions reflecting the requirements of this Bill. Implementation of such proposals would be facilitated by the fact that departments administering areas affected by such matters all have direct representation on the authority. In the event of conflict of interest, it will be seen that matters in dispute will be resolved at Cabinet level.

Reverting to the question of compensation for injurious affection, it could be said that any decisions leading to action likely to result in such claims will be made at Cabinet level. It might therefore be fairly claimed that an assessment of probable cost and anticipated public benefit will be weighed one against the other in arriving at any such

decision. In a case where tens of millions of dollars are involved it is a case of weighing one against the other.

The attention of hon. members is drawn to clauses 37, 38, 39, 40 and 41 of the Bill, and particularly to clauses 37 and 38. It will be seen that implementation of any scheme developed for beach protection and/or restoration must be preceded by adequate public ventilation of intentions, and that citizens and groups of interested persons and the affected local authority itself may lodge objections which must in due course reach the Cabinet table. It is thus provided that obligations will not be placed upon citizens in respect of beach protection or rehabilitation works unless their elected representatives give specific consent.

During the Committee stage I shall be moving two further amendments to the Bill. The first ensures that when a local authority is required to take action in respect of wind erosion it may do so as a function of local government. The second of these amendments will ensure that the local authority itself shall be bound by the provisions of that clause.

Having had an opportunity to study the provisions of the Bill in detail, hon. members may now wish to discuss its various aspects. This is a new venture in the field of legislation for beach control and protection. I believe that the Bill will be watched with great interest by legislators in other States where similar problems have been with them for many years.

Sporadic attempts have been made by local authorities, sand-mining companies and various departments on individual bases to overcome these problems. I think that the work that has been done by very many interested people and local authorities over the last two years will prove to be very rewarding, because I believe that we now have before us a Bill that will set the pattern for the rest of Australia.

I have no doubt that in the course of the administration and implementation of the Bill we will find various provisions that could well be improved upon. We come forward with this legislation with an open mind. I have no doubt that in 12 months' time our attention will be drawn to various ways whereby we can improve the legislation.

I commend the Bill to the House.

Mr. SHERRINGTON (Salisbury) (9.31 p.m.): I indicate very early in my speech that the Opposition views the Bill in a light similar to that indicated by the Premier. We believe that it is a very important measure, one that is deserving of the earnest consideration of every hon. member. No doubt during the debate the Opposition will be critical of many of its provisions, but such criticism will be voiced only after deep study of the measure and because of the intense interest displayed by members of the Opposition for many years in this problem.

My colleagues who will follow me in the debate no doubt will deal specifically with the various provisions of the Bill. It is my task on behalf of the Opposition to set out our general reaction to the measure. It is because of that that I wish to preface my remarks by repeating a phrase that I used at the introductory stage, namely, that man's occupation and interference with the environment has been the chief contributing factor to the erosion of our beaches. Whenever there is any disturbance of ecosystems there is no doubt that no matter what their location or type, man immediately sets up the basis of a problem against which counter measures must be taken, and must be taken very speedily. For example, I point out that it has been found that with the disturbance of virgin land when cleared for agriculture or pasture, man usually is confronted with a whole host of problems which, because of the absence of natural controls or natural counters, lead to a great deterioration if left unchecked. One of the main problems that man creates when he disturbs ecosystems by land clearance is erosion. I feel that this axiom that I have stated is just as applicable to the study of beach-front erosion as, basically, the origin of most of our problems is to be found in man's disturbance of the beach-front ecosystems, which have been built up by nature over countless centuries, and which man in his folly has destroyed.

Many people in the community support that statement. If I were to bring to this Chamber the many papers and opinions that have been written about beach erosion, I could well cover the desk in front of me. Any attempt to guard beachfronts against the depredations of man, the sea, or the elements, must of necessity involve a study of the extent of the interference. It must involve the possible effects of that interference, and finally the ways in which corrective and preventive measures may be devised and carried out.

With this in mind, I wish briefly to examine what has happened as a result of man's occupancy of the beaches and what man's future occupancy will mean. It has been reliably stated that by the early 1970's two-thirds of the State's population will be domiciled between the area of Noosa and the New South Wales border, when it is estimated that some 2,000,000 people will be congregated in the south-east corner of Queensland. Their demand for relaxation and the enjoyment of our beaches will naturally apply great pressure to the existing facilities and beachfronts.

Mr. W. D. Hewitt: You mean the 1980's, not the 1970's.

Mr. SHERRINGTON: I said the 1970's, but I could extend it to the 1980's.

This coincides with the bad erosion that is common to our coast from Noosa south. Possibly it extends a little to the north, but there the Barrier Reef affords protection and

possibly the problems will not arise to the same marked degree as on the southern portion of the coast.

This development has taken place in a relatively short space of time. One could say that the last 35 years has seen a tremendous upsurge in population and the demand to use our beaches.

I might interpolate here to state that some weeks ago, when visiting the coloured-sands area, I saw an example in a small way of change that can be caused in the beaches by the traffic of human beings. Anyone who has seen the Aboriginal middens that exist on the coast there realises that in years gone past these people congregated to celebrate the feast of the eugarie. There were corroborees and so on, and vegetation was destroyed. Wind erosion took place immediately, and today we can see the results of the use of the land by these people in the large sand drifts that have occurred. If we multiply this type of land usage many thousands of times to correspond with the use of our beaches today, we find that the problem is greatly accelerated.

In recent times there has been a demand to develop the tourist industry. This has led to an increased demand for accommodation. It is only natural that the local authorities should be very anxious to take advantage of every opportunity in availing themselves of the benefit of the tourist trade. Unfortunately, this has brought in its wake demands by land developers for the use of every available inch of land. As a consequence, our beach-front dunes have been levelled and houses have been built on the waterline. Erosion is accelerated by some of the preventive measures that are taken when erosion starts, because in that way we interfere with the beaches.

The situation on the Gold Coast is very graphically described in the recommendations of the Delft Hydraulics Laboratory report, which was presented in 1965 and in which it was said—

"Not everywhere is the situation alike."

It went on to say—

"At Surfers Paradise, however, the Esplanade is situated right on top of the first dune, and on Palm Beach and near Sans Souci on Main Beach many houses are situated immediately west of the beach, in several cases with as much as 10 feet between the buildings and the beach. These owners live with their backs against a wall and sometimes dump considerable quantities of expensive stones to protect their properties, with meagre success."

That is a true and concise description of the situation, particularly on the Gold Coast. I believe that that situation prompted the Government to take this necessary action to set up a beach protection authority in Queensland. I could also quote in the same strain the opinion of Dr. Coaldrake, the senior research scientist of the C.S.I.R.O. on tropical pastures. I think it is generally

accepted that the demand for building land at seaside resorts has been responsible, in the main, for the erosion problem that has developed and will continue to develop if we do not make sensible, intelligent use of our beachfront.

The Government itself is not entirely blameless in this regard. The report of the Delft Laboratories is critical of the Government for releasing land to land developers. Dealing with the lots that had been offered by the Crown to land developers, the report says—

"Moreover, often the lots have been and are being sold by the Crown, which might turn the responsibility to the State. No parent having given a knife to his child should be amazed to be confronted with cut fingers and to be asked for consolation. Not only should the parent do help, but he should stop giving knives to his other children. Only in case they say that they are grown up and old enough the parent might decide to allow, but part of the responsibility remains with him. It might be wise to prevent the coasts north of the Gold Coast City from having identical problems and damages within the next few decades."

In other words, the report points out that because of its policy on land development, particularly on the Sunshine Coast, the Crown is not entirely blameless. The main effect of over-development, premature development, and many ill-conceived restorative measures and, as I mentioned earlier, some uninvestigated preventive measures, has been the deterioration of our beaches. This finally hits the pockets of the ratepayers in the local authority concerned.

When we study the establishment of a beach protection authority, it is necessary that we consider that while in the main the local authority concerned benefits from the influx of tourists, it is totally unrealistic to expect the ratepayers in that local authority to bear the cost of all restorative measures, as those beaches are in fact used by the great majority of our population, including visitors from interstate, and by overseas visitors.

Mr. Hinze: You believe that the Commonwealth should bear some of the cost?

Mr. SHERRINGTON: Yes, because the Commonwealth benefits from the tourist industry. I have no quarrel with its contributing. We will probably deal with this in greater detail later on. It is unrealistic to place the whole burden on the ratepayers in beachfront areas. Whereas in previous years the beaches of Queensland, particularly southern Queensland, enjoyed a respite during the winter because fewer people visited them on holidays, development of the tourist trade has meant that visitors from overseas and other States are using the beaches and seeking Queensland's sunshine

all the year round. The problem is therefore increased because at no time of the year do the beaches have a spell. The increasing tourist trade must mean greater deterioration of the beaches.

The Bill provides protection for an area which the Premier stated would extend a quarter of a mile inland and one mile to sea, and could be enlarged to cover specific situations. I believe that to be very necessary, because a recent development, particularly on the Gold Coast, has been the construction of canals and waterways to enable people to own houses bounded on one side by water. It is my opinion that insufficient research was carried out before the canals and waterways were constructed on the Gold Coast. I was there in the early part of last year when flooding took place, and I came away strongly convinced that development of the type found at Florida Keys, for example, had been ill-conceived and not carried out according to the best of engineering principles, and was contributing to erosion.

Mr. Hinze: A model test was carried out at the University of Queensland.

Mr. SHERRINGTON: Yes, and a recommendation was made that a canal be cut to drain off flood water, but that work was never undertaken because of its tremendous cost to the local authority.

Mr. Hinze: That is going to be done.

Mr. SHERRINGTON: I believe that the canal system contributed to the beach erosion. Although the Bill prescribes a narrow area of influence into the land, it is wise and necessary to provide that, where there are special circumstances contributing to the erosion, the authority to be set up shall have the power to recommend to the Governor in Council that the area be increased.

Mr. W. D. Hewitt: That area is covered by the Canals Act, isn't it?

Mr. SHERRINGTON: That may be so, but legislation dealing with beach protection should contain specific terms so that no-one is misled and no loopholes can be found. Everything that contributes to beach erosion must be adequately covered by a beach protection Bill.

Mr. W. D. Hewitt: I raised the point that there should be protection clauses in the Canals Act.

Mr. SHERRINGTON: It could also apply to sand mining. I shall have something to say about that later in my speech.

Mr. Hinze: How does canal development affect beach erosion?

Mr. SHERRINGTON: Because the canals were badly designed, I believe that flood waters back up in the canal areas and, in

the long term, with rising tides, this will have some effect on the erosion of the beachfront.

Mr. Porter: That is an interesting theory.

Mr. SHERRINGTON: The hon. member for Toowong likes to sit there and say, "That is an interesting theory" in a cheap, sneering way. I, like some colleagues of mine, have studied this subject, have read about it, and have spoken to people who are interested in it. I do not think that any of these problems can be dismissed lightly. I believe that they all warrant investigation, and that only a sensible approach, taking into consideration all aspects of the matter, can produce a solution to the problem of beach erosion.

It is only in recent years that any Government department in Queensland or Australia has set about doing any sort of research into beach erosion. Perhaps the leading authority in this field at the moment is the Soil Conservation Service of New South Wales, which, as a matter of sheer necessity, because of the destruction and havoc that sand drift is causing in that State, has been forced into the position of undertaking research work.

I do not think that one can dismiss lightly anything that may lead to a solution of the problem of erosion. Although the development of beaches has created this problem, more recently there has been an upsurge of beach-mining. I am conscious of the fact that the Act covering sand-mining lays down measures that must be taken for rehabilitation and restoration. However, many people argue that the extractive process can, if not properly applied, lead to beach erosion. I believe that there is considerable room for doubt as to whether the measures for rehabilitation and restoration that are now being undertaken are effective. It can be shown quite conclusively—this is why the Opposition is suggesting the inclusion of a botanist on the advisory board—that insufficient research has been carried out into the restorative measures that are part of the conditions of sand-mining leases, and hon. members on this side of the Chamber believe that there is a heavy obligation on the Beach Protection Authority to ensure that the correct measures are taken in the field of sand-mining.

Mr. Hughes: Do you know of any area in which restoration work has been done after sand-mining and in which erosion has occurred?

Mr. SHERRINGTON: Yes, I know of many areas. Do not let us kid ourselves that the measures being taken in Queensland are the answer. Hon. members could argue ad infinitum about the contribution that sand-mining makes to erosion. Nevertheless, I remind them that no less eminent an authority than Dr. Barr, from New South Wales, has listed that as a factor in sand

drift. Unless the absolute in beach restoration is achieved by the sand-mining companies, their activities will lead to erosion. There must be strict supervision of the access to the beaches for machinery and trucks, because these can create conditions for a wind-tunnel type of erosion.

Although the Minister may propose to introduce amendments to tie up the sand-mining industry, there was no reference in the original Bill to what direct jurisdiction the authority would have over the use of machinery in mining the beaches.

Mr. Hinze: Do you believe that sand-mining assists in the erosion?

Mr. SHERRINGTON: No, I did not say that. The hon. member is not going to put words into my mouth. I assure him that I shall make my speech in my own way.

Mr. Pizzey: There are enough words there already.

Mr. SHERRINGTON: I have an hour and a half in which to speak. It is not very often that I have such a privilege.

As I have already indicated, erosion occurs unless corrective measures are taken. One of the big problems today in the field of sand-mining—I do not intend at this stage to criticise the sand-mining companies and the measures they have taken, although I believe they have been inadequate—is that once a beachfront has been mined and the restorative work has been carried out, land that was not previously accessible to the public immediately becomes accessible to it.

Already there is plenty of evidence to show that the public now uses these mined areas long before there should be any traffic over them. So that even if the sand-mining companies, with the best of intentions, carry out the restoration process, because there is this narrowing gap between the time when the restoration work is carried out and when the public commences to use these areas, the whole of the restoration or rehabilitation work is lost. I hope that the Beach Control Authority will be cognisant of this fact and that when it comes into operation it will take measures to see that the areas only recently restored are not thrown open to the public so that any restoration efforts are lost.

As I said, in the original Bill there was no reference to the jurisdiction that the authority would have over sand-mining operations. The Premier might argue that this is part of the restoration measures under the terms of the lease, but I believe that the mechanics of beachfront mining do have a bearing on schemes for beachfront protection. Yet, as I say, there was no reference to it in the Bill.

To my mind, one of the great weaknesses of the Bill is that it does not indicate any control over sand-mining companies or sand-mining operations, either in declared areas

or in undeclared areas. Again I say that I regard this as one of the great weaknesses of the Bill. If we have any stringent criticism, it is that we do not think that in this measure the Government has gone all the way on beach protection.

With the sort of background that I have indicated, I want to turn now to an examination of the legislation. To give this Bill the title "Beach Protection Bill" is a complete misnomer. I believe that my colleagues, particularly those on the committee that studied this Bill with me, will regard it not as a Beach Protection Bill but rather as a beach resuscitation Bill, because we formed the opinion that it is only after a disaster that the Beach Protection Authority will begin to function.

Mr. Pizzey: You have made a good speech up till now.

Mr. SHERRINGTON: I can assure the Premier that the speech will get better as it proceeds.

I indicated at the introductory stage that we agreed entirely with the principle of beach protection, and I am not arguing that we are against it. However, I still reserve the right to be trenchant in my criticism if I believe that the Bill is weak. So far as beach protection is concerned there are many grave omissions from the Bill, and, as I have already said, it can be regarded more as a beach resuscitation Bill than as a Beach Protection Bill. I will support that contention by argument as I proceed.

Although the Bill purports to deal with beach protection, it is couched in such terms as to indicate that restoration rather than prevention, or a combination of both, is its main function. Hon. members can read any clause of the Bill and they will see that it refers only to areas that have been declared control areas. If the Premier said that the first thing this authority will do is to declare the coastline from the border to the Far North a beach control area, then I would go along with him. But there are many areas on the coastline that will need the help and protection of this authority long before they are declared beach-erosion control areas. We have no quarrel with the principle but I believe that there is scope for argument about the composition of the authority and its function.

I want to deal with the Beach Protection Authority first. The Bill lays down the principle that a Beach Protection Authority shall be set up. It provides for the inclusion of six members on that authority who have dual representation on the authority and the advisory board. Unfortunately no representative of the Forestry Department is included in the Beach Protection Authority. I acknowledge that there is such a representative on the advisory board but I believe that a Forestry Department representative

has a very important part to play in the functioning and final decisions of the authority.

Mr. Hughes: What more would you want than that?

Mr. SHERRINGTON: If the hon. member will let me develop my argument he will see exactly why.

Mr. Porter: We appreciate what you are doing. We are being helpful.

Mr. SHERRINGTON: That is a matter of conjecture. It is a matter of opinion as far as I am concerned.

I have stated quite definitely that I believe that the Forestry Department has a very important part to play. Although the Government sees fit to include a representative of that important Government department on the advisory board it has not seen fit to include such a representative on the authority. I cannot see why that was not done.

Provision is made for the setting-up of an authority consisting of six members. Such composition leads to the distinct possibility of there being evenly divided opinion on a matter. I do not like the principle that has been established in this, as in other legislation, of the chairman having a casting vote in the event of an equally divided opinion. I am very much against the principal of a person exercising two votes on such occasions. It really means that one person resolves the whole question when the opinion is evenly divided.

I believe that the inclusion of a Forestry Department delegate would have not only given greater strength to the authority but also would have eliminated the possibility of there being an evenly divided vote. The authority is too important to allow its functions to be dictated by the opinion of one person. The Opposition feels very strongly about this and at the appropriate time we will move an amendment to provide for the inclusion of a Forestry Department representative.

The Bill sets up an advisory board with departmental representation. It also provides for representation by three local authority areas of influence, to which proposal the Opposition raises no objection whatsoever. Indeed, we wholeheartedly support the principle that the advisory board should be built around Government representatives, plus a representative of the local authorities which, in the main, will be affected by the Bill. From that point on we believe that the composition of the advisory board is suspect, to say the least. The Bill provides that the advisory committee of a group of commercial enterprises should be represented on the board. I refer, of course, to the Rutile and Zircon Development Association, Queensland Advisory Committee, being represented on the advisory board. The Opposition fails to

see the justification for representation of an organisation that holds a pecuniary interest in the exploitation of our beaches.

If I might carry this argument to its logical conclusion—and I do not support this proposition in any way—a case could be made out for the inclusion of a representative of the land developers' organisations, or a representative of the Chamber of Commerce, or some other commercial interest.

If we single out for representation on the board one group of commercial interests with a pecuniary interest in mining our beaches, we can ask why should not the land developers exploiting the real estate on our coast, or the Chamber of Commerce, be included?

The Premier may indicate, as he did tonight, that information from the Rutile and Zircon Advisory Board should be readily available. I believe that that should be so, but I fail to see how he can justify the inclusion on this advisory board of a representative of commercial interests with only one thing in mind, that is, the exploitation of the beaches.

Mr. Hughes: You argue in favour of unions being represented on boards and committees in industrial matters. Why not support mining interests with specialised knowledge?

Mr. SHERRINGTON: There is no parallel or analogy.

The Bill stipulates that this authority will be clothed with the powers of the Commissions of Inquiries Acts, 1950 to 1954. It appears that the authority has every possible safeguard for extracting information, from any source, whether it is volunteered or not. In the restoration and protection of our beaches that is essential.

While the Bill very carefully spells out in a precise way that a representative of commercial interests is to be included, it is reluctant to spell out that there shall be a representative of the public interest. If I remember the clause, it says in effect that an additional member of the Board, one who would virtually be representing the public interest, will be picked by the Minister from a panel of names submitted to him. Why is there this discriminatory treatment? Why on the one hand spell out the representative of commercial interests and, on the other hand, permit the Premier, or the Minister controlling this legislation, to pick the person he wants to represent the public interest? At this stage apparently there is no assurance that the public will be represented. To use the same argument as I used in relation to the commercial interests, the Minister could well pick someone from the Chamber of Commerce or the land developers as being a reasonable representative. There is no guarantee.

Mr. Hughes: What about the shire council or the progress association?

Mr. SHERRINGTON: As I read the Bill, the selection will be made from a panel of names.

I pay tribute to the work carried out by the South-east Queensland progress associations through their beach erosion committee. I am wondering if this measure is designed to ensure that Peter Nelson-Gracie will not be on this board, even though he carried out tremendous work on beach-erosion prevention. He was one of the activating forces in the drive to convince the Government that it should introduce this measure. Why should we not spell out in no uncertain manner the condition that it should be a delegate from the ratepayers' organisation or progress association, or whatever it may be, instead of leaving it in the dark so that the Minister or the Premier has the right to pick the additional member?

Mr. Pizzey: You never know; you might be invited yet.

Mr. SHERRINGTON: The Premier could not do much better than to have me on it.

The Bill is guilty of omission in that it omits the Government Botanist from the advisory board. While the Premier might indicate, in reply to what I said at the introductory stage, that we have the co-operation of the Department of Primary Industries, I believe it is essential that the Government Botanist or a qualified botanist be a member of this advisory board. I have already indicated that because of lack of knowledge of the vegetative measures and planting programmes that must be undertaken in beach rehabilitation or restoration it is essential that a board such as this should at all times have the services of a qualified botanist.

Mr. Hinze: The board could get that knowledge without his being a member of the board.

Mr. SHERRINGTON: It is essential that he be on the board. I pay a tremendous compliment to Mr. Selwyn Everist for the research he has carried out in this regard. He has done a tremendous job in his capacity as Government Botanist and in his private capacity. He has interested himself in all of the vegetative restoration measures that have been implemented. He interested himself in the private undertaking of Councillor Rickman on Bribie Island and at all times has been ready and willing to co-operate in this manner and to give to those people the tremendous knowledge he has. There could be no better man on the advisory board than the Queensland Government Botanist. If the Premier is not inclined to accept our suggestion and amend the Bill accordingly we will move an amendment in Committee.

Mr. Pizzey interjected.

Mr. SHERRINGTON: Unfortunately I have only an hour and a half. If the Premier has three or four hours to spare he should come down to my office and I will enlighten him on these matters.

Mr. Hodges: You can get an extension of half an hour.

Mr. SHERRINGTON: If the hon. member is prepared to move it I am prepared to carry on, and I believe I could hold the interest of all intelligent members in this Chamber for that length of time.

The Opposition recognises the worth of civil engineering in beach protection. But I believe that the value of civil engineering work, whether it be contouring or other methods of beach restoration, is lost unless there are vegetative measures to strengthen it. There must be suitable plants and grasses and a suitable programme of planting. Any members who took the trouble to read the screed produced recently by the Noosa Parks Development Association or the South-east Queensland Progress Association will realise the opinion held in various places by qualified people in this regard.

Mr. Hodges: Have they done much of this?

Mr. SHERRINGTON: Of course, the hon. member wants to use this silly argument. Let me tell him that a good deal of private work is going on in this regard and these people are guided by the results. They have sought the opinion of the Government Botanist, about whom I have said so much tonight. They are guided in these matters by experts such as Dr. Coaldrake and many others, surely hon. members opposite are not going to try to rubbish the opinions of such people by saying, "Have they done much of this work?"

Mr. Hodges: Where are the trial areas?

Mr. SHERRINGTON: I think one of the most interesting is the work of Councillor Rickman at Bribie Island. No-one can deny that he, in his own way, has made a tremendous contribution to the knowledge of restoration measures in regard to vegetation. If hon. members opposite want to be on the side of the sand mining companies, and want to rubbish the opinions of these people—

Mr. Kaus: They are doing a good job at Noosa.

Mr. SHERRINGTON: What part of it?

Mr. Kaus: Up near Double Island Point.

Mr. SHERRINGTON: That is a matter of opinion, too.

Mr. Kaus: You probably didn't go and have a look at that.

Mr. SHERRINGTON: Having dealt with the composition and authority of the board, it is not inappropriate that my next submission should have regard to the duties and functions of the respective sections of the authority. It is from these that we draw the conclusion that prompted my earlier remarks that the functions of the authority bear a close affinity to resuscitation rather

than protection. In broad principle, the authority is clothed with the function of declaring erosion control areas. That conveys the impression that it is only after a disaster has occurred that the authority will commence to revive the "patient".

Having reached this point, and having indicated that there are to be certain beach erosion control areas, the Bill lays down control measures for wind erosion, and building operations. It forbids local authorities to open up roads or subdivisions of land in erosion control areas. But what of sand mining? If the beach protection authority thought that sand mining was detrimental to an eroded area, there is nothing in the Bill to say that mining should cease. That is a further indication of an omission from the Bill. If preventive action is perfectly justified where there is beach erosion, it is not unreasonable to impose terms in an area other than the erosion area requiring attention. Where an area has been declared an erosion control area, we support the principle that imposing such conditions is perfectly justifiable, and believe that it is not unwarranted, to say the least, to take such safeguards as forbidding the opening of roads, and the construction of buildings.

We believe also that if such stringent conditions are desirable in areas declared as erosion control areas, they are equally desirable and should be implemented in new development on beach fronts. This is why I say that the Bill is in no way preventive but rather resuscitative. I believe that in the interests of preventing further erosion of beaches and not repeating the mistakes of the past, new land development, whether or not it be in a beach erosion control area, should come under the scrutiny of the authority before any roads are opened, buildings are built, or subdivision takes place.

Mr. Hinze: Isn't that provided for in the Bill?

Mr. SHERRINGTON: No, not the way the Opposition reads it.

Mr. Hinze: That is your interpretation.

Mr. SHERRINGTON: Well, of course. The hon. member can say that it is our interpretation, but I think we are all intelligent men on this side of the House. I do not think we are less intelligent than hon. members on the Government benches. A committee of about six or seven members of the Opposition studied the Bill and could not find in it any provision laying down that a plan should be submitted to and scrutinised by the authority before any new development takes place. Unless it is within a beach erosion control area, there is no obligation on the local authority or the people concerned to state to the Beach Protection Authority the particular type of development that is envisaged, whether roads, the building of houses, or beach-front development. In my

opinion, local authorities with land on the beach front would welcome the advice of the authority relative to the opening of new development, whether or not it was in a controlled area. I believe that, in the long run, maintenance costs to the local authority are reduced if deterioration is minimised, and I think it is probably more important to seek advice, assistance, co-operation and expert knowledge from the Beach Protection Authority before problems that have been created in the past recur.

Mr. Pizzey: That is the whole purpose of the Bill.

Mr. SHERRINGTON: The Minister may be able to convince me of that in his concluding speech, but I do not see anything in the Bill to convince me that a scheme must be submitted to the authority if it is not in an erosion control area. I believe that it must be the function of the authority to examine developmental schemes for the opening of roads, the subdivision of land, and permits for building, whether in a declared area or not. If a beach protection authority is to be set up, that is the best way in which it could function. It should scrutinise all the schemes for the development of the beaches and the beach front before erosion takes place. I believe that local authorities would welcome such a provision.

Mr. Hinze: That is exactly what it will do.

Mr. SHERRINGTON: The hon. member for South Coast may be able to point to the clause that spells that out; I do not see any reference to it. I see a reference only to erosion control areas.

One of the bases of the submission made by the Beach Erosion Control Committee, which suggested to the Government that it should bring in the Bill, related to one of the very conditions of which I have spoken—that land adjacent to the beach areas, whether Crown, leasehold, or freehold, be not subdivided before the proclamation of the Act. In my opinion, therefore, none of these areas should be developed unless they receive the approval of the authority. If preventive measures of this type are taken before the opening of areas on the beach front, I believe that there will be a general improvement and that much of the erosion that one sees on the beaches today will be prevented.

Although it might be thought that it is the ultimate to have a constructing authority set up to supervise major schemes that may be devised to prevent beach erosion—and hon. members on this side of the Chamber believe that that would be desirable—the Opposition is of opinion that, under the authority of the Co-ordinator-General of Public Works, the Beach Protection Authority should become the constructing authority. Most of the people of this State use these beaches at some time or other, and everybody in the State has a stake in their preservation. Because of the fact that most of these beaches are used by the public as a whole, we believe

that we should ask the public as a whole to accept some responsibility for their protection, rather than dump all of it on the shoulders of the local authority. One of the great weaknesses of this Bill is that it seems to shift the burden of costs for beach restoration and protection on to the shoulders of the local authority.

Mr. Hinze: Except for a 20 per cent. State subsidy.

Mr. SHERRINGTON: I knew the argument would be advanced that the various local authorities are paid a subsidy by the Government but surely the hon. member is not going to say that the responsibility can be dumped on to the local authorities concerned and that the Government can square its conscience by giving them a 20 per cent. subsidy! The authority should accept responsibility for the beaches because they are used not only by the ratepayers in the local authority area, but also by the people as a whole. However, I do not want to go any further into the question of local authority responsibility because that matter will be handled by my colleague, the hon. member for Belmont who is chairman of our local authority committee.

Mr. Hinze: Do you think the State should carry a greater burden than the 20 per cent. subsidy?

Mr. SHERRINGTON: I have said so about six times. I do not want to encroach on the contribution that will be made by the hon. member for Belmont except to say that this Bill seems to dump most of the responsibility on the shoulders of the local authority.

I now raise the question of the jurisdiction that this Beach Protection Authority might have over areas of Commonwealth reserve. Several areas along our coastline are under the control of the Commonwealth and are used, in the main, as lighthouse reserves. I think I could best illustrate the point I want to make in this regard by reference to the recent decision of the Commonwealth Department of the Interior to allow the extraction of minerals from the isthmus at Double Island Point.

An Opposition Member: Was that not the one the hon. member for Hawthorne raised?

Mr. SHERRINGTON: I know other members of this Chamber have knowledge of this.

Mr. Kaus: I have been on that lease myself.

Mr. SHERRINGTON: I ask the hon. member to join the fight I am making; I will be glad to have his help. I suggest that he gets up in his caucus and urges the Government to move. Although Government members may want to hop onto the band-wagon, no-one can take away from me the kudos for having raised in this Parliament the matter of the coloured

sands. Despite the fact that several interested parties have protested to the former Minister for the Interior, Mr. Anthony; despite the protest which was couched in terms that indicated that this was a dubious undertaking, to say the least, both from the short-term and long-term view; and despite the fact that these people sought the assistance of no less eminent a geologist than Dr. Fred Whitehouse, who very lucidly presented a case that any break-through of the sea at Double Island Point could lead to disaster on the coastline, particularly the area of the coastline which would come under the jurisdiction of this Beach Protection Authority, the Commonwealth's attitude has not changed. As a matter of fact, the opinion of that eminent geologist is that any break-through of the sea at that point could well endanger the entire coastline in the Laguna Bay area south from Eight Mile Rocks, and could seriously erode the massive coastal dunes at Rainbow Beach, Cooloola and Teewah. Over a number of years it could entirely wipe out the unique coloured sands area.

I do not want to dwell on this matter because I think I have very adequately indicated my attitude and the attitude of the Opposition. This very valuable tourist asset should be preserved for use by future generations. Any break-through of the sea at Double Island Point could well lead to the complete destruction over a number of years of the whole of the area between Rainbow Beach and the southern end of Laguna Bay.

When the decision to allow mining was conveyed to the Noosa Parks Development Association, it was pointed out that mining in this area was to be allowed under certain stringent conditions. I believe that the reply of the Minister for the Interior was an example of crass parochialism, to say the least. It was pointed out to him that instead of allowing mining of that area he should be dealing with the desperate problem of the moment, which was to stabilise the area and ensure that there was no break-through of the sea. It was pointed out to him that a priceless asset would be endangered. Despite the fact that there would not only be erosion of a Commonwealth reserve but a break-through of the sea, which would lead to the eventual destruction of the massive sand dunes in the coloured sands area, this is what he had to say—

"Let me now return to the specific case of Double Island Point. As I have mentioned above, the essential purpose of the Commonwealth Reserve at Double Island Point is as the site for a lighthouse. The lighthouse is and always has been provisioned mainly from the sea by lighthouse supply ships. Consequently, the expenditure of Commonwealth funds on positive conservation measures merely to guard against a possible break-through occurring would be difficult to justify."

In other words, "What does it matter if a valuable asset belonging to the people of Queensland should be destroyed? What does it matter if the sea breaks through, because we can go on supplying our little lighthouse with a lighthouse ship?" That was the parochial attitude that the Minister for the Interior adopted. I believe that a protest in the strongest of terms should be lodged with the Commonwealth Government, pointing out that although it might be all right to say, "Blast you, Jack, I'm O.K. We will still supply our lighthouse with ships", the very mining of that low dune area between Double Island Point lighthouse reserve and the mainland could well endanger the future of the coloured sands area.

Mr. Ahern: Is that Mr. Nixon or Mr. Anthony?

Mr. SHERRINGTON: It was Mr. Nixon.

This decision was made by the present Minister for the Interior. After setting out all the problems, and saying this and that, it was apparent that he was not concerned about the dunes, the welfare of the beaches or our Queensland assets. His decision tried to strike a compromise between the people protesting and the people who wanted to get in to mine the area. The strongest protest should be lodged with the Commonwealth Government because the very areas to be affected if the sea breaks through are the areas which the Beach Protection Authority may well have to deal with and try to find the answer to the problem of erosion.

As pointed out by Dr. Whitehouse, the geologist, the area was developed over the ages by the forces of the tide and the wind, and the geological structure of the coastline. Because this area which is to become the base for sand mining is unstable, there is a pressing need to adopt immediate stabilisation methods.

The Minister for the Interior, also indicated in his letter that because of the build-up in the area there is some doubt as to local boundaries, but, in any case, the sand mining would be carried out whether it impinged on Queensland territory or not. I want to know what jurisdiction this Beach Protection Authority will exercise over the very dangerous procedure to be instituted by the Commonwealth Government through the Department of the Interior.

I think the problem is best summed up in the case put forward by Dr. Whitehouse. After giving the technical details as to why the area should not be mined he summed up the position in this way—

"The nature of any prospective damage. If such a permanent breach did occur the effects would be of two kinds—those that would develop quickly and those which would occur in the distant future. Of those that would occur at once there would be the isolation of the lighthouse from the mainland; the loss of mineral reserves in the immediate vicinity; and

the degradation of a potential tourist and sporting resort from the status of the best board-surfing area in the world to just another beach."

He then continued—

"But my main concern is the long-term aspect. If such a breach were to be made then, since all behind it is soft sand in very high masses, wave scour at once would set out to establish a new coastal curve of the type shown in Figure 1."

He pointed out that the formation of the coast of Queensland in that area consists of a series of fish-hook patterns of long beaches curving into headlands, with the headland representing the point of the fish-hook. He then said that the new alignment would eventually take the form indicated roughly by the dotted line of Figure 3. In other words, he said that the eventual result of any break-through would be to recreate this fish-hook pattern of the beaches and, in the process of doing so, the colour sands of Rainbow Bay and Teewah would be completely wiped out.

Mr. Kaus interjected.

Mr. SHERRINGTON: The hon. member is just proving the old saying that fools rush in where angels fear to tread.

The geological opinion about these areas is that at one stage the coloured sands extended 30 miles out to sea. In fact, it is considered that the coloured sands are all that remain of what was once a large mass that has gradually eroded over the centuries. What does it matter, in the Government's opinion, if it takes 10, 50, or 100 years to erode completely, because we will not be here. That is not my attitude to the conservation of these wonderful natural assets. Regardless of whether it takes 100 years, or 200 years, we should not be the idiots who take the first step to endanger their future.

Having read the submissions of Dr. Whitehouse and the reply of the Minister for the Interior, I believe that the Minister either cannot or will not understand the problem. It reminds me of the old saying that it is not that they do not know the answer; it is just that they do not understand the problem. Immediately it comes into being, the Beach Protection Authority should have a serious look at the possible consequences of this rather foolish act of the Commonwealth Government in mining the Double Island Point reserve.

Mr. Hodges: If it does not do it, it will be cut off from the island.

Mr. SHERRINGTON: That is right. That is what I am urging. But what can we do to combat the irresponsible actions of the Federal Government? It has been proved conclusively over the years that the hon. member has opposed every submission that

I have made on conservation. He seems to be right in the camp of the sand-mining companies.

Mr. Camm interjected.

Mr. SHERRINGTON: Do not tempt me on this one. I remind the Minister of a question that I asked about the preservation of the Noosa Plains area. He said that he believed in it implicitly—after he took all the minerals out. It did not matter that he created a desert in the process. The Minister for Mines should not come in on this. I could have plenty to say about his attitude if he brings sand-mining legislation into the House.

Mr. Camm: We at least put a term on our dredging leases.

Mr. SHERRINGTON: If the Minister is so interested in this matter, why is there no reference in the Bill to some control over sand-mining operations in these areas? Admittedly the Premier will move a belated amendment in Committee. The Premier has the right to accept or reject the submissions made by the Opposition—this is his prerogative—and while we might criticise these measures in the strongest terms, I can assure hon. members that any statements made by the Opposition are made only after a careful examination of the Bill and a good deal of thought based on what we believe is our attitude and on what should be done if the Beach Protection Authority is to be given any real teeth or meaning. I hazard the guess that the Premier will not accept one amendment moved by the Opposition.

Mr. SPEAKER: Order! There is a long-range conversation going on in the Chamber.

Mr. SHERRINGTON: We can only conjecture whether the Premier will reject the amendments moved by the Opposition and whether he does so in a sense of pique or otherwise. But he has that right and I assure him that it was only after long deliberation of the committee, the executive of our party and our Caucus that I was given authority to indicate the Opposition's attitude on this matter. I believe that the opinions I have expressed and the attitudes that will be expressed by other speakers represent the opinions of the responsible members of this Assembly. I believe that they represent the opinions of people imbued with the thought that the time for procrastination in beach-erosion control has long past.

This is one thing in which it is no good pandering to one section of the community. In beach protection, we have, to coin a phrase, to go all the way with it. The result of damage to our beaches is that the burden of the cost of restorative work falls on the ratepayers and taxpayers of Queensland. If we have been guilty of mistakes in the past, let us learn from them and apply positive measures, and let us go about this task in

a manner that will ensure that if we have not all the answers, at least we have some of them.

I believe that the Opposition has approached this legislation in a responsible manner, and I do not think that the Premier can charge us with attempting to score a political victory.

Mr. Lickiss: You would be flat out.

Mr. SHERRINGTON: The hon. member need not worry about that. If hon. members opposite want to take me on, there are many other points that I could raise if I wanted to be political. However, I do not think the Opposition can be charged in any way with trying to score a political victory in this matter. Nothing resembling a political speech has been made from this side of the House. It is true that I have criticised the Bill as being weak, and I sincerely believe it to be weak in important provisions. The Opposition has indicated that it will move amendments that we believe will strengthen it. I do not believe that our submissions should be dismissed lightly.

The Premier has found it necessary to give notice that he will be moving many amendments to the Bill. One will be moved because the Bill does not provide that the very important authority to be set up should report to Parliament at any time. He has indicated that, because I raised in my introductory speech the desirability of making public the work and decisions of the authority, he will move an amendment to provide what I consider to be a very necessary part of the Bill. It will require the authority to report to this Parliament.

I can give examples of reports that have never come before this House. The report on the railways by Professor Hytten, for example, never saw the light of day, and Opposition members and the public have been kept in the dark on its recommendations. There was the sudden withdrawal of the Bill of Rights, without any explanation to Parliament, and many other similar happenings in the short time that I have been here.

I believe that it is very necessary for some prominence to be given to the report of the authority so that Opposition members and the public can decide whether it is functioning smoothly, or whether it is just another political set-up similar to the Prices Branch, which exists in Queensland in name only. I hope that this authority will never suffer, as the Queensland Prices Branch has suffered, at the hands of the Government. Whilst it is very desirable to have an authority such as the one proposed, I believe it is also necessary for it to make regular reports to Parliament. The Minister has no cause to shrug off, whether at this stage or at the Committee stage, the submissions that we will be making. He should not shrug them off merely because he thinks

that to accept them could be construed as a defeat for the Government or an Opposition victory.

Mr. Pizzey: You have already said that several times.

Mr. SHERRINGTON: The Premier has not heard the other amendments that I and other members of the Opposition will move and that we believe will strengthen the Bill. I assure him that any amendment moved by the Opposition in the Committee stage will be moved because the Opposition believes that the Bill is deficient in certain respects and that the amendment it proposes will strengthen its provisions.

Mr. Hughes: Why not mention them now?

Mr. SHERRINGTON: The hon. member need not be concerned about by health or my state of mind. I am in good form, as I think I have indicated in this debate by the logic of my argument and by my physical fitness. There is no need for hon. members opposite to worry about me.

With this attitude in mind, I believe that the Government has a grave responsibility to ensure that all the submissions of the Opposition relative to the Bill are scrutinised carefully. I am sure that many of the opinions expressed by hon. members on this side of the Chamber will have a firm foundation in fact. Because of that, I look forward to the Premier's reply and his reaction to the amendments that the Opposition will be moving.

Before resuming my seat, I should like to quote from a paper on the conservation of coastal sands delivered by Dr. J. E. Coaldrake, the senior Research Scientist in the Division of Tropical Pastures, C.S.I.R.O., Brisbane, at the Soil Conservation Colloquium at the University of New England in 1967.

Mr. Camm: How many pages?

Mr. SHERRINGTON: The Minister need not be worried about the volume of it. I assure him that 98 per cent. of the speeches that I make are prepared by myself, not by officers of a department.

I regard Dr. Coaldrake as one of the people who have made an outstanding contribution to the study of the problems of soil erosion, drifting sands, tropical pastures, and other things.

Mr. Sullivan: I agree with you entirely.

Mr. SHERRINGTON: Because of that, I wish to conclude my speech by referring the House to his final remarks in this paper.

Mr. Carey: Hear hear!

Mr. SHERRINGTON: It is no use the hon. member's trying to insult me. I have been insulted by experts.

Mr. Camm: I read that paper a long time ago.

Mr. SHERRINGTON: If the Minister has read it, I hope he will not continue to adopt the idiotic attitude that he has adopted tonight. In my opinion, this is a serious thought and one to which the Government should be giving careful consideration.

Dr. Coaldrake said—

"It is depressing to consider how little of the ecosystem of our coastal sands is conserved in its entirety, especially in north eastern Australia where the destructive pressures are increasing rapidly. Restoration after mining or other disturbance can prevent drift, but it cannot restore some of the unique vegetation, such as rain forest, which is destroyed by the disturbance. Must the needs of mining and living areas for recreation be allowed to destroy irreplaceable natural ecosystems, or should representative samples of these be preserved in national parks without regard to the loss of immediate revenue or convenience?"

I believe that one of the main responsibilities of the Beach Protection Authority should be to follow the pattern that was set in New South Wales, where, because of a clash of interests between the sand-mining companies and people who were interested in preserving for posterity examples of our ecosystems and giving them the complete protection of national park status, the Government instituted the Sims Reserves Committee, which made a thorough investigation into the needs for national parks on the coastline of New South Wales.

As a result of this investigation, it was able to establish that certain areas should not be mined but should be given complete protection. The principle was adopted that mining should be excluded from areas of State forests and national parks and, because of the attitude of the New South Wales Government, that State was able to preserve for posterity many of the features of natural beauty along the coastline.

I hope that one of the first duties to which the authority will apply itself will be to set up immediately a committee similar to the Sims Reserves Committee of New South Wales to go into the question of our coastal lands and to allow the beach area in South-east Queensland to be preserved as national park; and possibly, what is more important, the areas of our coastline that, although they will not be within the immediate area of beach-erosion control, warrant early attention and a stabilised method of ensuring their safety.

Debate, on motion of Mr. Ahern, adjourned.

The House adjourned at 10.58 p.m.