

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 10 APRIL 1973

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Mr. ACTING SPEAKER (Mr. W. D. Lickiss, Mt. Coot-tha) read prayers and took the chair at 11 a.m.

**LAW REFORM COMMISSION REPORT
ON LAW RELATING TO MURDER**

Hon. W. E. KNOX (Nundah—Minister for Justice): The House will recall that last year I indicated that I would have the subject matter of the motion submitted by the honourable member for Townsville South, which remains on the Business Paper, examined by the Law Reform Commission with a view to having that body prepare a report on the proposal.

I now lay upon the table of the House the report of the Law Reform Commission in relation to suggested amendments to the law relating to murder, and I move that the report be printed.

Document laid on the table, and ordered to be printed.

PAPERS

The following papers were laid on the table:—

Orders in Council under the City of Brisbane Act 1924–1972.

PETITION

**FOOD PRICES; PRODUCTION AND MARKETING
OF MEAT**

Mr. N. F. JONES (Everton) presented a petition from 423 electors of Queensland praying that the Parliament of Queensland will take the necessary steps in the current session of Parliament to bring about an immediate price justification on all essential foods and conduct an inquiry into the production and marketing of meat.

Petition read and received.

QUESTIONS UPON NOTICE

**NURSE EDUCATORS, TOWNSVILLE
GENERAL HOSPITAL**

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

How many tutor sisters are at the Townsville General Hospital and is the number considered adequate for the very important role they carry out in a teaching hospital?

Answer:—

“The approved establishment for nurse educators at the Townsville Hospital is four. The Manager of the Townsville

Hospitals Board has advised that the full establishment is presently employed. Any review of the establishment would be a matter for consideration in the first instance by the Hospitals Board. I am advised that no application has been received from the Hospitals Board for any review."

**MEDICAL AND SURGICAL APPLIANCES,
TOWNSVILLE GENERAL HOSPITAL**

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

(1) From where does the Townsville General Hospital draw its medical and surgical appliances such as splints and calipers?

(2) Has any effort been made to obtain them in the Townsville area?

Answers:—

(1) "Medical and surgical appliances requested by the Townsville Hospitals Board are ordered by the Department of Health on Brisbane suppliers."

(2) "I am informed by the Manager of the Townsville Hospital that no quotations have been obtained locally by the board in recent times. Any quotation by a recognised orthopaedic surgical appliance maker in this area would receive consideration in conjunction with those received by the Department of Health."

**FISH-STOCKING OF STREAMS AND
DAMS**

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

(1) Has any decision been reached relative to the stocking of streams and dams with Nile perch? If so, what are the details?

(2) Is it intended to introduce any other species of fish?

Answers:—

(1) "No."

(2) "No."

**BOAT RAMPS, EMBLEY AND MISSION
RIVERS, WEIPA**

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

(1) As a large number of boat owners at Weipa have only one boat ramp and as adverse winds frequently make it unusable, will he consider providing extra ramps on the Embley and Mission Rivers?

(2) How many registered boat owners are listed at Weipa?

Answers:—

(1) "Yes."

(2) "Seventy-two as at March 31, 1973."

**BUILDING MAINTENANCE EMPLOYEES,
RAILWAY DEPARTMENT, CAIRNS**

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

(1) With reference to his Answer to my Question on March 30 concerning building maintenance employees, Railway Department, Cairns, was an instruction issued by the Railway Department, approximately fifteen months ago, defining a new policy relating to vacancies occurring in this section, indicating that on vacancies arising through resignation, retirement or other causes, no replacement of staff would be made?

(2) What was the classification and number of staff in each designation and instance of the establishment in the Station Maintenance Section, Cairns, as at June 30, 1971 and what is the present position?

Answers:—

(1) "Yes."

(2) —

" Classification	As at June 30, 1971	As at April 10, 1973
Station inspector ..	1	1
Leading hand station carpenter ..	1	1
Station carpenters ..	7	8
Station plumber ..	3	1
Apprentice plumbers ..	2	1
Leading hand station painter ..	1	1
Station painter ..	5	2
Station carpenter's labourer ..	1	1
Labourer ..	1	1"

**REQUISITION FOR BICYCLES, CITY
POLICE STATION, BRISBANE**

Mr. N. F. Jones, pursuant to notice, asked The Minister for Works,—

(1) With reference to the recent Press report alleging that bicycles were to be purchased for policemen, is he aware that, despite denials by the Police Commissioner, a requisition was issued for the purchase of three bicycles for personnel at the City Police Station, Brisbane?

(2) Is he aware that the requisition was cancelled after the Commissioner's Press conference?

Answers:—

(1) "No."

(2) "No."

INDUSTRIAL INSPECTORS

Mr. Sherrington for **Mr. Yewdale**, pursuant to notice, asked The Minister for Development—

(1) How many industrial inspectors are on his staff throughout Queensland and in what categories?

(2) How many are engaged in the major provincial cities on the coast and in what categories?

(3) Is the staff position regarding industrial inspectors throughout Queensland considered adequate by his departmental officers?

Answers:—

(1) "The following staff are employed by the Industrial Inspectorate throughout Queensland:—Chief industrial inspector; deputy chief industrial inspector; supervising inspector; senior inspector; senior inspector (administration); industrial inspectors (enquiries), 3; industrial inspectors, 40; assistant industrial inspectors, 3; and cadet industrial inspectors, 6. Total, 57."

(2) "It is difficult to precisely interpret what the Honourable Member has in mind by referring to major cities on the coast. However, the following is a list of inspectors stationed in Brisbane and in the various parts of the State:—Brisbane—inspectors (including senior inspectors), 25; assistant inspectors, 3; and cadet inspectors, 6. Inspectors—Ayr, 1; Bundaberg, 1; Cairns, 2; Charleville, 1; Cunnamulla, 1; Gympie, 1; Hughenden, 1; Innisfail, 1; Ipswich, 1; Longreach, 1; Mackay, 2; Maryborough, 1; Mount Isa, 1; Rockhampton, 2; Roma, 1; Southport, 1; Toowoomba, 1; Townsville, 2; and Warwick, 1. Total, 57."

(3) "The adequacy of the complement of industrial inspectors is continually under review. A submission in this regard is under consideration by the Public Service Board in relation to the next financial year."

REFLECTIVE PAINT FOR ROAD MARKING

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

(1) In view of the alarming increase in the number of accidents on wet nights, claimed to be contributed to by wet-surface

reflections rendering the white dividing lines indiscernible, is there any road-delineator paint which is hygroscopic, fluorescent or irradiant on contact with water and, if so, will he consider the use of this paint in areas of high-density night traffic where other reflectors or delineators are not economic or practicable?

(2) If no such paint is anywhere in use, will he consider having research carried out into formulating such a paint and inform the House of any progress?

Answers:—

(1) "The Main Roads Department's traffic engineers are in constant touch with national committees and the results of current paint research developments. None of the paints mentioned are known to the engineers other than glass bead reflective paint surfacings which are already used extensively. The department is increasing the use of raised reflective markers that stand above the wet road surface on many of the more heavily trafficked roads. This appears to be the best solution available to date for lane marking."

(2) "There is no point in duplicating the research effort by paint manufacturers because any new developments for road markings are quickly passed onto the department for acceptance testing."

APTITUDE TEST FOR UNIVERSITY MATRICULATION

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

(1) Are the proposals requiring Grade 12 students seeking matriculation to sit for an I.Q. and aptitude test, which is to be vital to the students prospects, in accordance with the recommendation of the Radford Report?

(2) What is his Department's attitude to the proposals of the Board of Secondary School Studies and the Professorial Board of the University of Queensland?

(3) What are the full details of the proposed tests and which authority will determine the form and assessment of the test?

(4) Did the Professorial Board and the Senate of the university adopt proposals that the method of teacher assessment be used for a trial period of three years in determining matriculation?

(5) What has prompted the abandonment of the recommendation previously adopted by the university Senate?

Answers:—

(1) "The proposals of the Professorial Board of the University of Queensland to use information obtained by the Board of

Secondary School Studies in the compilation of an order of merit list is in accordance with a proposal contained in the Radford Report. Paragraph 6.21 of the report stated that: 'It is necessary, because scholarships are available for tertiary studies, for an order of merit list to be drawn up, and we propose that special tests be used for this purpose in association with school assessments. It will be commonsense therefore for tertiary institutions to use both special tests and school assessments for entry purposes'. The Board of Secondary School Studies in formulating its policy for the compilation of an order of merit list, has decided that it will use a combination of the Australian Scholastic Aptitude Test (ASAT) and school assessments for this purpose."

(2) "A large scale research study known as the Queensland Grade 12 Study was conducted by officers of my Department in order to obtain information concerning possible methods of selection for tertiary studies. A special investigation was also undertaken, using data available from the Grade 12 Study, to provide information to the Board of Secondary School Studies concerning an order of merit list derived from school assessments scaled against ASAT. Officers of my Department have also collaborated and co-operated with the board in the preparation of material for use in the discussions of the working party consisting of representatives of the board and the University of Queensland. This committee has considered the feasibility of using information from the order of merit in entry requirements for the University of Queensland and in making its recommendations it has drawn upon the findings of the Grade 12 Study and the special investigation into an order of merit. My Department is in agreement with the proposals which were made by the Board of Secondary School Studies and which were the basis of recommendations considered by the Professorial Board of the University of Queensland."

(3) "The 1973 version of the Australian Scholastic Aptitude Test is a four-hour test to be administered in two x 2 hour sittings on consecutive days. One part will give a 'verbal' score, the other a 'numerical' score. From these a total score will be obtained. The Australian Council for Educational Research was commissioned to prepare the test for the Department of Education, Canberra. Arrangements for the marking of the test will be made by ACER."

(4) "The Senate of the University of Queensland, late in 1971, formulated the principles on which matriculation at the end of 1973 and 1974 would be based. These were embodied in the draft rules dated January, 1972, which I tabled recently. Changes to these draft rules will

be of a formal nature; however, they are not to be submitted to the Senate before May."

(5) "A meeting of the Professorial Board of the University of Queensland was held on Thursday, April 5 to consider whether a major change should be made to the matriculation rules to apply at the end of 1974 for entry in 1975. Material submitted to that meeting included a proposal of the Board of Secondary School Studies that matriculation be based on a single assessment at the end of Grade 12 rather than the aggregate of school assessments over four semesters of work. The recent statement of the Professorial Board followed that meeting."

STUDENT UNION MEMBERSHIP, COLLEGES OF ADVANCED EDUCATION

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

(1) Does the Education Act require students at colleges of advanced education to belong to an appropriate students' union?

(2) Does the State scholarship awarded to teachers' college students cover union fees at teachers' colleges?

Answers:—

(1) "Yes."

(2) "Yes."

APPLICATIONS FOR HOUSING COMMISSION HOUSES AND PENSIONER UNITS, QUEENSLAND AND GOLD COAST

Mr. D'Arcy, pursuant to notice, asked The Minister for Works,—

(1) How many Housing Commission applications are being held in (a) Queensland and (b) the Gold Coast?

(2) How many applications for aged pensioner units are being held in (a) Queensland and (b) the Gold Coast?

Answers:—

(1) "Rental applications other than aged persons—(a) with priority 1,816, without priority 3,044; (b) with priority 60, without priority 90."

(2) "(a) 1,285; (b) 77. These applications do not all necessarily meet the prescribed criteria for eligibility."

LASER BEAMS FOR SHEARING SHEEP

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

(1) What have been the results of experiments using laser beams for sheep shearing and is this method likely to cut substantially the costs of fleece removal?

(2) Would this method become an automated process which would remove all of the physical effort in shearing and thus eliminate the professional shearer?

(3) Is this method of fleece removal sufficiently advanced to be practicable and is it likely to cause early shearer displacement?

(4) Have the experiments proved to be harmful in any way to the livestock?

Answer:—

(1 to 4) "The use of laser beams for shearing sheep is in the experimental stage only."

CONTROL OVER PRIVATE FRUIT AND VEGETABLE GROWERS

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

(1) Can fruit-fly attacks and vegetable diseases be attributed to householders who do not pick up fallen fruit or spray their trees or vegetable gardens?

(2) Is there any Government control over householders' gardens and is there any Government system of spraying fruit trees and vegetable gardens to protect the professional fruit and vegetable producer?

(3) Has any system of advertising been employed by the Government to show householders the need for co-operation and is there any limit on the number of fruit trees which may be grown, or on garden production by householders who operate in amateur fashion?

Answers:—

(1) "Fruit-flies are native to all fruit and vegetable growing areas in Queensland and the wide range of native hosts enable them to be present in large numbers irrespective of a few householders who do not pick up fallen fruit or spray their trees or vegetables."

(2) "No."

(3) "No, with respect to fruit-fly."

LAND FOR PRIMARY SCHOOL, PINE RIVERS

Mr. Sherrington for **Mr. Leese**, pursuant to notice, asked The Minister for Works—

Have investigations now been completed regarding the setting aside of 14 acres of the Pine Rivers State High School reserve for primary school purposes? If so, what was the result?

Answer:—

"Investigations have been completed and a suitable area of this site has been reserved for a future primary school."

CROSS-RIVER BRIDGE PROPOSALS, BRISBANE

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

(1) Have plans been prepared, or is his department preparing, plans for a low-level bridge from New Farm Park to Norman Park?

(2) With the heavy and continuous traffic problems and long delays at Breakfast Creek and Fortitude Valley, has any consideration been given to building the down-river gateway bridge before constructing another in the central city?

Answers:—

(1) "Planning is being carried out for a medium-level bridge at New Farm. This bridge is not a central city bridge but part of the central freeway which is an important by-pass of the central city area to the proposed northern freeway, but no approval has yet been given for the project to proceed."

(2) "The gateway bridge would not significantly improve the Fortitude Valley and the Breakfast Creek traffic. The recently completed down-river study showed that such a bridge would not be required until after 1981."

POLLUTION-CONTROL EQUIPMENT, DONALD DIXON INDUSTRIES LTD. TANNERY, HEMMANT

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

What progress has been made on the installation of pollution-control equipment or other measures to prevent pollution from Donald Dixon's Tannery, Hemmant?

Answer:—

"I am advised that the firm is commissioning the Queensland Institute of Technology to undertake bench and pilot scale studies to determine the best method of treating its wastes to avoid air and water pollution. The firm is also supporting work being carried out by the C.S.I.R.O. with a view to maximum recycling of its wastes. In the meantime, the firm has adopted measures to reduce the quantity of wastes to be disposed of."

ALLEGED IRREGULARITIES IN NOMINA- TIONS, LOCAL GOVERNMENT ELECTIONS

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

(1) Is he aware that in the recent local authority elections some candidates had their nominations rejected by returning officers because, under the appropriate

sections of the Act, the candidates' names did not appear on the roll for a particular division, as at December 31, 1972?

(2) Does he also realise that other candidates whose names did not appear on the rolls as at December 31, 1972, had their nominations accepted?

(3) Is he aware of a comprehensive opinion by Mr. P. D. Connolly, Q.C. on this matter?

(4) To avoid future confusion, is he prepared to lay down guidelines or amend the Act in order to relieve appreciable public disquiet?

Answers:—

(1) "Yes."

(2) "No."

(3) "Yes."

(4) "The checking of nomination papers at a local authority election is a matter for the returning officer for such election under the provisions of the *Local Government Act 1936-1971*. I am advised that the provisions of the Act relating to the nomination of candidates is similar to corresponding provisions of the State Elections Act. The question of making certain amendments of the rules governing the conduct of local authority elections is under consideration and the matter raised by the Honourable Member will be kept in mind during such consideration."

ROADWORTHINESS CERTIFICATES, SECOND-HAND MOTOR VEHICLES

Mr. Wright, pursuant to notice, asked The Minister for Development,—

(1) How many complaints have now been received by his Department from (a) citizens and (b) the Consumer Affairs Bureau, regarding incorrect information being given on roadworthiness certificates on second-hand cars by registered inspection stations or centres?

(2) How many investigations have been carried out by his Department into the complaints?

(3) What have been the general findings of the investigations?

(4) How many (a) warnings have been given and (b) prosecutions have been made?

(5) In view of the prevalence of this type of offence, what was the basis or what were the requirements when selecting registered inspection stations and does he intend to review these requirements?

Answers:—

(1) "As at February 28, 1973, 66,787 certificates were issued. Of these a total of only 184 complaints have been received. This figure includes those from the Consumer Affairs Bureau."

(2) "176."

(3) "It is generally found following investigations of these complaints that either the items complained of are not associated with the inspection required for the purpose of issuing a certificate of roadworthiness or that there is insufficient evidence to substantiate a case against the proprietor of the inspection station and/or the examiner relative to the issue of a false certificate."

(4) "(a) Nil. (b) There have been two successful prosecutions relative to the issue of certificates of roadworthiness. Prosecutory action is pending in respect of a further seven inspection stations. One approved inspection station has had its certificate of approval suspended."

(5) "It is not agreed that this type of offence is prevalent and this view is confirmed when regard is had to the information contained in Answer to Question (1), and the fact that there are 926 approved inspection stations and 2,172 licensed examiners in Queensland. The Machinery Inspection and Safety Regulations make provisions for the equipment required for an approved inspection station and also the qualifications required of persons before they may be licensed as approved examiners. The requirements are presently considered to be adequate. I have already announced that the present requirements would be reviewed after they had been in operation for six months. This will take place in May."

POLICEWOMEN

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

(1) How many policewomen are employed in Queensland?

(2) What percentage of the State Police Force are policewomen?

(3) Will he outline the types of duties that policewomen are expected to carry out?

(4) What is the difference in the salary of a policeman and a policewoman for each of the classes or classifications within the force?

Answers:—

(1) "128."

(2) "4 per cent."

(3) "Allocation of policewomen's duties is a matter for commissioned officers in charge of districts or branches at which policewomen are stationed. They are required to perform the same types of duties that male members are expected to carry out from time to time."

(4) "Nil."

UPGRADING OF ACCESS ROADS,
AGATE CREEK GEMFIELD

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

As more and more tourists are visiting Agate Creek gemfield and in view of the isolation of the area, will he take appropriate action to have roads in the area made serviceable and safe?

Answer:—

"The Main Roads Department makes maintenance funds available for the declared road system. In the more isolated and lightly trafficked areas the extent of this work has to be limited. I will request the local district engineer to have a look at this matter to see if any assistance can be given."

MATRICULATION REQUIREMENTS AND
ENROLMENTS; COMMONWEALTH
PROPOSAL TO FINANCE
TERTIARY EDUCATION

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

(1) With the announced ending of the requirement for students to pay tuition fees at tertiary level and the probability of increased enrolments, on which basis will the University of Queensland, the Griffith University and the James Cook University of North Queensland admit matriculated students in 1974?

(2) What is the estimated maximum number of new enrolments which can be enrolled in each of the universities in 1974?

(3) What was the number of new enrolments in each university in 1973?

Answers:—

(1) "As stated in my reply to the Honourable Member for Everton on April 4, the Commonwealth proposals on tertiary education are being studied. Discussions will then no doubt be held between State and Commonwealth officers. The Universities have, therefore, made no plans to change the basis for entry in 1974."

(2) "The Australian Universities Commission has indicated in its fifth report that it expects the total enrolment of new and continuing students in the University

of Queensland to rise by 450 students in 1974, and in James Cook University of North Queensland to rise by 220 students."

(3) "The University of Queensland enrolled approximately 2,500 new undergraduate students in 1973 and James Cook University of North Queensland 439 new bachelor degree students. Griffith University enrolled one post-graduate student."

QUESTIONS WITHOUT NOTICE

PUBLIC SERVICE EMPLOYMENT FOR BLIND
PERSON

Mr. BROMLEY: I ask the Premier: Has he seen the picture and story in today's "Courier-Mail" regarding the desire of Mr. Noel Abrahams, a blind person, to obtain work as a switchboard operator? In view of Mr. Abrahams' obvious capabilities in this regard, will he arrange employment for him within the Public Service? I table a copy of the picture and story to which I refer.

Whereupon the honourable member laid the document on the table.

Mr. BJELKE-PETERSEN: I am not aware of the details of this matter. I understand that at one stage the Government employed Mr. Abrahams as a lift-driver. If the honourable member wishes to submit the details to me, the matter can be looked at again through the Public Service Board.

NOISE NUISANCE FROM POP CONCERT,
EXHIBITION GROUNDS

Mr. BROMLEY: I preface my question to the Premier by stating that I am not a fuddy-duddy or a spoilsport—

Mr. ACTING SPEAKER: Order! The honourable member will please come to the point of his question.

Mr. BROMLEY: I do not want to be misunderstood. I like music. However, on Sunday last, whilst visiting patients in various wards of the Royal Brisbane Hospital, I was assailed—and rightly so—by complaints about shockingly amplified noise from a pop concert at the R.N.A. grounds. As patients, particularly, were obviously upset by this nuisance, and as I have had further complaints by telephone, will the Premier use his good graces in an effort to ensure that similar performances are not allowed in such circumstances in the future?

Mr. BJELKE-PETERSEN: This is something I can take up with the Brisbane City Council under its ordinances relating to such matters.

Mr. BROMLEY: The R.N.A. granted its permission.

Mr. ACTING SPEAKER: Order! If the honourable member wishes to continue asking questions, he will please do so.

Mr. Bromley: I was just mentioning that the R.N.A. gave its permission.

Sir Gordon Chalk: And they get permission from the Brisbane City Council.

Mr. ACTING SPEAKER: Order! There will be no discussion at question time. The honourable member will please submit his next question.

Mr. BROMLEY: I had intended asking the Minister for Health a question without notice. However, as he is absent, I will place it on notice for the next sitting day.

COMMONWEALTH PARTICIPATION, BURDEKIN RIVER PROJECT

Mr. BIRD: I refer to an article which appeared in "The Townsville Daily Bulletin" on Thursday, 6 April 1973, wherein the Federal Minister for Northern Development, Dr. R. A. Patterson, announced that the Australian Government will approach the Queensland State Government to establish a joint Federal and State Government committee on Queensland's Burdekin River project, and I now ask the Premier—

1. Has he received any advice from Dr. Patterson as to when this committee should be formed?

2. Has Dr. Patterson indicated how long the committee would take to determine what water conservation, power generation and flood mitigation schemes should be developed on the Burdekin River system?

3. If no advice has yet been received from Dr. Patterson, will he endeavour to obtain same at the earliest possible time, bearing in mind the serious water position which could confront the Lower Burdekin region in the near future?

Mr. BJELKE-PETERSEN: We have not, as far as I am aware, received any letter or request from Dr. Patterson relative to the whole Burdekin River water supply and irrigation scheme in North Queensland. Of course, everyone in Queensland knows that an investigation by the Department of Irrigation and Water Supply has been going on for very many years in this State, and that the State Government has taken up with the Commonwealth Government the question of 50-50 assistance in a project to assess the scheme. We, as a Government, are contributing some \$75,000 a year, and we have asked the Federal Government if it will co-operate and assist. That is where the matter stands at the moment. Our department, under the control of the Minister for Conservation, Marine and Aboriginal Affairs, is proceeding on its own. We would welcome Commonwealth participation in a practical way.

As to when the assessment of the water supply will be completed, I am not in a position to give that information. However, from my previous dealings in the matter I should imagine that there would have to be an assessment of the type of crops that can be grown, the water consumption of surrounding towns and cities, and so on. When all these investigations are completed, perhaps in about five years' time, we may have an assessment of the project.

REPRESENTATIONS TO COMMONWEALTH GOVERNMENT, URANNAH DAM SCHEME

Mr. BIRD: I ask the Minister for Conservation, Marine and Aboriginal Affairs: When was the last submission on the Urannah Dam scheme forwarded to the Federal Government for its consideration, and has he yet received any indication from the Federal Government of its acceptance or otherwise of this scheme?

Mr. N. T. E. HEWITT: In February of this year the Premier renewed a request to the Federal Government for finance for certain water conservation schemes throughout Queensland, of which the Urannah Dam was one, at a cost of \$36,230,000. At this stage the Commonwealth Government has given no indication as to whether or not it will accept the scheme.

LATE ARRIVALS OF "CAPRICORNIAN" AT BUNDABERG

Mr. JENSEN: I ask the Minister for Transport: Further to my question of 16 March 1973 with reference to the late arrivals of the "Capricornian" at Bundaberg, and his reply that investigations would be made, and as this train is always late and was more than three-quarters of an hour late last night, which meant that a score or more of children from the electorate of the honourable member for Burnett had to wait around on the platform—

Mr. ACTING SPEAKER: Order! There is too much padding in the question. The honourable member will please come to the point.

Mr. JENSEN: I included that part for the benefit of the honourable member for Burnett.

Will the Minister inform the House of the result of his investigations into this matter?

Mr. K. W. HOOPER: The investigations are not complete.

STATEMENT ON MARIJUANA BY PRIME MINISTER'S ADVISOR ON WOMEN'S AFFAIRS

Mr. LANE: I ask the Minister for Justice: Has he noted the comment in this morning's Press of the Prime Minister's advisor on women's affairs that the use of marijuana

should be considered a matter of individual choice and not a question of law? Can he assure the House that, as Minister for Justice, he will continue to advocate respect for the rule of law, and preserve the concept that drug-taking will continue to be an offence against the State and not a matter of choice for the individual?

Mr. KNOX: I have seen the comment mentioned. I understand that the Prime Minister's adviser on women's affairs has a close affiliation with the A.L.P. Indeed, I would say that it would not have come as a shock to those who have been following politics over the last six months that this sort of advice was tendered to the Prime Minister.

Let me assure the House that as far as we are concerned the rule of law in this State has to be observed. While the actual taking of a drug might be a private matter for the individual, the social consequences of it are a public matter, and that is what we are concerned about.

Mr. Marginson: So is smoking.

Mr. ACTING SPEAKER: Order! I warn the honourable member for Wolston that there will be no interjections during question time.

CONTRACTS FOR OIL TANKERS, TAIWAN SHIPYARD

Mr. LANE: I ask the Minister for Development and Industrial Affairs: Is he aware that a \$110,000,000 shipyard is to be built in Taiwan this year, and that it is reported that arrangements have already been made for contracts to build six or seven oil tankers to be launched before 1978? Does this information indicate that shipbuilding orders are currently available on the world market to shipyards with a reasonable expectation of industrial stability?

Mr. CAMPBELL: I have read the article, which indicates that a shipyard to construct ships of between 500,000 tons and 700,000 tons is being built in Taiwan. This is paralleled by the construction in Singapore of a dock with a 400,000-ton capacity. The low wage rates and compliant labour-forces of those nations place Australia's shipbuilding industry at a great disadvantage. I suggest that there is a lesson to be learned from these two significant events.

SHORTAGE OF TAXI-CABS DURING PEAK PERIODS

Mr. R. JONES: I ask the Minister for Transport: Is he aware of the difficulty experienced in hiring taxi-cabs in Brisbane, particularly at peak periods? If so, can he say whether taxi proprietors are withdrawing their cabs from service during those hours, particularly on Fridays, when passengers

experience delays of more than an hour in obtaining cabs? Will he also comment on whether taxi-cab operators are making their vehicles available at more lucrative periods, for example, on race days and trotting meetings? Finally, what action is contemplated to ensure that the public will be able to obtain the services of taxi-cabs as required?

Mr. K. W. HOOPER: I am aware of the present situation, and I have arranged regular meetings with the taxi industry to iron out the problems that confront it and overcome the shortage of taxi-cabs. The industry itself is concerned at the lack of taxi-cabs on the road at certain times, particularly during peak periods. Within the last 24 hours I have contacted the industry, and in the very near future I will be having another meeting with its representatives, when I will tell them that they must provide a satisfactory service to the public.

I assure the honourable member for Cairns that, like the industry, I too am concerned about the situation. Recently the payment of taxi-cab drivers was increased from 40 per cent to 45 per cent. The greatest difficulty that faces the industry is the shortage of drivers as a result of the stringent requirements—and they are stringent—of the Transport Department in the allocation of licences to drivers. However, I hope that within a very short time this difficulty will be overcome.

SWEEPING OF SHOP WASTE ONTO FOOTPATHS

Mr. GUNN: I ask the Minister for Local Government and Electricity: Is the practice of some shopkeepers in sweeping their waste onto footpaths and into gutters a breach of the Litter Act?

Mr. McKECHNIE: In my opinion, anyone who sweeps floor waste from his premises onto a pavement is guilty of a breach of the Litter Act. The maximum penalty for such an offence is \$200, and if there is any broken glass in the litter the maximum penalty is \$300. Most local authorities have by-laws that regulate the cleaning of footpaths. In fact, under ordinance 6, chapters 20 and 21 of the Brisbane City Council ordinances, shopkeepers are required to sweep their footpaths clean by 8.30 a.m. each day.

I draw attention to the fact that this is Anti-litter Week, and I earnestly appeal to all honourable members to co-operate with the various organisations that are working to make Queensland a cleaner State.

PASSENGER EXIT GATES, CENTRAL RAILWAY STATION

Mr. HARVEY: I ask the Minister for Transport: In view of the construction work at Central Railway Station and the restriction

at the passenger-discharge points from the various platforms, will he have the matter investigated and implement corrective measures immediately to eliminate the present unnecessary congestion and delay during the morning peak period?

Mr. K. W. HOOPER: This matter is already being investigated.

ADVISER ON WOMEN'S AFFAIRS

Mr. PORTER: I ask the Premier: Does he contemplate appointing a female adviser? If so, will he follow the Prime Minister's lead in finding a woman obviously representative of the average woman in our community, as demonstrated by this lady's advocacy that all laws relating to prostitution, abortion, homosexuality and the taking of marijuana should be repealed?

Mr. BJELKE-PETERSEN: This question is a very important one. I was surprised to note that the female adviser appointed by the Prime Minister evidently intends to release what might be termed A.L.P. policy or A.L.P. attitudes on the vital issues mentioned. I assure the honourable member that we, as a Government, have not given any consideration to such an appointment. I do not believe that the State Government has any intention of appointing either a male or a female adviser on women's affairs. In our over-all activity as a Government we take into account matters affecting all citizens in this State, whether they be male or female.

Mr. Davis interjected.

Mr. ACTING SPEAKER: Order! I will not warn the honourable member for Brisbane again.

Mr. BJELKE-PETERSEN: Further in reply to the honourable member for Toowoong, I point out that I do not think the great majority of women in Queensland would want this Government to appoint such a female—certainly not one who holds the views mentioned by the honourable member.

HANDLING OF DISPUTES, LOCAL GOVERNMENT ELECTIONS

Mr. WRIGHT: I ask the Minister for Local Government and Electricity: In view of the concern that has been voiced by local government candidates and returning officers alike that the present Act is inadequate to deal expeditiously and cheaply with local government election disputes, will he give consideration to amending the Act so that a court of disputed returns may be established?

Mr. McKECHNIE: On Thursday last, in reply to a question by the honourable member for Redlands, I said that I would be tabling certain information. This morning, in response to a question by the honourable member for Port Curtis, I said that certain aspects of the local Government elections

would be examined in detail. I have invited suggestions from various sources as to how the voting system set-up for local authorities outside Brisbane might be improved. As honourable members know, Brisbane is covered by the State electoral legislation.

CONSUMER CREDIT LEGISLATION

Mr. WRIGHT: I ask the Minister for Justice: Have any discussions been held at meetings of Attorneys-General in which he has participated relating to the problems of consumer credit? If so, can he advise what action is contemplated and, if not, will he endeavour to initiate such discussions in view of the importance of this subject?

Mr. KNOX: A public statement came from the meeting of Attorneys-General last Friday week as a result of the tabling at the previous conference of the Molomby Report, and the tabling at the conference previous to that of the Rogerson Committee Report. It was agreed, and announced, that the Attorneys-General would commission parliamentary counsel to prepare a model Bill based on those recommendations. This process is in train. The three Attorneys whose responsibility it is to supervise the preparation of this Bill are those from Victoria, New South Wales and South Australia.

SALE OF LIQUOR IN GROCERY STORES

Mr. WRIGHT: I ask the Premier: In view of the public debate that is building up around the question of the sale of liquor in grocery stores and as it is alleged that this proposal has some State Government support, will he clarify the situation, especially as such a proposal will require major amendments to the Liquor Act and a complete review of the present cost of liquor licences to licensed victuallers?

Mr. BJELKE-PETERSEN: This is a matter of Government policy on which there was discussion some time ago. No finality has been reached on the question.

COMPUTER EQUIPMENT FOR T.A.B.

Mr. HANSON: I preface a question to the Treasurer by saying that I sincerely regret and resent the implications contained in his answer to my question on this matter last Friday.

Mr. ACTING SPEAKER: Order! The honourable member will please ask his question.

Mr. HANSON: In the Treasurer's reply to my question on 6 April, he mentioned that certain computer equipment to be installed by the T.A.B. in Queensland was similar to that used in Victoria and New Zealand. Does he realise that the latter agencies do not have the 1700-type equipment? Does he realise also that the intended CDC equipment will come principally from the United

States, that its labour installation force will come from Sydney, and that the FACOM equipment, whilst originating in the main in Japan, would have a 45 per cent Queensland content in cost and labour?

Sir GORDON CHALK: The honourable member for Port Curtis apparently has access to a certain amount of documentation within the T.A.B. That is why I said in my earlier reply that I was aware of the source of his information.

Having said that, let me indicate that both tenders were very carefully examined. Whilst charges and counter-charges are being made by both companies as to where the actual equipment will come from, we can be guided only by the nature of the tenders and the advice offered to us. According to that advice, the CDC equipment, although coming principally from overseas, will require certain installation, which will be carried out by Australian labour. The company involved has a labour force in Australia of some 400 employees. It also has a first-class servicing division.

In relation to the Japanese tender submitted by FACOM, there was an undertaking that, if that equipment was selected, an industry would be established in this State and labour employed as it expanded. It also offered to send out eight Japanese experts to install the equipment and advise on its operation.

Having seen all the tenders and data involved, I emphasise that I fully concur in the decision of the board to support an industry which is established in the Commonwealth and which has proved, through its installations in Victoria and certain operations in New Zealand, that it can adapt itself to Australian conditions and the requirements of the T.A.B. in this State.

Mr. HANSON: I have a supplementary question for the Treasurer. He mentioned in his reply on 6 April that the saving effected would be to the tune of \$500,000. Would not \$200,000 be a more correct figure? Were not three independent reports sought by the T.A.B.? Did not two out of three of them favour FACOM? What was the result of the report of the chief of the department of computer science at the University of Queensland?

Sir GORDON CHALK: Again, because of the access to certain documents that the honourable member has, let me go a little further.

Mr. HANSON: I rise to a point of order. I want to inform you, Mr. Acting Speaker, and the House generally that I have no access whatsoever to any T.A.B. documents.

Sir GORDON CHALK: I accept the assurance of the honourable member that his knowledge is so outstanding and he is so psychic in these matters that he can quote certain figures. I accept that he has imagined all that he has said.

In the original tenders, there was a difference of between \$200,000 and \$300,000. Certain other equipment was also required and, in addition, there was a revaluation of the American dollar. As a result of that revaluation, the figure in relation to the items that came from the United States so decreased that the difference is approximately \$500,000.

In relation to the other points raised by the honourable member, I repeat that there were three reports submitted. First of all, there was a report by the consultants who were engaged, and they narrowed the tenders down to two. The consultants then left the matter to the T.A.B. for decision. That board sought the advice of a committee set up by management, known as the management committee, and involved employees who have had access to all this knowledge and who no doubt have talked to people about it. Those people had access to this information, and they made a recommendation in favour of the Japanese firm. This was after a visit to Japan by the general manager of the board. On his return, he recommended the Japanese equipment.

An opinion was then sought from the head of the computer science section of the university, who indicated in his report that the tender figures were close and that, from his point of view, he was sure that either would give satisfactory service. However, he agreed with the view of management.

His report and the report of management were then referred to the computer consultants, and, after examining all the viewpoints put forward, they made a decision in favour of CDC. After all, the T.A.B. paid a considerable amount of money to obtain the advice of those who they considered were the best consultants available, and I commend the board for accepting the advice of the consultants after a very exhaustive examination.

Mr. HANSON: I have a further question to ask the Treasurer. Is he aware that Japanese representatives came to the T.A.B. and exhibited a mini computer which could have proved conclusively that it could do the job effectively, and that no member of the T.A.B. even looked at the demonstration? Incidentally, would he be prepared to table the documents concerning this case? Referring to his comment about my having access to documents, I should say that I would be 100 to 1 in any attempt that I might make to get the information from the T.A.B. report that is tabled in this Parliament.

Sir GORDON CHALK: Apparently the honourable member wants to pursue this matter, and he is at liberty to do so. He referred to a mini computer. We have, of course, seen many "minis" in various fields, but the honourable member, with the information that he has, is no "mini". The point of the matter is that it was the responsibility of the board to make a decision, and it was the responsibility of the consultants to

advise the board. The board was plagued with requests by at least two companies to meet them and even, in one case, to be dined and wined by them. The board refused. Its whole basis of consideration was the report of the consultants, and it arrived at its decision in that way.

So far as the tender documents are concerned, they are the property of the T.A.B. and they will not be tabled.

ELECTION OF LORD MAYOR, BRISBANE CITY COUNCIL

Mr. LANE: I ask the Minister for Local Government and Electricity: In the light of recent events in Brisbane City Council A.L.P. circles, does he consider that these provide total justification for the legislative change which made the Lord Mayoral position dependent upon election by the aldermen, thus requiring a Lord Mayor to work with, and not dictate to, the elected aldermen?

Mr. ACTING SPEAKER: Order! The question seems to be seeking an expression of opinion. However, I will leave it to the Minister.

Mr. McKECHNIE: The main aim of the amendments to the City of Brisbane Act that went through the House last year was to ensure that the aldermen had sufficient power to represent their constituents properly. I believe that the actions of the last two days have justified the passing of that Bill. The aldermen are now in a situation in which they can represent their constituents. They can go into council meetings and debate and vote in the knowledge that they have the strength to control the council itself. If the Lord Mayor should act in such a manner as the people of Brisbane know he acted previously, in that he had complete control of the council, any member of the council can, on 7 days' notice, notify the council that he intends to challenge the leadership of the Lord Mayor. Consequently, the Lord Mayor is now in the same position as the Premier or the Prime Minister, in that he can be challenged by the whole of the council on a week's notice.

Mr. Houston interjected.

Mr. ACTING SPEAKER: Order!

Mr. McKECHNIE: In reply to the laughter of the Leader of the Opposition, I point out that it is possible for the leadership of the Prime Minister or the Premier to be challenged in the Parliament. This is precisely the situation that now exists in the Brisbane City Council. The only difference is that in the Brisbane City Council the Lord Mayor has the advantage that the aldermen must give a week's notice of such a challenge. The fact that the right to make such a challenge exists means that the aldermen have had the power restored to them and they can now act responsibly to their constituents throughout Brisbane.

EXOIL AND TRANSOIL TENDER FOR COAL SUPPLY TO NEW POWER STATION

Mr. N. F. JONES: I ask the Premier: Is he aware of a report in today's Press that Exoil and Transoil have submitted a joint tender with Brigalow Mines Pty. Ltd. for the supply of steaming coal to a new power station to be constructed in this State? The report also states that, should the tender be successful, Brigalow Mines will acquire a 50 per cent interest in the deposit and Exoil will receive \$200,000 upon delivery of the first supply of coal. As all honourable members are aware of the Premier's interest in Exoil, will he assure the House that the proposed payment of \$200,000 will not influence the decision on who will be the successful tenderer for the supply of this coal?

Mr. ACTING SPEAKER: Order! The honourable member could be imputing improper motives, but I will leave it to the Premier to decide whether he will answer the question.

Mr. BJELKE-PETERSEN: The issue in connection with this particular company is one that A.L.P. members like to pursue from time to time. As I have indicated many times, I have absolutely nothing to do with it and I know nothing about the matters to which the honourable member has referred.

PROPERTY INVESTMENTS BY EXOIL

Mr. N. F. JONES: The report to which I referred earlier also states that Exoil has diversified its holdings by moving into property investment with a Sydney real estate firm. Could the Premier inform the House whether or not Exoil is going to take similar action within the Brisbane metropolitan area, if it has not already done so?

Mr. ACTING SPEAKER: Order! I think that question covers a matter that is outside the knowledge of the Premier.

LEASE FOR QUEENSLAND MARITIME MUSEUM, SOUTH BRISBANE DOCK

Mr. SHERRINGTON: I ask the Minister for Lands and Forestry: What is causing the delay in the decision on an application by the Queensland Maritime Museum Association for the long-term lease of the area including the South Brisbane Graving Dock for development as a maritime museum? When can a decision be expected?

Mr. RAE: It is very difficult for me to bring the honourable member right up to date relative to these findings and the considerations that affect them. I assure him that I will make it my business to have him advised as speedily as I can—possibly some time today or tomorrow—or to write to him on the matter and give him full information.

CLEANING OF RAILWAY WAGONS

Mr. HARRIS: I ask the Minister for Transport: Is he aware that railway trucks are being used to carry wet and blood-soaked ox-hides? Is he also aware that the same trucks are being used to carry perishables and other foodstuffs without being cleaned or washed out?

Mr. K. W. HOOPER: No, I am not aware of this situation. I will have the matter investigated immediately.

MESSAGE PARLOURS AND PROLIFERATION OF PROSTITUTION

Mr. BURNS: I ask the Premier: Is he aware of the proliferation of prostitution and the recruitment of young girls into the field of prostitution by the 30-odd massage parlours masquerading as health studios in this city? Will he arrange for an immediate investigation of the use of these parlours for prostitution, the 24-hour home service offered, the misuse of the word "health" in their advertisements, and the danger of the spread of social disease and, where necessary, for the prosecution of the pimps concerned?

Mr. BJELKE-PETERSEN: I inform the honourable member that the Prime Minister's female adviser has said that this sort of thing should not come within the framework of the law.

Mr. Burns interjected.

Mr. ACTING SPEAKER: Order! The honourable member asked the question. I should like him to listen to the Premier's reply in silence.

Mr. BJELKE-PETERSEN: As the matter affects this State, of course, this is an area with which I am completely unfamiliar. However, I will raise the matter with the appropriate authorities.

CROSS INFECTION FROM ABDOMINAL OPERATIONS, CHERMSIDE HOSPITAL

Mr. BURNS: I ask the Premier: Is he aware of the grave concern in medical circles at the decision of the Minister for Health to allow abdominal operations, with the resultant increased risks of cross infection, in the new operating theatres at the Cherm-side Hospital where normally only chest and orthopaedic operations are performed? Will he ask the Minister for Health to reconsider his decision in the light of the major opposition of the doctors and staff concerned?

Mr. BJELKE-PETERSEN: As the matter raised by the honourable member comes within the jurisdiction of the Minister for Health, naturally I am not familiar with its details. I am quite sure that the Minister for Health is well aware of the position. I am also sure that appropriate action would

have been taken to overcome any risk. However, I will refer the matter to the Minister for Health.

COMMISSIONING OF "MELBIDIR"

Mr. WALLIS-SMITH: I ask the Minister for Conservation, Marine and Aboriginal Affairs: What is the approximate date when the new "Melbidir" will be put into service in Torres Strait? Will he consider a visit to the islands by a parliamentary party during the coming recess?

Mr. N. T. E. HEWITT: As far as we can ascertain at this stage, the new "Melbidir" will be commissioned in Newcastle on about 30 May. Following that, there will be two weeks of trials before the vessel proceeds to the Torres Strait area. It will probably arrive there towards the end of June.

As far as a further parliamentary trip is concerned, at this stage, let me say that we had better have a good look at the matter. We now have various airstrips available in the area. There is one at Badu Island and another at Yorke Island. In due course one is to be provided at Saibai Island and another at Murray Island. Whether we continue the practice of parliamentary trips on the "Melbidir" is a matter for consideration.

BOAT RAMPS, EMBLEY AND MISSION RIVERS, WEIPA

Mr. WALLIS-SMITH: I ask the Minister for Conservation, Marine and Aboriginal Affairs: Further to his answer to my question this morning, relative to providing extra boat ramps at Weipa, will he indicate when the proposed new ramps are likely to be constructed?

Mr. N. T. E. HEWITT: At this stage, all I can say is that I will ascertain the required information and forward it to the honourable member.

FISH-STOCKING OF STREAMS AND DAMS

Mr. WALLIS-SMITH: I ask the Minister for Primary Industries: Further to his negative answer to my question this morning regarding the fish-stocking of streams and his replies to my previous questions on this subject over the years, will he now indicate if any work is being done in this field in Queensland? Does his answer mean that no stocking of streams and dams will be carried out at any time?

Mr. SULLIVAN: Work is being carried out in Queensland. Is the honourable member talking about the Nile perch?

Mr. Wallis-Smith: In my question this morning I referred to "any other species".

Mr. SULLIVAN: The answer to the honourable member's previous question was correct. As far as Nile perch are concerned, investigations are being carried out. Research ponds are now being built at Walkamin.

ALLEGATIONS OF MALPRACTICE, MAROOCHY
SHIRE COUNCILLORS

Mr. BALDWIN: I ask the Minister for Justice: Will he table at the earliest opportunity the report of the Crown Law Office investigation into alleged malpractices by members of the Maroochy Shire Council during the period 1970-73?

Mr. KNOX: These documents must be regarded as privileged communications. Moreover, I understand that there is the possibility of litigation in this matter, so I do not think I am at liberty to table them.

ELECTION OF LORD MAYOR, BRISBANE
CITY COUNCIL

Mr. TUCKER: I ask the Minister for Local Government and Electricity: If, as appears from the Minister's reply to a question asked today, the amendment to the City of Brisbane Act whereby aldermen elect the Lord Mayor has proved to be so successful, is it his intention to implement this principle throughout the whole of the local authorities in Queensland? If not, will he give his reasons for not doing so?

Mr. McKECHNIE: The answer to the honourable member's question is "No." I followed the example set by a previous Labor Government, which introduced separate local government legislation to cover the city of Brisbane.

USE OF NEW FARM POWERHOUSE BUILDING
AS TECHNOLOGICAL MUSEUM

Mr. HARVEY: Previously I gave notice of a question, and, with your indulgence, Mr. Acting Speaker, I now redirect it to the Premier without notice. My question is: In view of the closure of the New Farm Powerhouse and the benefits to be derived from its conversion into a technological museum, will he ascertain whether the building can be procured and set aside for future development as such a museum?

Mr. BJELKE-PETERSEN: I do not have particular knowledge of the building in question, nor of any plans to set it aside or, alternatively, to demolish it. However, I can assure the honourable member that I will have his suggestion investigated and will acquaint him with the result.

LOCAL GOVERNMENT ACT
AMENDMENT BILL
SECOND READING

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (12.3 p.m.): I move—

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

I gave honourable members a summary of the principal provisions of the Bill at the introductory stage, and I think it is fair comment

to say that the Bill was favourably received by the Committee. Matters raised by honourable members during the introductory debate were covered in my closing speech, and I do not think it is necessary for me to deal any further with them.

There is, however, one provision contained in the Bill to which I would like to refer, namely, the provision which empowers a local authority in its discretion to make and levy differential rural rates. As I explained in my introductory speech, the Bill permits the local authority to levy two levels of rural rates, subject to the resolution fixing the rates defining the circumstances governing the levy and the areas to be embraced by the rates.

I would stress that the exercise of this power is discretionary on the part of the local authority, and the local authority need not exercise the power if it does not wish to do so. A number of local authorities have requested the power to make and levy a differential rural rate, including the Wambo Shire Council with headquarters at Dalby. My colleague the Honourable V. B. Sullivan, Minister for Primary Industries, is fully conversant with the position as it applies to the council mentioned and he has made representations on its behalf for the amendment concerned.

As I mentioned in my introductory speech, the Wambo Shire Council desires power to levy a differential rural rate to overcome rating anomalies which exist in treeless plains areas of the shire. Certain other parts of the shire which were originally timbered but were cleared many years ago are now equally productive with these treeless plains areas. Owing to the reduction for timber treatment allowed in the determination of the unimproved value of these originally timbered lands, they now enjoy a much lower rateable value than the treeless plains areas. This means that the owners of the treeless plains lands are in an unfavourable position so far as rating is concerned compared with the owners of plains originally timbered, although both areas are now equally productive.

Other local authorities have also requested power to levy differential rural rates to overcome rating anomalies in their areas, for instance, the Rosenthal Shire Council in respect of treeless plains and black soil areas in that shire, and the Rockhampton City Council in respect of certain rural lands adjacent to the boundary of the Fitzroy Shire Council, which are subject to periodic flooding and where building activities are severely restricted by the council.

In the long term, it is felt that the solution of these rating anomalies lies in an appropriate amendment of the Valuation of Land Act, and it is intended to look into this matter as soon as the opportunity offers. In the interim, we feel that an amendment of the Local Government Act is necessary

and desirable to enable local authorities, in their discretion, to levy a differential rural rate to overcome these anomalies.

In the end result, the amendment will enable the local authority to secure a more equitable system of rating in its area and thus benefit a number of ratepayers who are subject to these anomalies.

As I mentioned at the introductory stage, many of the amendments contained in the Bill were the subject of requests by the Local Government Association of Queensland. All the amendments have been discussed with representatives of the association and of the Institute of Municipal Administration, which consists of practising local government clerks in the State. We feel that the amendments contained in the Bill will assist local authorities in providing more effective local government for their areas.

Mr. BALDWIN (Redlands) (12.7 p.m.): Today, the Minister has done no more than emphasise a few of the major points on which contention evidently has arisen in circles outside the staff in the different local government areas. That is significant and I will deal with it later in my speech.

It becomes apparent after a study of the Minister's introductory speech, his reply at the introductory stage, the Bill itself, what was said in debate, and what is contained in parts of relevant Acts such as the State and Regional Planning and Development Act that this Government is proceeding with its usual, dual role relative to local government.

In the amendments we are discussing we see on the one hand a move towards greater authority and responsibility, especially in the less politically popular areas, which contrasts strongly with the Government's moves on the other hand, as set out in the State and Regional Planning and Development Act and other legislation such as the Clean Waters Act. This dual role creates the paradox that is the leit-motiv of all recent State Government legislation bearing on local authorities, that is, that the Government is obviously torn between the desire to keep its power base in local government by increasing the authority and responsibility of local government, and, at the same time, make as much money available for State Government financing of private enterprise by unloading as much as possible of the burden of financing local government, and getting as much as it can from local government for its own purposes through its Clean Waters Act, State and Regional Planning and Development Act and so on.

Since studying the Bill, I can say we are disappointed that other matters, which obviously need updating to increase the democratic rights of ratepayers and electors, have not been updated. Opposition members hopefully expected that the Bill would provide an expansion and extension of democratic rights. It is not that the Bill contains none of these, but we contend that it contains nowhere near enough considering the length

of time the Local Government Act has been in operation, and the other important areas of conflict that have arisen in that time. For instance, we consider that the all-important matters of election of councils—matters that have been raised in this House since the last local government election, which is the basis of any local democracy—would have received more consideration in the Bill. This was made especially necessary by the change in voting-polling procedures under the recent State Electoral Districts Act Amendment Act 1971. I suppose that the greatest and most widespread confusion of all time took place in the local government elections on Saturday, 31 March 1973.

There is no doubt in the minds of most of us who follow the process closely that much confusion was caused by the wide disparity amongst voting-polling procedures of Commonwealth, State and local governments. We propose, in accordance with our long-advertised policy, that uniform voting procedures be introduced as far as possible to facilitate the most democratic action that electors can have at any level of government, that is, the election itself. This is long overdue.

We had hoped that there would be a return to the provision that councillors who themselves caused vacancies in councils for any reason at all within reasonable periods of the elections would have their positions filled by election rather than by selection, which reduces democratic power and increases the power of the establishment in local government.

We also hoped to see the rights of appeal by petition and poll of electors updated more and extended more.

Mr. ACTING SPEAKER: Order! I hope that the honourable member realises that he is dealing with the second reading of the Bill and that, therefore, he must confine himself to the provisions of the Bill. He has a printed copy of the Bill and would now know its contents.

Mr. BALDWIN: Yes, Mr. Acting Speaker. I said that at the outset.

Mr. ACTING SPEAKER: Order! Elections do not come into it. There has been no alteration by the Bill.

Mr. BALDWIN: I said that at the outset and pointed out that we hoped—

Mr. ACTING SPEAKER: Order! In that case, the honourable member should have known better than to embark on this line.

Mr. BALDWIN: Thank you, Mr. Acting Speaker.

Referring to the right of appeal, which is a matter covered by the Bill, I said we had hoped to see the right updated and extended for various reasons which I shall outline later. We also hoped to see the right of appeal by ratepayers to the Local

Government Court extended further than is done by the Bill. We could cite many more such hopes, but time does not permit.

It is clear to us that even though many of the provisions contained in the Bill are desirable—and we must say that because they are somewhat in line with Labor local government policy—the proposals are mostly those which give the local authority more power—and ease in achieving and using that power—to gain from the ratepayer more money from the use of that power to provide services. I hope that the Minister will have his department investigate these important aspects of local government and draft suitable amendments for presentation to the House in the next session. To assist him, I shall gladly forward him a complimentary copy of our policy.

It is obvious that the Government is reaching a point where it must make a clear decision on what it plans for the future of local government—whether local government is to be accepted as being completely within and under the control of the State Government, through its Local Government Department, and fully responsible to it, or whether it is to be allowed to operate progressively outside State control. We have had recent questions on the matter of protection, control and responsibility concerning local government officers running elections, to cite one particular point. However, on the principles of the Act and those contained and implied in the clauses of the Bill, I feel that we have just cause for the accusation of an overweighting of amendments to the Government's benefit.

The principle of exchanging land between owners and local authority appears, from the manner in which the Minister explained it, to be very desirable. But experience gained in this House leads me to look deeper into the possibilities of such proposals without stated safeguards. No doubt the Minister will tell us, as Ministers usually do, that all safeguards will be set out in regulations under the relevant clauses of the Bill when it becomes an Act. But I regret that this is not reassuring enough to me in the light of nasty experience with regulations. On behalf of the Labor Opposition, I request some reassurance from the Minister in his reply on the matters that I shall be bringing before the House.

On the matter of exchange of land, not only must there be envisaged a "like with like" basis and a cash balance for any imbalance, but, in addition, we request that some kind of compensation, not necessarily cash, be made for severance and for other losses that could occur.

In addition to these matters of exchange, there is the very important matter of safeguarding the public interest. If land is to be exchanged by a local authority, the land it acquires as a result of negotiation must be acquired for a stated purpose, and,

if Parliament is to remain the responsible body, that purpose must not be changed without the consent of Parliament.

Mr. Hinze: Do you think it should?

Mr. BALDWIN: Whether I think it should or should not is a matter quite outside the ambit of the Bill. I hope a suitable opportunity will be presented later, and I shall then gladly give the honourable member my considered opinion.

Mr. Hinze: For what it's worth.

Mr. BALDWIN: That also is the honourable member's opinion.

Too often we hear of land being acquired for one purpose and, at a cost to ratepayers, being held for some years as a park or recreation reserve. It is then rezoned and rezoned, and finally it finishes up in the hands of private subdividers. Perhaps this is the main object of this portion of the legislation, although I hope I am wrong in saying that. However, as I said at the introductory stage of the Bill, if the object is to aid the public—unfortunate landowners in flood-ways or other undesirable situations, such as areas of high noise and irritating industrial activity, and perhaps even local authorities in their progressive plans—we on this side of the House will give the proposal our whole-hearted support.

However, where it is proposed to alter contracts in relation to the exchange and use of land, it strikes us that if the Government was really intent on extending authority and responsibility to local authorities, the Minister should have given consideration to extending the amendments beyond the single purpose of exchange of land to include power to accept tenders for particular projects in respect of which experienced contractors, who use advanced methods, have seen that different means would achieve the same purpose more efficiently and at lower cost. The Local Government Act should give power to local authorities to accept that situation under certain conditions. As the present principle of contracts is applied, councils are precluded, because of the cost, from calling new tenders. The restricting principle thus contributes to the loss to shires and ratepayers alike.

I now wish to refer to that part of the legislation that conveys to local authorities the right to strike a levy against various costs associated with future water reticulation. In effect, such a levy is a rate charge for a service not yet available. It is said, as a reason for the levy, that by paying more now the local authority, hence the ratepayers, will save money later. That reason is based on the assumption that borrowing money in the future will be more expensive.

A similar provision was applied to sewerage reticulation in 1971, and some shires have moved in that direction already. But what happens if interest rates are reduced in the future, as they are likely to be under

some of the fiscal and economic proposals of the new Federal Labor Government? Will the forced donors get back some of their \$20 levy? One might well say, "Don't laugh. We know they won't." What happens if a ratepayer who has paid his \$20 a year forced loan for four years leaves the shire or the benefited area before he receives the service? Will he get back any of his \$80?

Mr. McKechnie: He sells his right.

Mr. BALDWIN: What if he is a tenant and pays a high rental on the basis of escalating costs?

Mr. McKechnie: The rental increase will lag behind the raised rates; it always does.

Mr. BALDWIN: I have never heard of a landlord making a gift to a tenant on the grounds that he has paid more rent than he should have.

Mr. McKECHNIE: I rise to a point of order. That was not the point I made. It was that when water is being installed and the rates are raised, one does not find the landlord waiting on the step next morning to adjust the rent accordingly. The matter is one that is adjusted over a period, and if the tenant leaves the house at some time—

Mr. ACTING SPEAKER: Order! I do not think there is any real point of order. The Minister can answer the honourable member in his reply.

Mr. BALDWIN: The honourable gentleman has, I think, missed the point that the landlord will have been paying the \$20 levy and will automatically pass it on as a cost to a tenant, and the tenant has no way of getting that back if he leaves the area. However, I am sure that the Minister will answer that point more fully in his reply.

If it is necessary to ensure the profits of the big lenders to local authorities against rising prices and rising interest rates, why not give ratepayers the opportunity to invest by treating their \$20-a-year levy as an interest-earning loan or as interest-bearing notes? After all, any interest earned by persons such as ratepayers in the area would then come back to the district. It does not leave it, as is the case with interest earned by big absentee lenders.

With respect, I draw the attention of the Minister to local authorities in other countries such as the United States of America, Canada, and Holland, where pre-rate payments are invited as investments, along with other advanced fiscal policies of which this behind-the-times Government has never heard. Ratepayers in some categories actually receive a cheque with their rate notice as a credit balance between their share of what the shire earned and the amount of their rates and charges. I draw attention particularly to the position in British Columbia and Alberta.

In addition to this levy, it is now the practice of many local authorities to charge what is virtually a hire-purchase repayment for sewerage installations on private property. For instance, in the Albert Shire, which is one of the most expensive shires in Queensland, always leading in the field of financial gain, and one of the first shires to institute a sewerage levy in 1972, ratepayers are not given the chance to own any part of sewerage installations on their own properties. Will the same apply to water installations? The shire buys all, installs all, and owns all up to the pedestal, and then rents the lot back to the householder at an unconscionably high charge of \$60 per annum. We must all hope that the same sort of situation will not arise with water installations. The householder is, however, liable for all breakages of any kind, simply by reason of the fact that the council's property is on his property and he should take all care of it.

In addition, if this levy is taken into consideration with the hire-purchase rate (which I hope will not be imposed on the water installations), investigation and experience show that the average life of sewerage installations is about 40 years. On the rental scheme that it has imposed on sewerage installations, the council will make a very nice profit over that period of 40 years. Incidentally, I have calculated figures, which I have disseminated in various places, showing that in the case of sewerage over a 40-year period it is possible for a local authority to get \$1,700 out of a ratepayer. It is now proposed, of course, to extend that principle to water supply and provide another gift, perhaps up to \$100. At \$20 a year, with a five-year period to finish the work before the last person gets it, some ratepayers will contribute \$100, on the assumption that interest and other charges will increase and that they will be the last on the line. They will pay \$100 more than anyone who is first on the line.

As I have implied, I know that something has to be done. But why not do it a better way? Of course, this does not conclude the possibilities that exist under paragraphs 5 and 6 of section 21 of the principal Act with the extension of benefited-area rates. Once again, for the third occasion in four years, we are confronted with an extra intrusion on individual rights of property-owners and a charge for the privilege of so doing. The principle being put into operation by this State Government towards local government is one which I have had cause to comment on previously in this House. I refer to the principle of giving local government, along with administrative responsibility and authority, the burden of financing such activities.

This wider power to reap more money from the ratepayer will no doubt be followed as usual by a further reduction in subsidies on sewerage, drainage and water extension work. I hope not, but if previous experience is a

guide, that is the path that will be trodden by the State Government. The larger proportion of money that once found its way from the Federal Government through the State Government, to local government has been drastically reduced by the State so that the enterprises of foreign ownership can be financed to make more profit, as well as make some for their friends. These matters are of great importance and are reflected in greater burdens on local authorities through changes in sewerage, water supply and drainage laws.

Another money-grabbing principle written into the Bill is the proposed minimum rate of \$10. We assume, of course, that this is a "maximum-minimum" that can legally be set. Even though we appreciate the reasons given for this, and this discretionary power of a local authority to fix its own minimum anywhere below the \$10 level, we know that there are some cases where such a minimum of \$10 a year would be detrimental in every way to owners. The sum of \$10 a year or 20c a week is a lot to the pensioner who wants to retain equity in his land and who perhaps has to pay other charges and levies as well.

It has been said by the Minister in justification of a minimum rate charge—in my opinion the maximum of \$10 will fast become the norm—that it is to cover costs of administration and the collecting of the rates. At the same time, it is proposed to increase these costs of collecting by having as many as four rate notices issued in each year. If ever there was an illustration of the famous Reinhartz principle of high factor self-regeneration applied to a recycled cost spiral, then surely this is one! In effect it is going to be made easier for the rate-payers to pay the higher rates by quartering the amount repayable, multiplying it by four, and then charging the ratepayers for the cost of doing so. One would think that with the mechanical and electronic computerised accounting methods installed in most of the high-density areas, where this kind of thing will have to be done, the extra cost could be easily absorbed so that the \$10 minimum charge would not have to be levied.

No doubt many honourable members on both sides of the House will have much to say about this Government's long-awaited and strange direction of acceptance of Labor's policy of differential rating. In my speech at the introductory stage I pointed out to the Minister that his definition of "treeless plains" was too vague, and that within his definition it would not be stretching the meaning of the proposal to decide that a huge overseas company growing grain, wool or meat qualified for a rating one-tenth that of a householder or a small farmer who had preserved some part of his property for shade trees. I would prefer at this stage to direct the Minister's attention to the basis used in many other countries where it is the value of the buildings on the land that mainly determines the rate payable. That basis is differentiated from

purpose to purpose. Where land for sale has become scarce, such a method has much to recommend it. The two-level rural differential proposed is the one which would no doubt have caused controversy within the Local Government Association. No wonder! There will need to be very far-reaching and tight regulations thrown around that one if graft, corruption and "cronyism" are to be held in check.

Mr. Hinze: Why do you say that?

Mr. BALDWIN: Because it is going to be at the discretion of local government.

Mr. Hinze: Do you think they are all crooks?

Mr. BALDWIN: I did not say that and the honourable member cannot put words into my mouth. The honourable member has had enough to do with local government and reads enough in the daily Press to know that where there is smoke there is fire.

Mr. Hinze: Therefore you are saying that they are crooks?

Mr. BALDWIN: I am not saying that. My references in this House to malpractices can be traced back to only four shires, and to only three or four people within them. I do not think the honourable member has any cause for making that extension to the meaning of my comments.

More importantly, if, as the Minister has implied, the criterion for rating in rural areas is to be productivity, I venture to suggest that this Country Party-dominated Government will lose at least 10,000 votes. The Local Government Department, in its proposals in this respect, has opened up a further avenue of revenue. I say that this is a contentious matter because rating by productivity is a movement towards a more socialistic process of gaining rate revenue than that of land valuation or the valuation of buildings on land. There is, however, obviously a link between the two. But there are other factors that I am sure have not escaped the Minister and make a venture in that direction a very hazardous one.

The department is opening up yet another avenue of revenue by its proposal to increase interest on arrears of rates from 6 per cent simple interest to compound interest at 8 per cent or some other percentage to be fixed from time to time. On arrears, for the first year of indebtedness it will cost 2 per cent more to remain in debt, for the second year it will cost 3 per cent more, and so on. If it is intended to charge at this increased rate on all moneys in arrears—and the Local Government Act makes provision for this—the arrears of \$133,000 in the Redland Shire as at 30 June 1972—

Mr. Hinze: Have you paid your rates?

Mr. BALDWIN: I have only been in the shire for four months. The honourable member can look to his colleagues who previously controlled the shire for the answer.

As I was about to say, the arrears of rates of the Redland Shire are increasing, and by 30 June 1974 at the current rate of increase the shire can expect to earn an increase of more than \$6,000 from its debtors—provided it gets its money back—and the Albert Shire will earn an increase of more than \$8,000.

Mr. Hinze: Do you give a 10 per cent discount if rates are paid before a certain date?

Mr. BALDWIN: Yes, the Redland Shire Council has a discount system, with which I am in complete agreement in principle.

I have based my calculations of the difference as at June 1974 on 8 per cent compound interest.

Although I agree in principle with closing the differential between shire interest at 6 per cent on debts and some investment at 13 per cent, I suggest that the interest rate on investments should be reduced to discourage the debt-interest exploiter in local government. Nevertheless let us look more closely at the person who will be affected to the greatest extent by this provision. I admit that the deliberate large debtor has an adverse effect on the shire.

Take the case of age pensioners who are given permission to deduct general rates from the value of their estates at death. The increased interest charge on an optimum indebtedness of \$1,000 for an estimated average termination period of 10 years would mean a difference of approximately twice as much interest as if it remained at 6 per cent simple interest. The number of age pensioners in the State who receive such remissions is not known, but I suggest the number would be in the tens of thousands. A calculation based on that estimate would suggest that hundreds of millions of dollars could be returned over a period of 10 years from their estates to local authorities.

The other member of the community who is most prone to rate indebtedness over a period of years is the man on the land. During drought periods, such as the last 10-year drought, many farmers owed hundreds of dollars in rates for many years. Without the records it is impossible to assess how much interest at 6 per cent they paid before the rate moratoriums were granted. One estimate that can validly be made now is that for every \$1,000 owed at the end of a five-year period, each farmer would pay out \$160 more in the event of a drought forcing a five-year non-payment of rates. This is known to have occurred. Farmers have walked off their farms and left them to the shires and the rate of indebtedness alone is very great.

Mr. Hinze: Have they done that in Redlands?

Mr. BALDWIN: No. The Redland Shire has not had a drought as severe as the one experienced out west.

If the Minister could assure me and other members of the Opposition that an increased interest rate will hit the deliberate evader-investor harder than it will hit pensioners and farmers, I would have to accept the lesser of two evils and hope for the best. However, as he previously assured me that the department does not record even less complex and detailed information, it must be assumed that he is hitting at the lot—pensioners, farmers and investors who owe rates—in the hope that local government authorities will benefit financially. We all have the same hope.

Unless the Minister is assured that all farmers' arrears in drought-time will be paid by the Commonwealth and the State, he is prepared to sink the drought-affected farmer to get at the other groups. That is a very strange attitude to be adopted by a Country Party member; at least, it seems very strange to the Opposition. All honourable members will agree that it sometimes becomes necessary for a local authority to take such steps, but we shall oppose this step because we do not believe there are sufficient figures available to validate the differential that will affect the pensioners and small farmers.

Honourable members will agree that it sometimes becomes necessary for a local authority to sell land for arrears of rates. When that happens now, safeguards are set down under the Act; but land of considerable value could be sold for an amount less than the arrears and costs of sale, leaving the owner with a balance owing. That is not uncommon, and in such cases the balance is usually a bad debt and the local authority suffers. If it were not a bad debt, the farmer would have been able to pay. To cover the possibility of loss, it is proposed to allow the authority to set a reserve price. If this price is not realised, the authority can possess the property and it is deemed that a sale took place. After the payment of all moneys owing, the land will remain the property of the local authority.

As much as we can appreciate the necessity for local authorities to sell property for rates left owing too long, it is difficult to extend our acquiescence to allowing any local authority to agglomerate land under the terms set down, and at the ratepayers' expense. Obviously other moneys owing on the land—and there usually are in these cases—must be found from the general fund. While the council is acquiring land it will be mostly acquiring a debt at the same time under the conditions. Obviously, if the property cannot be sold on one occasion the authority must wait for another occasion, which might be years later.

Strange omissions of all kinds occur in local government arrangements to sell land. This appears to have happened when well-known Chairman DeVere, of the recently notorious Maroochy Shire Council, took certain action. It is alleged that this gentleman somehow forgot the rules again and made the "slight" mistake of selling a valuable

piece of land without following the directions contained in the Act. I understand from my contacts in that prospering seaside shire that the transaction has been declared illegal by the Crown Law Office. I am pointing out that mistakes do occur, some of them being understandable. Had the victorious chairman's memory lapse gone unnoticed, the land could have—and no doubt would have—been sold at somewhere near its true value at a later date. But not with benefit to the shire, of course, or to the person who originally owned the land.

No doubt it is very reassuring to the Minister that under this new proposal such worthy friends of his and of his colleague from Landsborough will have a safer way of achieving lucrative personal return under the provisions of the Act—that is, if they are sufficiently patient. The proposed amendment will allow the local authority creditor to be deemed the purchaser at the reserve price, which the local authority itself will set. The reserve price could be set at such a high level as to preclude sale. There is no subsequent provision to protect the original owner from unjust treatment should the property be offered for sale again at a new reserve price. I believe that a fixed period of, say, six years should be set within which the original owner's rights and equity are protected.

We would like to see written into the appropriate place some safeguard such as that if the land deemed to be purchased at the reserve price originally fixed by the local authority shall be sold within a period of six years from the date of sale for arrears and, where such subsequent sale realises more than the original reserve, all moneys remaining, if any, after debts, costs, etc., as laid down elsewhere in the Act shall accrue to the owner as described. I must oppose the amendment as it stands unless there are safeguards assured by the Minister.

With increasing sewerage, drainage and flood-mitigation problems becoming more frequent and severe in many areas of variety of land use, the question of differential rating, levies and special rates in areas declared to be benefited becomes ever more pressing and important. It is also incumbent on local authorities to be able to recognise which kind of problem it is confronted with and what areas should be first brought into works to help solve the problem. Once this and the priorities have been established, it is then possible to designate benefited areas with more accuracy. Even when the best possible technical advice is available, small areas of error can arise because of local peculiarities. I emphasise that there does not appear to be any safeguard from such possibilities that experience has told many of us do occur in the Act or are implied in it, or that perhaps later regulations can encompass.

To encompass such cases, the right of appeal by residents in benefited areas should always be provided. As I mentioned before,

there is no right of appeal in this particular case. However, neither in the Act nor in the relevant amendment does there appear to be any right of appeal for the ratepayer who believes himself to have been wrongfully included in a benefited area. A case in point which illustrates excellently two aspects of my contention is the Woongoolba drainage scheme. Without going into details of the whole scheme as it was when I won the seat of Logan in 1969, it is sufficient to say that, in the first instance, the scheme should not have been designated as a drainage scheme alone. Since it was so designated, areas were included which, far from being benefited, were even being disadvantaged. Yet the owners were expected to pay the benefited-area extra rate, and they had to continue to do so because there was no right of appeal past the local government decision.

All the coercive force of drainage committee members, cane-grower directors of Rocky Point mill, councillors and council was brought to bear to get extra rates even from pensioners and other retired persons who could not possibly benefit from the scheme. Some paid, others did not; even farmers, whose common sense and knowledge from generations in some areas told them the scheme was wrongly designed and wrongly oriented, refused to pay. Worst of all was the situation of some of the arrow-root growers, such as Mr. Bill Kuken of Norwell, and the pastoralists, like the Van Amstels of Ormeau, who were actually suffering because the salt barriers were acting also as flood barriers, making enlarged flood areas. Those farmers were declared to be in benefited areas, and they had no right of appeal.

If these persons had been given the right of appeal they could have saved themselves and others, and the shire, too, hundreds of thousands of dollars of unnecessary expenditure and loss. It was only a vote forced by an active section of the farmers that broke the no-appeal barrier and prevented further error. This was responsible for gaining a breakthrough in the flood-drainage problem.

A petition which I worded at the request of a group of farmers changed the direction to that of flood mitigation combined with drainage, and as such it will go a long way to benefit the whole area. I might remark at this stage that the petition forms were taken by one councilor, Charles Holm, who brazenly stole the idea as his own and turned his position on the council into an avenue of appeal. I think that his action did break the barrier, regardless of his motives. I concede that nothing but good came from it. Right of appeal should be written into the proposed amendment. I believe that the need for right of appeal has been more than adequately shown in these cases, and we strongly oppose the legislation as it stands without the right of appeal.

The extension of the provision for local authorities to enter into the financing of street lighting is a logical consequence of the removal of electricity-generating plants from the ownership of local authorities. The granting of power to local authorities to finance undertakings that will benefit many working people who now have to stumble home in the dark over unformed footpaths in certain shires outside Brisbane is, of course, something that the Opposition could not possibly oppose. We hope that provision will be made for reductions in rental, or perhaps the elimination of rental completely, in the case of local authorities that are providing the electric fittings for street lights in their areas. I hope that these matters will be covered by later regulation and agreement, and at this stage I should like it made clear that this point has been noted.

The problem of the time gap between ministerial approval and gazettal of re-zoning is one that I, and many other honourable members, have encountered. In some parts of the Albert and Redland Shires injurious, non-residential use has been spotted irregularly among houses. It is not uncommon in some parts of these shires to find noisy, irritant-producing industries placed alongside houses, schools and other buildings from which they should be far removed. This type of development is in many cases the result of the time gap that the Minister mentioned in his speech at the introductory stage of the Bill. I believe, as he does, that the elimination of this time gap will go a long way towards preventing this type of spot-placing of non-conforming industries among houses. I do not know how many petitions and letters the Department of Local Government has received from the Redland and Albert Shires on this matter alone. It is therefore pleasing to see that an attempt is now being made to close this gap.

On the matter of the interim development by-laws, which have been a source of loss, irritation and unhappiness to many people, we say that they would have been unnecessary if initially a greater right of appeal had been extended to ratepayers. I know of many cases in which ratepayers have been quick to see the possibility of suffering from the non-conforming use of land, but the avenue of appeal has not been wide enough, or kept open for long enough, for use to be made of it. Instead, people have been forced to have recourse to lengthy, costly, and mostly, unsuccessful, litigation.

I realise that the time allotted to me has nearly expired and that there are others who want to speak on this very important matter. However, before resuming my seat I must say that I would have liked much more time to deal more deeply with the very important matters covered by the Bill. I express my disagreement with the late hour at which the amendments were brought down, and the short time between the introductory stage of the Bill and its second reading. This

matter is so important that every opportunity should have been provided to give it the closest attention.

Mr. HARTWIG (Callide) (12.50 p.m.): I rise to pay tribute to the men who comprise the local government structure of this great State. The honourable member for Redlands spoke at length, and in my view cast some doubt upon the integrity of those who are administering local authority affairs and looking after the welfare of the people in their areas. In supporting the amendments proposed in the Bill, I point out to the House that up till now local government has been a great voluntary machine. Dedicated men have contributed much to the welfare of the residents in their particular shires, and, having been in local government myself, I am alarmed and disturbed by the insinuations cast upon these people, particularly members of the Redland Shire Council, by the honourable member for Redlands. In the Redland Shire, which is right in the heart of the honourable member's electorate, Councillor Wood has performed a mammoth task of administration.

Mr. BALDWIN: I rise to a point of order. I ask the honourable member to withdraw those statements. He has gone beyond what I said. I did not mention Mr. Wood or the Redland Shire.

Mr. ACTING SPEAKER: Order! Is the honourable member saying that the matters raised by the honourable member for Callide are offensive to him?

Mr. BALDWIN: They are offensive to everyone.

Mr. ACTING SPEAKER: Order! On a point of order, the honourable member can only ask for a withdrawal if the remarks are offensive to him.

Mr. BALDWIN: The remarks are offensive to me because they are untrue.

Mr. ACTING SPEAKER: Order! I ask the honourable member for Callide to withdraw his remarks on the Redland Shire and Councillor Wood because the honourable member for Redlands says they are offensive to him.

Mr. HARTWIG: I withdraw them, Mr. Acting Speaker, but I refer honourable members to his statement. He said that he lived in one of the highest rated shires in Queensland, and he mentioned the Redland Shire in particular.

Mr. BALDWIN: I rise to a point of order. I made it quite clear that I was talking about the Albert Shire. I do not even live in the Albert Shire. The honourable member is wrong. I ask him to withdraw his remark.

Mr. ACTING SPEAKER: On what basis?

Mr. BALDWIN: That the honourable member is making an incorrect statement. He is attributing to me something I did not say.

Mr. ACTING SPEAKER: In other words, it is offensive to you?

Mr. BALDWIN: I will say that he is lying in his speech about me.

Mr. ACTING SPEAKER: Order! Before the honourable member for Redlands becomes overheated, let me just try to cool the situation down. The honourable member is entitled to rise to a point of order and ask that something be withdrawn, but it must be personally offensive to him. The honourable member will withdraw his statement containing an unparliamentary term, and he will do that first.

Mr. BALDWIN: I withdraw the statement that he is lying about me and say that he is making a mistake.

Mr. HARTWIG: I view with concern the recent intrusion of party politics into the field of local government. Up till now, dedicated individuals have given the people of this State far better representation in local government than have those who have contested elections on a party ticket. I am sure that all honourable members are now greatly concerned about the future welfare of local authorities, particularly the smaller shires, throughout Queensland.

Let me turn now to the proposal to increase allowances from \$1,000 to \$1,500. This is long overdue, because councillors throughout the State, particularly shire chairmen or mayors, have a very onerous task. These dedicated men give much of their own time on a voluntary basis, and I think that the increase to \$1,500 per annum is certainly warranted.

It is good to see provision being made for the payment of an allowance to deputy chairmen. During the life of a council, the chairman could be away ill or he might take leave and make an overseas trip. During his absence the deputy chairman would have to carry on. In those circumstances an allowance to the deputy chairman for the work he performs is warranted. This is a very good provision. As I pointed out before, most of these people receive very little remuneration for their efforts and they give greatly of their time on a voluntary basis.

Up till now, in the declaration of a benefited area much time was lost in defining the area and submitting the scheme for approval by the Minister's department. When I refer to the department, I think of the wonderful job that it has done in the administration of local authorities throughout Queensland. I offer my congratulations to the present director of Local Government. I wish the late Mr. McNamara's successor a long and fruitful term of office. We can be assured of very good directorship under Mr. Jacobs.

Provision is being made for the transfer of money from the general fund to meet part of a deficiency in a sewerage or cleansing fund. In the past, the Act referred to the whole of the deficiency. For example, during the financial year a council's cleansing fund might be low and the council may want to buy a new truck. The Bill will allow the transfer of money from the general fund for that purpose. This good provision is in the interests of local government. We must commend the Minister for the introduction of any provisions which have the effect of improving the standard of local government throughout Queensland, although in my opinion, Queensland has the highest standard in the Commonwealth. We are very fortunate in that regard. In the other States rating has almost reached saturation point.

Through the Bill we are giving local authorities more power—rightly so—to define benefited areas and to transfer funds where necessary. All in all I must congratulate the Minister on bringing down these very necessary amendments. The honourable member for Redlands said that he will oppose some of the clauses. As one who has a great deal of experience in local authority matters, I believe that he should be welcoming the provisions rather than condemning them. That is not only my view but the general opinion of men experienced in this field. I do not know where the honourable member for Redlands gets his advice, but I am sure he has been wrongly informed on this occasion if he intends to oppose some of the proposed amendments. However, that is his prerogative.

The provision to levy rates on a quarterly or half-yearly basis as against a half-yearly and annual basis has merit. It will add a small fraction of cost to the administration of local government, but it will allow ratepayers, particularly workers, to pay rates quarterly rather than half-yearly or annually. I commend this provision. I have always favoured giving the worker an opportunity of paying as he earns. The introduction of quarterly payments, if a local authority wishes to introduce such a system, will benefit the smaller ratepayer and worker. However, I admit that such a system will bring with it some increase in administration costs.

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

Mr. HARTWIG: Before lunch I had been discussing the introduction of quarterly rating, which will encourage people to pay rates as they fall due. In many instances landholders are not able to make annual lump-sum payments.

It cannot be denied that there is a general tendency throughout the world towards a higher cost structure and, therefore, a higher rates structure. The introduction of quarterly

payments will enable those people who cannot afford to pay a lump sum once a year to pay their rates in smaller amounts four times a year.

Mr. Jensen: It also gives the councils the chance of getting in their money earlier.

Mr. HARTWIG: It certainly does. Councils will benefit a great deal from an increase in their revenue either every quarter or every half-year.

I am pleased to see the provision that will give a council the power to clean up vacant allotments. Far too often grass and rubbish are allowed to collect on vacant lots, thereby creating a menace to nearby residents. The Bill provides that the owner of a vacant block will bear the cost of any cleaning up that is carried out by a local authority.

Mr. Lee: Which is only right and proper.

Mr. HARTWIG: It is right and proper. The value of many properties slumps as a result of the untidy state of adjoining vacant blocks of land. Such allotments should be kept in order.

Mr. Jensen: The councils have always had that power.

Mr. HARTWIG: The honourable member displays his lack of knowledge. Some councils have that power; others do not. Those that do not have the power can clean up such an allotment only at the owner's request.

I pay a tribute to this Government, which, since 1957, has provided great assistance to the general administration of local government.

Mr. K. J. Hooper: The Country Party hasn't assisted, has it?

Mr. HARTWIG: My word, it has! To prove my contention, I point out that the Government has provided a great deal of assistance towards the construction at Yepoon of sewerage treatment works at a cost of \$1,000,000.

Mr. McKechnie: That applies to Brisbane, too.

Mr. HARTWIG: That is true. A good deal of the credit that has gone to Clem Jones should have gone to this Government.

Many towns now have sewerage schemes, swimming pools, and a reticulated water supply thanks to finance provided by the State Government. In my electorate the little township of Gracemere is getting a water-supply scheme at a cost of \$204,000. But for the Government's contribution of \$94,000 by way of grant and subsidy, it would not have it. That is the policy throughout Queensland, and under the present Government I am sure it will continue.

The Bill provides that local authorities may charge up to 8 per cent compound interest on arrears of rates.

Mr. Marginson: That's "crook".

Mr. HARTWIG: It is "crook" if we look at only one side of the ledger. However, this provision is necessary because many people, for one reason or another, refrain from paying rates. If a council or local authority is owed \$20,000 or \$30,000 in rates, that extra cost has to be borne in the Budget. People who do not pay their rates penalise the others.

Mr. Marginson: What about the poor people who cannot pay?

Mr. HARTWIG: I appreciate their plight. In my area we have not refused to accept \$5 or \$50 as part payment of arrears. That is the right attitude to be adopted by a local authority to its people.

Mr. Lee: You will agree that certain people are not paying their rates because of the low interest charge imposed by local authorities.

Mr. HARTWIG: That is one reason for introducing the amendment. I do not agree wholly with the interest rate of 8 per cent, but local authorities pay over 6 per cent interest on borrowed money. I do not say that we should burden people with compound interest of 8 per cent, but, by the same token, if local authorities do not take a stand, people will refuse to pay rates because they can get higher interest on their money. We must try to avoid that situation.

Mr. McKechnie: You are aware that this is the maximum rate. Local authorities may charge less in deserving cases.

Mr. HARTWIG: Yes. Local authorities do not have to charge 8 per cent, and I am sure that any council that wanted to remain popular with its ratepayers would be reluctant to impose such a rate.

The provision under which differential rating may be imposed in rural areas has something to commend it. Certain areas in the Fitzroy Shire adjacent to the Fitzroy River are paying high rates although the land is subject to flooding. Under this provision, the council will have power to strike a different rate to meet the circumstances. In this instance flooding has been mitigated by the construction of a barrage, but the land is still subject to flooding and therefore is not as valuable as other land. It cannot be built on and its use is limited.

I again pay tribute to the men associated with local government. I have made some of my best friends at local government conferences and district council meetings. We are heavily indebted to these men, who have carried out their duties virtually on a voluntary basis.

I have much pleasure in supporting the amendments proposed by the Minister, and hope that all Opposition members, too, will support them.

Mr. HARVEY (Stafford) (2.25 p.m.): This Bill contains 16 amendments. I think it is important to realise the functions of local authorities and to acknowledge that, under the statutes of the State, local authorities are a branch of the State Department of Local Government. They cannot function any more efficiently or effectively than they are allowed to by the authority and power bestowed on them by the State Government. It is therefore incumbent upon us to ensure that this authority and power is updated from time to time. Over the years, it has been necessary on occasions for the State Government to dissolve a local authority, place it on a strong financial and administrative footing, and then re-delegate power to its representatives.

The honourable member for Callide referred to non-party politics in local government. What would happen in this Parliament if it were controlled by a team of Independents with no joint-party policy to submit to the people for endorsement? We are here because we belong to the Labor Party, the Liberal Party or the Country Party. This is borne out by the fact there are only two Independent members, which indicates the need for party politics in this sphere of government. We are elected because we belong to certain parties with definite policies, and also because we have certain personal attributes.

Mr. Hartwig interjected.

Mr. HARVEY: I admit that there are horses for courses.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! The honourable member will address his remarks to the Bill.

Mr. Hartwig: People vote for individuals and not for the party.

Mr. HARVEY: Individuals have a certain backing but, if we all stood as Independents, very few of us would be returned. Let us face that fact.

The honourable member for Callide referred to rates per head of population. Recently, in a question directed to the Minister for Local Government, the matter of differential rates between local authorities was referred to. If the honourable member for Callide went to the Parliamentary Library and studied the former Federal Treasurer's report on payments to and from the States when he was presenting the last Budget he would see that Brisbane has the highest local-authority loan debt per head of population in Australia.

Mr. Hartwig: We have 22 per cent of the area, too.

Mr. HARVEY: I am talking about the amount per head of population, as the honourable member for Callide did.

Mention was made of subsidies. Before this Government came to power, the State Government was granting local authorities 50 per cent subsidy on storm-water drainage for mosquito eradication. That subsidy has been completely wiped out. The general works subsidy was 28 per cent. It was subsequently reduced to 22½ per cent. In every avenue, the rate of subsidy has been reduced. It will be very interesting, when the Treasurer introduces his Financial Statement later this year, to see what effect the direct Federal allocation to the local authorities, through the States, will have on the over-all capital works subsidy paid by the State Government. I am waiting to see what will happen in this regard. There has been a continuous reduction in subsidy. I refer to page 12 of the Bureau of Census and Statistics quarterly report, which discloses how subsidy cut-backs have taken place over the years.

If we face up to the fact of increased capital expenditure, we realise that there must be some reason for it. After all, there is only so much in the coffers, and therefore only so much to go round. I quite concede that point. However, no-one could truthfully say that local authorities are now receiving as much subsidy for each dollar spent on capital works as they were 10 years ago. The capital works of all local authorities have more than doubled in that period, but subsidies have not kept pace with that increase.

Mr. Lee: What percentage of Brisbane City Council rates goes in interest charges?

Mr. HARVEY: That is a fair question. If the capital loan debt of the Brisbane City Council is related to the total of general rates received, that total is not equal to the interest, redemption and servicing charges of the loan debt at the present time. Is that the point the honourable member wants me to make?

Mr. Lee: Yes. That is fair enough.

Mr. HARVEY: I always make honest statements.

I should like the Minister to make it clear when a chairman or deputy chairman of a shire is deemed to be absent from the local authority area. Under the Act covering the Brisbane City Council, which is quite distinct from the Local Government Act, the Lord Mayor is deemed to be in the city area if he is, for example, at the Brisbane Cricket Ground or out in Moreton Bay fishing. Provided he is within the confines of the local authority area, he is deemed to be present. If the chairman of a shire is actually in the shire, can he be considered to be absent? Does he have to be outside the shire area before he can be deemed to be absent? The provision in the Local Government Act may be different from that in the City of Brisbane Act

because many local authority areas in rural localities are enormous. I should like clarification of that point. In another part of the Bill illness is defined as a reason for absence.

I commend the Government for increasing the allowance of local authority chairmen from \$1,000 to \$1,500. I think it is essential that a chairman be compensated for his services; he should not have to pay to serve his shire, as has happened in some cases.

I also wish to refer to the exchange of land. When land is acquired or resumed, I suggest that the resolution placed before the local authority for the acquisition or resumption should state the reason for taking the land, and the purpose to which it will be put. In the interests of local authorities, it should be spelt out in detail that the land is required for over-all development, local authority purposes in general, or any other purpose.

Although I do not propose to repeat what I said at the introductory stage of the Bill, I wish to refer again to minimum general rates. Here I have an apology to make to the Minister. I promised that I would give him some details before the second reading of the Bill. I failed to do so, and I apologise to him for that omission.

Let me take as an example what is happening in Brisbane at present. General rate notices are issued half-yearly; rate notices for water, cleansing and night-soil removals are also issued half-yearly. In fact, people receive a quarterly account. In the first quarter they receive an account for the general rates for the half year; in the next quarter they receive a rate account for water, cleansing, night-soil removals and other charges. That reduces the burden on people in the low-income bracket and makes it easier for them to meet their financial obligations to the council. In view of that, instead of referring to general rates, I suggest that the Minister should consider using the words "general rates and charges", thus associating the word "charges" with the provision.

Another practice that is followed by the Brisbane City Council could well be adopted by other local authorities such as the Landsborough Shire Council, which has its headquarters at Caloundra, where there reside many pensioners and elderly people who find it difficult to make ends meet. In Brisbane, people can make arrangements to pay their rates by instalments. They are given a card by the Brisbane City Council and they pay so much a month instead of paying quarterly. I submit that suggestion for the Minister's consideration. Although some local authorities may not want that power, if a provision relating to it was included in the Act it would be possible to assist people such as those to whom I have referred if the need arose.

Mention has been made of the variation in taxes relating to sewerage and water. Admittedly a pedestal tax is imposed in Brisbane, but I think we might have gone a little bit too far and provided virtually an "open sesame" by allowing local authorities to determine the method they will use. I remind the House that the Bill provides—

"Any rate and/or charges made and levied by the Local Authority under this subsection may be made, levied and recovered in respect of any land or any structure, building or place on land..."

When I was visiting Kansas City, I went to the top of the 24-storey town hall and saw many open spaces in the down-town area being used for off-street parking. When I asked why, I was told that a general rating, a floor-space area rating, a capital improvement rating and a building and contents rating—four different ratings—were imposed on the one parcel of land. Therefore, in that area, if a person had, say, a four to six-storey office block that had become dilapidated over the years and from which he was receiving only a small return in rental, the rates imposed were so high that it was more economical for him to demolish the building and rent the land at \$3 a day for off-street parking. It is obvious that there is a limit to the rates and taxes that should be imposed.

If a site is being used for monetary gain and the land becomes more valuable as a result of improvements carried out by a local authority, I believe that the local authority is entitled to receive something from the over-all benefit that accrues to the owner. On the other hand, a single-unit occupancy in Queen Street should not pay rates commensurate with those applicable to a single-unit or residential occupancy in the heart of a highly developed area.

I mentioned earlier differentiation between rates, and the Bill contains provisions relative to rural rates imposed by local authorities. There can be one form of rural rating for one area and another form of rural rating for another area. When granted this power, the local authority should determine an over-all policy rather than deal with each application on its merits. Without an over-all policy, I can see dangers and opportunities for favouritism if each application is dealt with on its merits. The local authority should lay down a policy as to how many head of cattle could be carried per acre, the type of timber coverage in an area, and so on. I know that in Brisbane a rural rating applies only when so many head of cattle are carried per acre. In addition, the owner's income has to be derived from the land in question. If there is to be one form of rural rating for one area and another form of rural rating for another area, the local authority must have an over-all policy for its officers to administer. After all, the elected representatives are the policy-makers; the staff of the authority are the administrators. The two functions should be kept clear and distinct.

I speak from experience when I refer to the provision dealing with the period of disconnection of water supply. The Minister has nominated the period of one month, which, I take it, would be 28 days. The practice of the Brisbane City Council in respect to electricity accounts works very well. Once a person has had his electricity supply disconnected, he has to go to a great deal of bother to have it reconnected. Of course, the disconnection and reconnection of supply involves the local authority in certain expense. I suggest that in this instance the period should be 38 days rather than 28 days. I will follow that through.

When the account is sent out, the owner has 21 days within which to pay it. If he does not pay within 21 days, three days are allowed to elapse before a final notice is sent out. The final notice gives seven days within which to pay. After the sending out of the final notice, seven days are allowed to elapse before supply is disconnected. Under these circumstances a person cannot say that a cheque was in transit or a postal note went astray or something like that. Once supply has been disconnected the owner must pay his account before supply is reconnected, and the owner must meet the cost of reconnection. Over the years I have found that the period of 38 days is very effective. In the long run it paid off financially and, at the same time, established very good public relations.

At the introductory stage, when referring to the town-planning provisions, I pointed out what I considered was necessary to ensure that people on adjoining properties were duly informed. I asked the Minister to look at the provisions covering rezoning and site approvals. I spoke about reasonable advice to the other probable interested parties to enable them to object, if they so desired, through the appropriate machinery and within the time available to them. I will not repeat what I said at that stage. The property-owners whose land abuts the site in question should be advised by registered letter at the expense of the applicant. At the introductory stage, I spoke about the display of signs and so forth, and there is no need for me to repeat my remarks at this stage.

Provision is made in the Bill for contribution by the local authority towards the capital cost of installation of street lighting within its area. I suggest that if a local authority wishes to have installed a system of street lighting more efficient than that laid down in the Australian Manual of Street Lighting, it should bear the additional cost. That is only fair and just.

I draw the Minister's attention to a ridiculous situation that exists in the provision of street lighting. An electricity authority is required to meet the capital cost of the installation of street lighting on roads. The servicing, maintenance and energy charges are met by the local authority. However,

the capital cost of installation of street lighting on bridges is met by the local authority alone. I consider lighting on bridges to be equally as important as lighting on roads, so I cannot understand why there should be such a distinction.

The time must come when the general standard of street lighting is upgraded. These days the authorities tend to do too much thinking for the motorist—for example, by erecting warning signs at certain intersections. Although I think this leads motorists to the belief that only those intersections that have warning signs are dangerous, I suggest that intersections that are considered to be traffic hazards could be lighted by sodium-vapour lights and, in the case of those that are considered not to be dangerous, white or colour-corrected mercury lights could be used. The installation of the yellow amber sodium-vapour lights would serve a twofold purpose: firstly, the illumination of the intersection and, secondly, as a warning to motorists.

Mr. FRAWLEY (Murrumba) (2.49 p.m.): I congratulate the Minister on introducing this Bill. I also compliment his committee, which is ably chaired by the honourable member for Somerset—a man possessing a great deal of experience in local government. A tribute is also due to the Minister's staff, who have cudgelled their brains to produce the best possible measure in the interests of local government.

It is well known that at the recent local authority elections the A.L.P. attempted to gain control of local government. However, in both the Pine Rivers Shire and the city of Redcliffe it failed miserably. Only three A.L.P. members were elected in the Pine Rivers Shire, and none at all were elected in Redcliffe. As I say, the A.L.P.'s attempt to introduce politics into local government, especially on the outskirts of the city of Brisbane, failed miserably.

In 1967 the A.L.P. ran a team for election to the Redcliffe City Council. However, only one man was elected, and he lost his place on the council on 31 March. The people of Redcliffe, and, for that matter, the Murrumba electorate, are awake to the tactics adopted by the A.L.P. Local government should be completely devoid of party politics.

Local authorities are reaping the benefit of the Government's policy to relieve them of all the costs associated with the maintenance of main roads. Roads are a very important part of any local government's programme. It is very interesting to compare the vast difference between the development of main roads under the present coalition Government and that under former Labor Governments. In 1957, when the Government came to office there were 20,900 miles of main road in local authority areas. The figure now stands at 25,000 miles, of which 12,000 miles are bitumen sealed. By 1975, on present indications, all main roads in

Queensland will be sealed. Those figures are a shocking indictment of former A.L.P. Governments, which permitted the Queensland highway system to remain in very poor condition.

Local authorities were not forgotten in the last Budget.

Mr. K. J. Hooper: Have you lost your brief?

Mr. FRAWLEY: I have not. Unlike some Opposition members, I prepare any brief that I have.

At the present time chairmen of local authorities are paid an allowance. The mayor of the Redcliffe City Council is entitled to an allowance of \$2,000 plus \$1,000 attendance fee. I am concerned about the allowance for deputy chairmen. I hope that no council will go off half-cocked and give its deputy chairman the same allowance as that of the chairman or mayor. I should hope that all are wise enough not to impose another poultice on the ratepayers to cover big fees to deputy chairmen. I hope they will decide to pay about \$500 because, with the increase in members' fees from \$1,000 to \$1,500, that would bring the deputy chairman's rate up to \$2,000, which is adequate.

The fees for councillors or aldermen are to be increased from \$1,000 to \$1,500, and not before time because many councillors and aldermen have to give up valuable time to serve in local government. I believe that they should be prepared to do this, but they should be compensated, especially when they have to employ others to take their place in private business. At the introductory stage I cited instances of professional people who had to employ others while they attended local authority meetings. The amount of \$1,500 may compensate them in some way for the sacrifices they make to serve in local government. Most people in local government are good, sincere people doing the best they can for the people in their districts.

When land is to be sold for arrears of rates, I believe that the reserve fixed should be commensurate with recent sales in the area. No ridiculous reserve prices should be placed on land to ensure that the council acquires it. Recent sales should be used as the yardstick so that the owner will get the full benefit of the true value of the land.

The amendment cutting down the time for the removal of overhanging trees and limbs is very important. As chairman of the Redcliffe City Council Traffic Advisory Committee, I experienced a great deal of trouble over trees and shrubs blocking motorists' vision. We ran into no end of strife in trying to get people to cut them down. The reduction in time from two months to 14 days should go a long way towards quickly clearing up bad-visibility problems at certain intersections. I commend the proposal.

It should be mandatory for all councils to accept money at any time from people wishing to pay off their rates, especially if they are pensioners or people on fixed incomes. They should be allowed to pay rates in weekly instalments. I know that would create a lot more bookkeeping problems for some councils.

Mr. R. Jones: When was it cut out?

Mr. FRAWLEY: I do not know the exact date, but all cities and towns do not have this facility.

I sincerely trust that all local authorities will allow people in unfortunate circumstances to pay their rates by instalments. It should also be mandatory for all councils to allow pensioners a 50 per cent reduction in general rates. This is the practice in only certain cities and shires. The city of Redcliffe allows such a reduction for pensioners. It was brought in by the honourable member for Redcliffe (Mr. Jim Houghton) when he was mayor. He took a great interest in pensioners, and made sure that they received some benefits in rating.

The maximum park contribution by subdividers is to be increased from \$20 to \$50 per allotment, and the cash contribution is to apply only where suitable land is not available. It is far better for a local authority to receive land as a contribution from the subdivider. Even a pocket-handkerchief park in a residential area is preferable to a cash contribution. I hope that most local authorities refuse to accept money from the subdivider and instead insist on 5 per cent of the land.

The Bill refers also to expenses incurred by a local authority in cutting grass. Redcliffe has had many problems in getting absentee owners in New Guinea and other places to clear their weed-infested allotments. This move will make the task a lot easier.

As time is short, I shall confine my remarks to those aspects of the Bill. I again congratulate the Minister on introducing this very important measure.

Mr. MARGINSON (Wolston) (2.57 p.m.): I wish to make a brief contribution to the debate. I remind the House that local government in Queensland was created by the State Government over 100 years ago. But, over the past few years, the Government has attempted to get rid of its responsibilities and give them to the body it created. During this session the Minister and other Government members have spoken about the alleged wonderful effort of the Government in the payment of subsidies. I remind the House that this Government has substantially reduced subsidies payable to local government. On occasions, the Treasurer has told us that the amount has been increased. I will admit that, but the rate of subsidy has been reduced. That is positive proof of the extra expenditure that local government has had to carry under this Government's administration.

The honourable member for Callide made a plea for doing away with party politics in the field of local government. Yet there is a great cry today for the Country Party and the Liberal Party to enter the field of local authority elections. These people are hiding behind a veil. I could name five candidates at the council election on 31 March who have stood in the past four years as either Liberal Party or an Independent Liberal Party candidate in a State election. So let us get away from the proposition that there should be no party politics in local government. It is there, but certain people are trying not to show it. I scotch this idea of not having party politics in local government. The result in Ipswich shows that the people will not accept such an idea. The honourable member for Callide said he was glad that there would now be an allowance for deputy chairmen. I am amazed that, as a member of a local authority, he did not know differently. The present Act makes provision, under certain circumstances—if the chairman or the mayor is ill or absent overseas or is otherwise unable to carry out his duties—for the council to give the deputy chairman or deputy mayor an allowance for the period involved. It is up to the council to decide whether the amount should come from the chairman's or mayor's allowance.

Mr. McKechnie: Under the Bill, he will now get the deputy chairman's allowance all the time except when acting as chairman, when he will receive an increased allowance. The deputy chairman's allowance has to be approved by the council.

Mr. MARGINSON: I am coming to that; I am not as naive as the Minister may think.

That was the position previously. A deputy chairman is now to receive an allowance, irrespective of whether the mayor or chairman is overseas, ill, or otherwise indisposed. I held the office of deputy mayor of a city for 18 years, and, although I could not then advance this argument because it would have seemed that I was seeking personal reimbursement, I felt that it was necessary to pay an allowance to the deputy mayor. I commend the Government on this provision. A deputy chairman or deputy mayor should receive an allowance over and above that paid to other aldermen.

I take the matter a step further. I believe that the chairmen of the various committees should receive extra allowances. The Ipswich City Council has only three committees, and honourable members can well imagine the work that falls on the shoulders of the chairmen of the works, sewerage and planning committees. Consideration should be given to allowances for committee chairmen, at least in provincial cities.

I reject the proposition that, on a percentage basis, subsidies are greater now than they were 10 years ago.

The principles of the Bill make it plain that there are three items on which I wish to speak. One is town planning. I notice

that the Bill contains some clauses that have been drafted in the hope that town planning will be speeded up. I venture to say that there are many town plans awaiting approval in the Department of Local Government. One from Ipswich was, I believe, submitted about three years ago, and it has not yet, to my knowledge, been approved. I know that the council that was defeated on 31 March applied to the department for deferment of the town plan. It is my hope that approval of town plans will be speeded up. Ipswich is not the only city that is suffering because of the absence of a town plan.

There is an interim development by-law in Ipswich, and it has been in operation for some time. In fact, it was gazetted possibly five years ago, when I was chairman of the works committee. It has had to be renewed every six months. I am not arguing that interim development by-laws are not necessary for the orderly implementation of a town plan, but I am saying that the town-planning work in the Department of Local Government should be speeded up.

We have been told that the provision for the charging of interest on arrears of rates was included in the Bill because the large developers—the big monopolies, if we like to call them that—are not paying their rates. Apparently they have been prepared to pay 6 per cent interest on arrears of rates, and it is claimed that these big monopolies obtain a better financial deal by paying interest on arrears of rates, which is a lesser amount than interest on an overdraft, than by paying the rates. In this attack on the big monopolies, unfortunately the little man, who by some misfortune has been unable to pay his rates, will also be dragged in. To beat the big man, a provision is being introduced that will make it mandatory on the little man, if the council so decides, to pay 8 per cent compound interest on arrears of rates. Is there not another way out of this?

The Act provides that discounts can be given to people who pay their rates within either 30 days or 60 days of the issue of the notice. In the case of the Ipswich City Council, the discount is 5 per cent for payment within 30 days and 2½ per cent for payment within 60 days. The Minister is now saying that the big man will lose his 5 per cent discount and then have to pay 6 per cent interest on arrears of rates—in effect, he will lose about 11 per cent.

Mr. McKechnie: He does not pay any interest in the first year.

Mr. MARGINSON: I do not care which year it is. The point is that because it is desired to penalise these people—and I do not have any brief for them—the little man also is being penalised. When a Government member was speaking I interjected and said, "This will affect all rate-payers." The Minister denied that and said

it would not. If it will not affect all rate-payers, I shall be happy to hear from the Minister whom it does affect in a given area.

I wish to refer also to the proposed amendment covering allowances payable to aldermen. The proposal is to increase the amount from \$1,000 to \$1,500 per annum, which sounds very desirable. But what in fact is the position? I do not want the House to get the idea that every man who is elected to a city, town or shire council will receive \$1,500 each year. He certainly will not. First, the payment is governed by a by-law to be made by the council and approved by the Department of Local Government.

What do the by-laws usually show? When I was deputy mayor of Ipswich, the council introduced a by-law covering allowances. That by-law still applies under the Act. Allowances, whether \$20 or \$6, are paid, firstly, if a councillor or an alderman attends a meeting. If he does not attend the meeting, he does not receive his allowance. I wonder how parliamentarians would like to work on that basis. Secondly, a councillor or an alderman can receive payment if he goes on an inspection authorised by the council. Those honourable members who have been members of a city or shire council know that the duties of a councillor or an alderman entail much more than attending meetings and going on inspections authorised by the council. In fact, I know of instances in which, between meetings, an alderman has inspected properties, areas, roads and drainage. Those inspections were not authorised by the council, but they were considered—and rightly so—by the people concerned as part of his duties.

Because of some circumstances in his family life—illness, or something like that—an alderman or a councillor may not be able to attend a meeting. Although he has carried out his duties between meetings, he still does not receive any reimbursement. It should be made quite clear to everyone that this is the position.

In my opinion, aldermen and councillors should be paid an allowance fortnightly or monthly, whichever they wish. The payment of allowances should not be tied as it is now in the Act, because aldermen and councillors do much more work than is set out in the Act. It refers to attending council meetings and committee meetings, and making inspections authorised by the council, and it also mentions such things as attending conferences, meetings and deputations on behalf of the council. It also refers to mileage covered in attending meetings. This is all covered by the \$1,500 a year. Let it be remembered that, in the case of a city, if an alderman or a councillor does not attend four consecutive meetings he can be removed from office. He is told, "You will not get this allowance unless you attend meetings, irrespective of

what happens." I do not like that, and I think the Minister should examine this provision.

The honourable member for Murrumbidgee said that the honourable member for Redcliffe had been instrumental in granting the pensioners of Redcliffe a rate remission of 50 per cent. He made a big show of it. I do not want to take any due praise from the honourable member for Redcliffe if he did that on behalf of the pensioners of Redcliffe, but I point out that when I went into office in Ipswich in 1952, with a majority of A.L.P. members, that council granted the pensioners of Ipswich a 100 per cent remission of rates, and that has applied ever since.

Mr. PORTER (Toowong) (3.11 p.m.): I rise to rebut something that was said by the honourable member for Wolston. I think it is important because it reflects an attitude which I believe the A.L.P. holds very strongly but usually tries to keep private rather than make public, that is, that the relationship between the State Government and local government is not a satisfactory one. He suggested that subsidies have been reduced to a serious extent. He would not answer an interjection indicating that the quantum of money had increased.

Mr. MARGINSON: I rise to a point of order. I said that the amount of money paid by this Government was greater than in previous years. I made that quite clear.

Mr. ACTING SPEAKER: Order! What is the point of order?

Mr. MARGINSON: The honourable member for Toowong is misrepresenting what I said. It is offensive to me and I ask that it be withdrawn.

Mr. PORTER: I have no desire to be offensive to the honourable member. I accept his statement. Let me reiterate what he himself is prepared to concede, that is, that the quantum of money paid by the Government to local government is greater than it ever was. Of course, it is infinitely greater than that paid by any other State Government in Australia to its local authorities. Let us make that point quite clear.

Obviously what the honourable member is doing—because he then went on along these lines—is trying to paint a scene which would justify the intrusion of the Federal Government into the local government scene. He is trying to justify the move by the Federal Government in Canberra to come directly into the local government sphere, which will enable it to bypass the State Government. He went on to talk about the intrusion of party politics into local government. This is the very reason why parties on our side of the political spectrum are being forced to reconsider their position. Certainly there should not be party politics in local government.

Mr. Sherrington: What rubbish!

Mr. PORTER: The honourable gentleman says, "What rubbish!" I would hope that local government is the one scene where matters can be considered on the truly domestic level for what they are worth. I cannot see that there is any place for ideological conflicts in the local government sphere. But because the A.L.P. will make it a cockpit for party politics, whether we like it or not, we have a situation forced on us. Now that the Federal Government is on the scene we have no option, because we have a Federal Government hell bent on centralising power which wants to abolish a Federal system without changing one word of the Australian Constitution. The way for it to do it, of course, is to use the machinery of local government to bypass the sovereign States.

It has been plainly intimated—the honourable member for Wolston has referred to the proposal both directly and indirectly—that the Federal Government wishes to regroup local government into regional clusters and then make these groups totally dependent for money and authority on the super-planners in Canberra, who will then give local government a very wide sector of the domestic powers that this sovereign Parliament currently has, such as administration of the police, health, education, transport, social welfare, and so on. This is why the A.L.P. is so keen on a Greater Brisbane. It fits perfectly into the A.L.P.'s socialist, centralist big-brother oriented plan.

The honourable member for Wolston should know that this is the reason, and the only reason, why parties on my side of the political spectrum—I speak for the Liberal Party, which, if it does reconsider its present attitude of not entering into local government, will do so only because it is forced to enter what would otherwise be a vacuum—

Mr. ACTING SPEAKER: Order! The honourable member will come back to the provisions of the Bill.

Mr. PORTER: The honourable member for Wolston made great play of the fact that the Liberal Party was reluctant to enter into the local government field and said that he did not want to hear any hypocrisy in relation to it. I wish to make quite plain the reason why local government, which is the subject of the Bill, will never be the same again if the things that are being attempted at the present time are allowed to come to pass.

Members of the Opposition, who, in this matter as in others, are trying to play both ends against the middle, pretend here to serve the interests of this sovereign Parliament to which they are elected and at the same time play State's traitors in this matter. They are selling us out and doing a "Judas", because they are working in with people who want to use local government to destroy the very thing that we are here to serve. I

believe that this is shown in this local government issue, the Torres Strait islands issue—

Mr. ACTING SPEAKER: Order! The honourable member is getting too far away from the provisions of the Bill.

Mr. PORTER: I accept your ruling, Mr. Acting Speaker, but I felt it important to make this point in order to rebut the comments made by the honourable member for Wolston on behalf of the A.L.P.

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (3.19 p.m.), in reply: I thank honourable members on both sides of the House for their general support to the Bill. Two members of the Opposition have raised certain points with which they are not in total accord. I should mention that, with the exception of one clause, the Bill meets with the total approval of the Local Government Association. As I outlined in my initial speech, the association had some doubts in relation to alternative rating in rural lands. However, by making that condition a matter for the discretion of the local authorities concerned, we have made it acceptable to the association. In effect the Bill, as it stands, has the total support of all local authorities of Queensland. The association has been in touch with me, as has the Institute of Municipal Administration. And only last Thursday I received the following letter from the Cities and Towns Local Government Association of Queensland:—

"Dear Mr. McKechnie,

"At a recent meeting of the Executive of this Association, both the President, Ald. McIlwain, and executive member Ald. C. J. Nielsen of Bundaberg, spoke highly of recent discussions with you concerning proposed changes in the Local Government Act.

"As a result, the Executive directed that I write and thank you sincerely for the confidence you have displayed in Local Government, by confiding in top officials of local government on proposed legislation amendments.

"The Executive readily agreed that it was a new and enlightened approach to the problems of Local Government, and certainly augured well for the future.

"Thank you again for your attention to matters which concern us.

"Yours faithfully,

"K. G. Newton

"(K. G. Newton)

"Secretary".

I have read that letter to show the support that local government generally gives to the Bill. As I say, local government supports the provision for alternative rating in rural lands now that it has been altered to make such rating optional.

I point out to the honourable member for Redlands that, basically, the Local Government Department has advisory power. The actual power rests with the local authorities and we are trying to ensure that it rests more and more with them. That is why we are handing over some of the limited powers we have at present. I point out to him that, where land is exchanged, it must be by mutual agreement between the two parties. The Minister must be advised by both parties so that there can be no allegation of tactics unfair to either party.

The honourable member for Redlands suggested that local authorities should be given more power. I agree with him. However, I was a little concerned when he spoke of graft, corruption and "cronyism". I heard him assure the honourable member for Gold Coast that he was not implying that this charge could be levelled at local authorities. However, I am a little concerned about who is to bear this insult about graft, corruption and "cronyism". I should like the honourable member for Redlands to make it clear that he is not insinuating that local authorities are involved, because I cannot see who else might be involved.

Mr. Baldwin: I said that, with the amendment couched as it was, the way could be left open.

Mr. McKECHNIE: I accepted the honourable member's point of order at the time, but I am still worried about who is involved in this charge of graft, corruption and "cronyism".

Mr. Baldwin: I am concerned about any opportunity being given, because no man is perfect.

Mr. McKECHNIE: The honourable member could still be implying that it relates to local authorities. I am not saying that he is doing so, but I am a little afraid that the honourable member's comments might head a little in that direction.

The honourable member for Redlands stressed that more power should be given to local authorities relative to benefited areas. I agree with his contention. However, he then said that there should be a right of appeal against the declaration of special benefited areas. Formerly, when the Minister gave such a proposal his formal blessing, there was no right of appeal. If we allow a local authority to specify a benefited area, and then provide a right of appeal, we are virtually hindering the local authority and taking authority from it. The Bill is intended to give local authorities greater power so that they do not have to approach the Minister to seek his approval.

The main bone of contention raised by the honourable member for Redlands concerned the increase in the interest rate from 6 per cent simple to 8 per cent compound. I believe that most local authorities in Queensland grant a discount for the early

payment of rates, varying from 10 per cent to 2½ per cent. It is intended under the Bill—and the provision is in the Act—that no interest shall be charged in the initial year. A ratepayer, by surrendering his right to discount, has to some degree, paid interest in the first year. He is still liable to be summonsed within a short period for not paying his rates. One municipality makes a regular feature of instituting legal proceedings immediately the discount period has expired. Of all local authorities in Queensland, it has the lowest amount of rates outstanding. My point is that the ratepayer who does not pay his rates in the first year loses his discount and therefore, in effect, he has paid interest. Under the present legislation, in the second and third year, he pays 6 per cent simple interest.

I took out hypothetical figures to explain what happens. Honourable members should not think that it is mainly the small man who suffers. Any local authority can waive interest on outstanding rates and, after all, 8 per cent interest will be the maximum. Local authorities can fix the interest rate at any figure below 8 per cent, or waive it altogether. If a man is in dire straits, a local authority can waive his rates. The little man is well protected, and, usually, it is not the little man who does not pay his rates. I find that most of the little men have enough civic and personal pride to pay their rates so that they can have a progressive local authority. Very often it is the large and absentee landlord who creates the problem.

I have drawn up an imaginary case as follows: Mr. C. A. Jones is a small cattleman and unlike his neighbours has an infected herd. But he is honest and is paying his way, which includes his rates. He has a similar area to other cattlemen with living areas in No. 3 division of Marginal Shire. These people, although struggling, pay their way and keep their shire operating and solvent. Next door the Burns Lytton Estates owe \$250,000 as a term loan but, owing to doubtful investments in Canberra, have an overdraft of \$100,000 at 8 per cent from the Jensen Trust Bank—a very reputable and Wright banking institution. However the local manager of the Jensen Trust Bank at Wood-Smith in the Gulf, Mr. Baldwin Bromley, knows Lytton Estates is well in the red and, to cover up, instructs the manager of Lytton Estates, Mr. Aiken-Whinger not to pay the \$10,000 rates now due. The shire council will then have to raise a Treasury loan and pay interest thereon at 6.4 per cent plus costs and may only charge Lytton Estates 6 per cent instead of Lytton Estates paying 8 per cent to the Jensen Trust Bank. On that sum, it will be charged only 6 per cent, thereby saving \$200 in the first year, \$400 in the second, \$600 in the third plus simple interest thereon of \$20. So Lytton Estates saves \$1,220 over three years and thereby bludges on "Jonesy" and his mates, who have to pay extra rates to

subsidise their large and avaricious neighbour whose absentee owner smiles contentedly on Doboy Creek.

That is an imaginary case that makes very clear that this can be done. There are people in this category who make full use of this as a means of finance. I repeat that it is not the small man. After all, the local authority can, if it knows that a man is genuine, completely waive his interest or his rates. I know it has been done in certain circumstances.

The honourable member for Callide supported the Government, the department and local government. He praised local authorities for the wonderful job they are doing throughout Queensland. He outlined the advantages of quarterly rates. As the honourable member for Bundaberg correctly interjected, it is a two-way trade. It is a help to the ratepayer in that he can pay rates quarterly instead of yearly or half-yearly. It is an advantage to the local authority, firstly, because it is less likely that it will have arrears of rates and, secondly, because money is coming in regularly to keep the local authority solvent.

The honourable member for Stafford mentioned that the amount of money borrowed by local authorities in Queensland was higher than in other States. This is so, but there is a very good reason for it. Sydney has a Sewerage Board and a Water Board which are huge instrumentalities not in the category of local authorities. They are carrying hundreds of millions of dollars, which is not shown as a debt against a local authority. In Queensland, our local authorities have greater power. They are instrumentalities in their own right. Consequently they need larger amounts of money. They are carrying out services that are paid for in a different manner from that adopted in other places, particularly Sydney.

Mr. HARVEY: I rise on a point of explanation. It is that Queensland local authorities and semi-governmental authorities have a greater debt per head of population than those in any other State of Australia.

Mr. ACTING SPEAKER: Order! I do not know that the honourable member can rise on a point of explanation, but allowance is made because he is a new member.

Mr. McKECHNIE: Different subsidy payments have been referred to. Over the past five to eight years, there has been a huge expansion in Queensland in the provision of sewerage and water. In my electorate, only one town out of six was sewered, whereas today five out of six are sewered. There has consequently been an upsurge in the amount of money spent. The honourable member for Toowong was quite correct when he said that the State Government was paying more in subsidies than ever before. There is, for example, a 50 per cent subsidy for the provision of water, and a 40 per cent subsidy for sewerage facilities. It is evident, too,

that considerably more money will have to be found for the secondary and tertiary treatment of sewage under the Clean Waters Act, and a case has been made out for additional subsidy. This is a matter that will have to be thoroughly investigated by those departments involved.

The honourable member for Stafford asked when the chairman of a shire council is deemed to be absent. He is absent when he is unable to attend through illness, or is officially on leave. If he is away at a cricket match in his own local authority area, he is not deemed to be absent. To be absent, he has to be too ill to attend, or away on official leave. Authority is then handed over to the deputy chairman.

The honourable member for Stafford also said that land should be acquired only for a definite purpose. That has been the position, and it still is. The Bill deals with the exchange of land between local authorities and private persons or instrumentalities. To make sure that there is no coercion on either side, the Minister must be advised by both parties that they are willing to exchange. This provision has been included to prevent certain activities of which I have heard accusations here.

I was pleased to hear what the honourable member for Murrumbidgee said about hazards. This is a matter that has caused me concern. People have mentioned hazards likely to cause death, but it has been impossible to insist that the hazard be removed. To my mind, a fortnight is perhaps a little too long, but it is a big improvement on the present period, which is two months.

The honourable member for Wolston referred to allowances for deputy chairmen. I think that he and I, by interjection, have resolved that matter to our satisfaction. I disagree with his statement that the Ipswich town plan is awaiting approval. Six to eight months ago there was only one town planner in the department, and many town plans were being held up. Some time ago a second town planner was appointed, and Cabinet has now approved the appointment of a third. Town-planning work is now right up to date. The proposed new Ipswich town plan has been investigated by the department, and comments on it have been referred to the Ipswich City Council. The department is presently awaiting advice from the council on this matter. The department is ready to move as soon as the council gives the word.

The honourable member for Wolston also mentioned that expenses have to be paid out of the allowance of \$1,500. That is not so. The limit of \$1,500 is for fees, and the allowance for any mileage travelled can be additional to the \$1,500. The honourable member said that it was inclusive.

The honourable member for Toowong dealt quite well with the subsidy situation, particularly those matters raised by the honourable member for Wolston.

I think the Bill has the general approval of honourable members, and I commend it to the House.

Motion (Mr. McKechnie) agreed to.

COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Clauses 1 to 6, both inclusive, as read, agreed to.

Clause 7—Amendment of s. 19 (6); Contracts—

Mr. BALDWIN (Redlands) (3.35 p.m.): I reiterate the appeal I made earlier relative to the restrictive amendments to this section of the Act. I noted that the Minister did not mention the matter in his reply to the second-reading debate, and I have no doubt that he had very good reason for not doing so. However, the mere fact that I proposed an extension of the form of contract of a certain type must not be taken as opposition to the provision contained in the Bill. Unfortunately, that happens quite frequently in this Chamber, and I want it to be clearly understood by the Minister and the Committee that the Opposition is not opposing the provision in clause 7 relative to contracts and the exchange of land. All we say is that we do not think it goes far enough.

Clause 7, as read, agreed to.

Clause 8—Amendment of s. 21; General rate—

Mr. BALDWIN (Redlands) (3.37 p.m.): Again I have to point out some of the erroneous ideas that have crept into the debate—I do not know how. I thought I had put the Opposition's case quite clearly. The absence of detailed figures in support of the case advanced by the Minister makes it virtually impossible to argue, but my plea for more information on local government matters has not gone unnoticed by the Minister, and I appreciate that.

Again the attitude of the Opposition to clause 8 was not total opposition but more that the Government's case had not been proved. In the absence of anything better on the minimum rate, we accept the clause for the time being. We hope it will prove worth while and will solve the problem temporarily.

I am still not satisfied about the definition of "benefited areas" and the rates, and so on, applying to them. Again the Opposition will have to be content with what is in the clause. The proof of the pudding will be in the eating, and it is to be hoped that it will not be bitter.

Clause 8, as read, agreed to.

Clause 9, as read, agreed to.

Clause 10—Amendment of s. 27; Levy of rate on owner—

Mr. BALDWIN (Redlands) (3.39 p.m.): Unfortunately, again I have to point out that at no stage did I say the Opposition was

in outright opposition to this clause. Evidently insufficient data is available. The Minister put a hypothetical, highly exaggerated and unlikely case about honourable members on this side of the Chamber being large landholders and evading rates, and so on. I take that in good part because I am sure it was meant to be more amusing than relevant. The Government has failed to disprove—in fact, the Minister did not make any attempt to do so—the proposition that I put forward. It is, of course, quite easy to put something forward. From the facts at our disposal we consider that small ratepayers and small farmers would suffer more over all because of this provision than would the persons at whom the legislation purports to be directed. By all means let us catch those people, but is it worth while catching them if it hurts other unfortunate sections of the community more.

The Minister has pointed out that provision exists in the principal Act for the local authorities to exercise a discretion which can go as far as the complete waiving of rates in necessitous circumstances. On behalf of the Opposition, I accept what the Minister has said and hope that local authorities will exercise their discretion in necessitous cases. We will be watching to see that they do.

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (3.41 p.m.): Clause 10 gives the local authority power to catch up with the people to whom the honourable member for Redlands referred. We agree that we should catch up with the big men who would otherwise escape. I have sufficient confidence in local authorities generally to believe that they will adopt a humane approach to any small man who is genuinely in difficulties. They have the right to remit the interest, or even the rates themselves. I express that confidence in local authorities.

Mr. Baldwin: We accept that.

Clause 10, as read, agreed to.

Clause 11—Amendment of s. 28; Raising loans—

Mr. BALDWIN (Redlands) (3.42 p.m.): I accept what the Minister said about the right of appeal. For there to be a right of appeal would, to some extent, appear to bedevil the whole power of a local authority. However, I suggest that the Minister's stand is taken on the ground that a local authority can do no wrong. The hundreds of cases every year that are decided against local authorities show that this is not so. I thought that the case I brought to notice would have given rise to some further assurance from the Minister that this matter would be looked into. But again we must bow to the weight of the Government and hope that local authorities will make no error in declaring benefited areas and the extra rates that will be drawn therefrom. We hope that the

legislation will work to the betterment of the community. Again we will be watching to see whether the Minister's opinion is borne out.

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (3.43 p.m.): The only thing that this clause does is to relieve the local authority of the responsibility of getting the Minister's consent. We have checked through the records as far back as we can go, and we have not found one occasion when the Minister has vetoed the local authority. On numerous occasions the local authority has sought the advice either of the Minister, or of the department through him. That approach is still open.

Clause 11, as read, agreed to.

Clauses 12 and 13, as read, agreed to.

Clause 14—Amendment of s. 31 (27); Provisions as to by-laws—

Mr. BALDWIN (Redlands) (3.44 p.m.): We do not consider that this clause goes far enough in preventing the kind of non-conforming usage and the imposition of hardship that occurs in rapidly expanding areas. I mean "expanding" in terms of population increase and changing use of land for residential and other purposes. I have in mind other purposes, such as education, health, and preservation of the environment. I will admit that at the moment, in view of the short time that has been given to us to consider this very important Bill, I am at a loss to understand how this provision could be tightened. Nevertheless, I draw attention to the fact that the Opposition is not happy with the rather restricted scope of the clause. It will not stop the kind of thing that the Minister hopes it will prevent. As I say, we do not oppose this clause.

Clause 14, as read, agreed to.

Clause 15, as read, agreed to.

Clause 16—Amendment of s. 33; Town planning—

Mr. BALDWIN (Redlands) (3.46 p.m.): Certain portions of this clause deserve commendation, so I do not want any criticism that I level at one part of it to be taken as applying to the entire clause. I do not think for one moment that all of it should be pitched out. On the surface, it might appear to be just to provide that the names and addresses of objectors be given to an applicant. However, from personal experience I fear that this clause will possibly lend itself to the intimidation of objectors. Of course, I can anticipate comments that will be made to rebut my contention.

An applicant who was given my name and address as a party to the hearing of an objection against his application in the Local Government Court attempted to intimidate me. That did not worry me personally in the least—I would not be intimidated—and,

in fact, I nearly told him to go jump in the bay. However, I know of other persons who are older than I am or do not have the support of a political party or friends and have been intimidated because their names and addresses, as well as their grounds of objection, have been made known. I am aware of two recent cases involving attempts to persuade objectors to withdraw their objections for a consideration.

I have no doubt that the Minister will claim that a person who is intimidated is protected by the law. However, until some act is committed to impinge upon him, and he has suffered as a result, he cannot have recourse to the law. Moreover, in nine cases out of 10 he has to pay the costs of litigation.

Some better way of allowing an applicant to handle his case should have been found. What it is, I do not know. Nevertheless, if, as a result of this clause, evidence of intimidation is brought to the Minister's knowledge, he and his department should do everything in their power to stop it.

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (3.48 p.m.): The honourable member for Redlands and I are in total agreement on one aspect of this clause. He has said that he cannot see how it can be done any better. With this, I agree. We have worked on this matter for months. A similar provision exists in the City of Brisbane Act, and, although that Act contains a number of weaknesses, I do not think this provision has been working too badly. However, it behoves us as a State to endeavour to see that law and order is so maintained as to prevent the situation referred to by the honourable member for Redlands from arising.

Clause 16, as read, agreed to.

Clauses 17 to 20, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Mr. McKechnie, by leave, read a third time.

TOW-TRUCK BILL

SECOND READING

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (3.51 p.m.): I move—

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

I feel it would be right for me to say that honourable members generally supported the Tow-truck Bill in principle when I introduced it last week. Honourable members on both sides of the Chamber, who of course had not seen the Bill, indicated quite clearly certain areas which they hoped the provisions of the Bill would cover. Honourable members will recall that I did try to briefly deal with these. By now they have had

the opportunity to study the Bill in detail, and I am sure they will be pleased to find that most of the suggestions that were made are included.

Let me assure honourable members that the administrative machinery to implement and reinforce the provisions of the Act will be provided by regulations. These will cover the areas where the Act itself provides this authority. Both the provisions of the Act and the regulations will be rigidly enforced. If it is found after a reasonable period of operation that the intent of the legislation is being thwarted in any way to the detriment of the motorist, I shall not hesitate to bring an amending Bill before this House to strengthen the law and thus achieve the full intent of the legislation.

At this point I would like to express my sincere appreciation to the members of my transport committee for the contributions made by them in the preparation of the Bill.

Honourable members will note that the Act will come into operation from a date to be proclaimed. This will enable the necessary forms and procedures to be completed.

Certain terms used throughout the Bill, including "tow-truck", have been clearly defined. The Bill also provides that in cases where a firm or partnership is the holder of a licence or permit, every member of that firm or partnership shall be deemed to be a holder of that licence or permit. Honourable members may wonder why no similar reference has been made to bodies corporate. I am advised that this is not necessary as under the Acts Interpretation Act any reference to a person in any legislation includes a body corporate. The liabilities of the governing officers of body corporate licensees are defined elsewhere in the Bill.

No person will be able to legally use a tow-truck from a date three months after the commencement of the Act unless the tow-truck is licensed and that person is the holder of the licence. Provision has been made elsewhere in the Bill for the granting of exemptions by regulations to be prescribed for that purpose.

Tow-truck operators will have ample opportunity to familiarise themselves with the provisions of the Act and regulations thereunder prior to the date of commencement of the Act. The period of three months after commencement of the Act should be adequate time for these operators to make application for a licence and make any necessary adjustments to their present operations so as to be able to operate within the framework of the legislation.

Provision is made for the making of applications for a licence in the prescribed form and for the Commissioner to cause inquiries to be made as to an applicant's fame and character and, subject to his being satisfied as to the fitness of the applicant, to issue a licence. Whether the motor vehicle

concerned in the application and its equipment are suitable will also be a consideration on which the grant and issue of a licence may depend.

Where an applicant for a licence is a body corporate, the fame and character of every director, manager and public officer thereof will be taken into consideration by the Commissioner in determining whether to grant or refuse a licence to the company.

Licences will be in a form to be prescribed by regulation, and these licences will authorise the use of one or more tow-trucks.

Mr. Bromley: If an application is refused, is there an avenue of appeal?

Mr. K. W. HOOPER: Yes. I mentioned that point at the introductory stage.

In other words, only one licence will be issued, irrespective of whether the holder operates one or a dozen tow-trucks. Each tow-truck will be separately identified on the licence, and changes in the number of tow-trucks can be made by endorsement of the licence.

The issue of licences will depend upon the suitability of the applicant as well as the vehicle which is to be used as a tow-truck. Apart from a high standard required of an applicant, there will be no restriction on the number of licences issued. There will be no necessity for transferability, as separate licences can be issued as required from time to time.

A licence will not be capable of being issued or renewed unless the tow-truck or tow-trucks concerned in an application is or are registered under the Main Roads Acts. The duration of a licence will be for a period of 12 months from the date of its issue or renewal unless it is sooner cancelled, suspended or surrendered.

An application for renewal of a licence shall be submitted two weeks prior to the expiration thereof, and the Commissioner for Transport shall renew such licence provided he is satisfied that the holder continues to be a fit and proper person to hold such licence. However, the Commissioner may impose such conditions as he thinks fit when granting or renewing a licence. This is to provide for circumstances which may not now be apparent when some conditions other than those already provided in the Bill may become necessary.

In order to obviate any undue inconvenience to applicants for licences, the Commissioner is authorised to issue a permit pending finalisation of an application for a licence. A permit will be in a form to be prescribed by regulation, and can be issued for a period not exceeding six months and may be subjected to all or any of the conditions to which a licence may be subject. It may be revoked by the Commissioner at any time.

Probably the most important feature of the Bill particularly is the several requirements with which the licence-holder and his employees will have to comply. Non-compliance with the conditions set by the law could lead to prosecution of the licence-holder, apart from the fact that a breach of any of these conditions may result in the suspension or cancellation of a licence. Fundamental safety requirements are included and, as such, they should meet with general endorsement.

Consent is necessary before a damaged motor vehicle can be towed away from the scene of an accident. An authority-to-tow form must be signed by the person giving such consent. The only person who can sign such a form is the owner or his agent or, in the event of neither of these being available or capable of giving such consent, an authorised officer, who is defined as being a member of the Police Force of the State, an inspector under the Inspection of Machinery Act, 1951-1971, or a person acting under the authority of the Commissioner. The only occasions when a police officer might sign the towing authority would be when neither the owner nor his agent, who could be a passenger in the vehicle, is available to give such consent. A signature on a towing authority form cannot be obtained unless there has first been entered on that form the full address of the place to which the motor vehicle is to be towed and, if applicable, the name of the business conducted at that address.

In addition, an onus is placed on the holder of the licence and the driver of any tow-truck, as well as any person employed thereon, to prevent loss from, or damage to, a damaged motor vehicle while it is being towed. A further onus is placed on the holder of the licence to take similar precautions while the motor vehicle is otherwise under his control. This would normally apply when the damaged motor vehicle has been towed to a place of storage owned or controlled by the licence-holder.

The holder of a licence will be obliged to cause an inventory to be made and kept at his place of business of all moveable property (including any radio or sound-production device) which is found in the damaged motor vehicle at the time of its arrival at the place referred to in the authority-to-tow form.

A damaged motor vehicle cannot legally be towed to a place other than the place shown on the towing authority form except where subsequent instructions have been given by the owners. The tow-truck association has raised with me a problem that could arise under this provision. The association is concerned about the possibility that on some occasions a tow-truck driver may not be able to deliver a damaged motor vehicle at the address on the towing authority form because there is no person at that address to take delivery of the vehicle, or

there is a refusal to take delivery and pay the towing charge. The refusal to accept delivery and to pay the towing charge is surely not a matter to be covered by legislation, as the tow-truck operator would have the same legal redress in such a case as other creditors if he cannot get further instructions from the owner or his agent. However, let me assure honourable members and the tow-truck operators that the possibility of non-delivery of a damaged motor vehicle because there is no person at the stated address to accept delivery will be taken into consideration when the regulations under the Act are being framed.

Mr. Bromley: All the time they are there, they are missing out on other business. Are they going to be paid for that extra work?

Mr. K. W. HOOPER: That is a good point, and it will most certainly be taken into consideration. That happens quite frequently, and it has not been overlooked.

Unless the registered owner of a damaged motor vehicle or his agent (authorised in writing) gives written authority, a damaged motor vehicle cannot be removed from the place to which it has been towed from an accident under an authority-to-tow form unless it is to return such motor vehicle to the registered owner or his agent.

On advice available to me, it would appear that one of the major areas of exploitation of owners of motor vehicles is associated with the return of damaged motor vehicles to the owners or their agents. Extortionate charges are made by unscrupulous operators simply to tow the damaged motor vehicle from the place of storage on their property onto the roadway, particularly where the tow-truck operator or his associated car repairer are not awarded the work of repairing the damaged vehicle.

The provisions of the Bill should curb the practice that has developed of extorting as much as possible from owners of damaged motor vehicles. This paragraph provides that where a damaged motor vehicle is towed to a place under the control of the holder of the licence, no person shall refuse to deliver the motor vehicle to the registered owner or his agent on request and after payment of reasonable charges has been made or tendered for the towing and storing of the vehicle and, where repair work has been authorised by the owner or his agent, for that repair work.

The only persons who will be able to travel in a tow-truck that is proceeding to the scene of an incident, or towing a damaged motor vehicle from the scene of an incident, will be the holder of a driver's certificate or an assistant's certificate, the owner of the damaged motor vehicle or his agent, or the driver of, or a passenger in, that vehicle.

It is considered desirable to include approval for an owner or his agent or the driver or a passenger in a damaged motor

vehicle to travel in a tow-truck to cover instances where the incident involving the damage to the vehicle took place in an isolated area. Again, the only person who can obtain or attempt to obtain at the scene of an incident authority for the towing of a damaged motor vehicle is the driver of a tow-truck. The holder of a tow-truck licence is precluded from obtaining or attempting to obtain such an authority unless he is the holder of a driver's certificate.

It is provided that a driver of a licensed tow-truck shall not permit the tow-truck to stand on a road so as to cause an obstruction or to remain at the scene of an incident for a period longer than would be reasonably required to obtain a towing authority where no such authority has been given. No person will be able to travel as a passenger in a damaged motor vehicle while it is being towed.

There is ample evidence to suggest that a misuse of radio receivers has occasioned concern to both the police and Commonwealth officers. The illegal use of radio receivers will not be condoned. Notification to the Commissioner by the Postmaster-General's Department of the continued flouting or disregard of the requirements of this Act by a licence-holder could be sufficient grounds for the Commissioner to call on that licensee to show cause why his licence should not be cancelled or suspended.

The holders of tow-truck licences will not be able to charge a sum other than a reasonable sum for the towing, salvage or storing of a motor vehicle. If necessary, and in the light of experience, regulations could be made under the regulation head of power for the Commissioner for Transport to appoint persons to make investigations into claims of unreasonable charges. While it is not envisaged that this would be necessary, appropriate steps could be taken to fix charges for tow-truck services.

Certificates will be issued to the drivers of tow-trucks and their assistants. It is considered that while drivers are to be issued with certificates, there is also a need for their assistants to be properly recognised. Without such recognition, some of the practices which presently occur might not be curbed. The driver, of course, will have to be competent in operating the vehicle, and his assistant also will have to have some degree of competency in assisting the driver so that a damaged vehicle may be safely towed from the scene of an incident without any further hazard to the public or damage to the vehicle itself.

It is mandatory for a driver's certificate at all times to be dependent on the holder being in possession of a current driver's licence issued under the Traffic Act. Provision has also been made for the Commissioner to issue a permit to an applicant for a driver's or an assistant's certificate pending finalisation of his application. Adequate records of licences, etc., and also of the

Commissioner's decisions with regard to the granting, refusal, suspending, cancelling or revoking of such licences, etc., will be kept.

The Commissioner is empowered to cancel or suspend licences or certificates for reasons specified therein, and the delivery of the licence or certificate to the Commissioner by the holder thereof is made mandatory. This action is, of course, subject to appeal to the administrative tribunal provided for in the Bill.

It is provided that no person will be able to obtain or attempt to obtain authority to repair a damaged motor vehicle while it is at the scene of an incident or before it is delivered to the address shown on a towing authority. It has been reported to me that all sorts of inducements are held out to persons by tow-truck operators to help them obtain towing or repair work. It is hoped to curb, if not eliminate, this undesirable practice, which has caused a great deal of friction amongst tow-truck operators. Honourable members will observe that it has been made an offence to give or receive, or agree to give or receive, any consideration for these purposes in future, and I can assure them that no effort will be spared to enforce these provisions.

Offences in relation to tow-truck operation are provided. It will be an offence for any person to attempt to coerce an owner of a damaged vehicle in order to obtain a signature on a towing authority.

Legislative protection is given to authorised officers when carrying out their lawful duties under the Act. The offences enumerated in the Bill are designed to achieve this, as well as to permit a reasonable and adequate means of ensuring a satisfactory compliance with the provisions of the Act by tow-truck operators and their employees.

No person will be able to operate a tow-truck other than in strict compliance with the authority granted in a licence issued in connection therewith under the Act. Provision has been made for execution to be made against the motor vehicle involved in the offence. There is no point in obtaining penalties that may not be paid if the offender still continues to use a tow-truck in complete disregard of the law.

In the initial stages it will be necessary for the Commissioner for Transport and his officers to have sufficient power to stamp out the sharp practices which have been responsible for the introduction of this legislation. The reputable tow-truck operator has nothing to fear, but the less responsible members of the industry will find that there will be an incentive for them to mend their ways. I repeat, the reputable members of the tow-truck industry have nothing to fear from this legislation, which they themselves have asked for in order that the sharp practices and, indeed, what are close to criminal practices, might be terminated.

Provision is made for appeals against certain decisions of the Commissioner by the setting up of an appeal tribunal. The procedures and venues of the tribunal and the effect of its determinations are set out. These provisions follow closely those contained in the Motor Vehicle Driving Instruction School Act, which has proved to be satisfactory to all those concerned in that area.

The holders of a licence, driver's certificate, assistant's certificate or permit will be required to produce such documents on demand by an authorised officer. A more important provision is that the driver of a tow-truck must, whether or not he is requested to do so and before or at the time an offer is made to tow a damaged motor vehicle, produce his driver's certificate or permit for inspection by the person to whom the offer is to be, or is, made.

Honourable members will recall that I previously indicated that only the driver of a tow-truck can obtain or attempt to obtain an authority to tow a damaged motor vehicle at the scene of an accident. The requirement for him to produce his certificate when seeking such an authority is therefore obvious.

There is power for the Commissioner to delegate his authority under the Act. Similar power is already conferred upon him under the provisions of the State Transport Acts and Motor Vehicle Driving Instruction School Act, and is necessary to achieve an effective over-all administration of the Acts administered by him.

Evidentiary provisions which will be essential to any court proceedings for offences against the Act have been included in the Bill. Provision is made that exemption or conditional exemption from compliance with all or any part of the Act may be granted pursuant to the regulations. Various procedures by which documents may be served have been outlined in the Bill.

General offences against the Act will have a maximum penalty of \$500. The method by which penalties may be recovered and for courts to furnish to the Commissioner details of convictions for offences against the Act has been outlined.

The liability of the managing director, manager or other governing officer, and members of the governing body of a body corporate as well as the body corporate, has been clearly set out. An indemnity for any person against liability for anything done in good faith for the purposes of the Act—and this, of course, is an administrative requirement—has been provided in the Bill.

Provision, as I have mentioned, has been made for the making of regulations consistent with the intention of the legislation and essential to effective administration.

The regulations to be made will provide the administrative framework within which the tow-truck legislation will operate. They will

reinforce the provisions of the law and provide the details of those matters which have been referred to in the legislation—for example, the qualification and ages of drivers of tow-trucks and their assistants; the premises or places to which tow-truck operators shall deliver motor vehicles towed by them; the design, classification, construction, equipment and identification of tow-trucks to ensure that only proper vehicles are used; the granting of exemption or conditional exemption from compliance with all or any of the provisions of the Act; and the revocation of any exemption or conditional exemption so granted.

Where a tow-truck is not being used for the purposes of towing vehicles smashed in accidents and is not used in this area at all, consideration could be given to exempting the tow-truck operator from provisions of the law. Provision is also made for regulations to provide for other penalties.

Mr. R. JONES (Cairns) (4.15 p.m.): I do not intend to enter into a toe-to-toe bout with the Minister; nevertheless, I point out to him that certain aspects of the Bill are abrasive to A.L.P. policy. The Opposition's objection to certain points will be outlined by me as well as by members of the Opposition's transport committee. Although on the face of it we are not prepared to accept the Bill in toto, perhaps as the debate proceeds the Minister will be able to allay some of our fears.

The Bill provides that after the expiration of three months from the date of its commencement a person shall not operate a tow-truck unless it is licensed and he is the holder of a licence. I have studied the legislation introduced in other States, and found that it was as long ago as June 1964 that the New South Wales Cabinet decided to legislate for the control of tow-truck operators, but that it was not until 1967 that such legislation was enacted and not until 1969 that it was gazetted. In Victoria similar legislation has existed since 1961; in South Australia, since 1967; and in Western Australia, since 1972. I suggest that the Minister have the regulations drafted and this legislation proclaimed as quickly as possible so that any further procrastination by his Government can be obviated.

One provision that causes us some concern is that which states that every member of a firm or partnership that is the holder of a licence or permit shall be deemed to be the holder of that licence and shall be subject to the scrutiny of the police as well as the Department of Transport. The Opposition would like to know what happens if a member of a tow-truck firm had, some time previously, a criminal conviction recorded against him. Would that completely debar the entire firm from operating tow-trucks? It appears that anyone who has been miscreant will be debarred from holding a licence.

The Opposition agrees that it is desirable to have persons of good character operating tow-trucks. But if the matter is approached from the angle that everybody who holds a licence must be beyond reproach and must have been a person of good character all his life, those people who have reformed themselves and are desirous of setting up such a business will be, to say the least, disconcerted.

The Bill refers to a "natural" person. This term certainly has the members of my committee bugged. We endeavoured to ascertain what a "natural" person was. We looked up the meaning of this word in the dictionary and found it was described in these terms, "lifelike, simple, unaffected, easy, not disfigured or disguised." Another description of the word was, "existing in, formed by nature, not artificial." In another description we found that it must be based on the innate moral feeling of mankind, instinctively felt to be right and fair. A man holding a tow-truck licence will have a lot of things to live up to if he is to meet what is prescribed for applicants. His character will be subject to scrutiny over a long period.

It appears that he is required to carry his licence at all times and present it. He has to carry not only his tow-truck licence, but his registration certificate, a certificate of inspection, a driver's certificate, an assistant's certificate or permit, and perhaps a few other things such as registration papers, driver's licence, and so on. These requirements seem to be a little heavy handed. He is expected to carry his licence at all times. It seems that the licence will be operative for 12 months. There appears to be no provision for overlapping because it must be renewed every 12 months. Human nature being what it is, what will happen if he overlooks renewing his licence? There seems to be no margin for error. A tow-truck operator will have to be on the alert to remember exactly when his licence is due for renewal. He must be aware of all that is prescribed relative to the form and authority of licence, and renew it every 12 months.

When the Minister reviews the operation of the Bill at a later stage, he might examine this provision and, if the regulations are being complied with by tow-truck operators, it could be amended to extend the time in which a tow-truck licence is current. The requirement that a tow-truck operator renew his licence every 12 months could well be an imposition.

Mr. Lee: That is the provision governing the registration of companies.

Mr. R. JONES: If a tow-truck licensee is found to be a legitimate operator, I see no reason why the 12-month period should not be extended.

The Minister said that he would review the position after a reasonable time and strengthen the legislation if the intent of

the Bill was being thwarted. Legislation does not automatically make people law abiding. We agree that this legislation is needed, but we are not sure that it will eradicate the practices which have been complained of or get rid of the nuisance created by the unscrupulous operators.

For quite some time Victoria has experienced problems. We were told at the introductory stage that offending operators were in the minority. In 1968 an insurance company stated that, of the 35 tow-truck companies in the metropolitan area, only 12 were reputable, honest firms. These are the only figures I can find at the moment. As legislators, we cannot guarantee the behavioural pattern of any set of people for whom we legislate. We hope that the position will improve and that the \$200 prescribed under the regulations and the \$500 penalty for a breach of the Act will provide the necessary deterrent. We hope that these people will abide by the provisions and that the result will be a cleaning-up of tow-truck operations in this State.

In the past this industry has lent itself to certain undesirable practices which we hope will not continue. We are still not convinced that, following the passage of this Bill, these tow-truck operators will not speed to the scene with their lights flashing, as they have done in the past. Will this legislation prevent a number of them arriving at a scene at the one time? I cannot read anything in the Bill that will achieve that end. There is certainly no zoning provided.

Is there anything in the Bill that will stop the distasteful practice adopted by some tow-truck operators of securing authority from the owner of a damaged vehicle, which ambulance bearers object to. There have been reports that some have even climbed into the back of an ambulance vehicle. After all, we are giving to the driver of the tow-truck the authority to secure the signature, but the Bill will not stop two of them from contending with each other to obtain the signature. There is a spirit of competition among them, and perhaps this practice will continue.

What happens if a car breaks down, perhaps with an airlock in the fuel line?

Mr. K. W. Hooper: The Bill does not cover mechanical failure at all.

Mr. R. JONES: I see. Then what happens if a damaged vehicle is on a highway or byway and the owner wants to make a private arrangement to have it towed? This generally happens with members of the younger generation who cannot afford to pay tow-truck fees. They say that they will ring up a mate who will obtain a line and tow the vehicle. Is it mandatory that a tow-truck be used in those circumstances or does the owner have the right to choose who will tow him?

Mr. Lee: It is the Government, not the A.L.P., that is putting this Bill through.

Mr. R. JONES: We are trying to be constructive and get this information from the Minister. We are not philanderers like the honourable member for Yeronga. I know he is disappointed at the result in the Brisbane City Council election.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! That has nothing to do with the Bill.

Mr. R. JONES: One of the other points I want to raise deals with the inventory. Possibly the Minister could consider this matter when framing the regulations. I realise that the inventory must be compiled at a certain point. But the matter is left wide open. What happens if a motorist comes along and says, "When I was taken to hospital, there was a mink coat in the back of my car."? After all, a tow-truck operator will not be required to compile the inventory till he has towed the vehicle to the place appearing on the authority. Many people may have climbed over or through the vehicle by the time the tow-truck operator hooks it on, particularly in country areas. If a tow-truck operator is to be required to make an inventory of moveable property on arrival at the place to which the vehicle is to be towed, I think consideration will have to be given to his responsibility in this direction.

The Minister dealt with authorisation to tow a damaged vehicle to a specified place. What will be the position if the place shown on the authority is a private address, and there is no-one there to receive it? This will happen on many occasions in provincial areas, and even in Brisbane. A person may say, "I do not want you to take my car to a yard or to a panel-beater. I want you to take it to my home." If the person is injured and there is no-one at the address that he gives, who then takes delivery of the vehicle? Who pays the towing fee? Tow-truck operators have, of course, recourse to law, and I know that they are already complaining about having to wait up to three months before they are paid by insurance companies. It has to be remembered that there are just as many unscrupulous motorists as unscrupulous tow-truck operators, and possibly more, and some motorists of this type may try to avoid paying for the towing of their vehicles. Of course, the tow-truck operators have the addresses of persons whose vehicles they tow, and they have recourse to law. I mention this matter because quite a number of queries have been raised on this aspect of the Bill.

What will happen if an owner changes his mind about where he wants his vehicle delivered? Let us take a hypothetical case. A person's agent may decide that he wants the vehicle delivered to Murphy's yard, and the owner, who has a broken arm and cannot sign an authorisation form, wants it taken to Jack Simmond's place. Can the owner in effect undo the authorisation? If

somebody else takes delivery of the vehicle, has the owner the right to issue a second authority to shift the vehicle from A to B?

I return to the taking of inventories of moveable objects in vehicles. It appears that most road incidents occur in night-time. It will be rather difficult for tow-truck operators to make inventories at night. I think it was the honourable member for South Brisbane who mentioned a case in which a body was missed in a damaged car. A lady's mink coat or a transistor radio, or other similar loose articles, could easily be missed in a car. I feel that this provision could place tow-truck operators in a rather awkward position.

Mr. K. W. Hooper: You said a minute ago that you felt the inventory could be taken at the scene of the incident. Now you say there should not be an inventory. What do you want?

Mr. R. JONES: The Minister has misinterpreted my remarks. I said that the inventory should be taken as early as possible, and possibly at the scene of the incident. It probably should be taken in company with the driver, passenger or agent.

Mr. K. W. Hooper: Yes, but you said just a few minutes ago that there should not be a provision requiring the taking of an inventory at night-time. You cannot have it both ways.

Mr. R. JONES: I think that the Minister misinterpreted what I said. I said that it is difficult to take an inventory at any time. Most of the incidents occur at night, and it is even more difficult to take an inventory at night. Under the provisions of the Bill, the tow-truck operator is solely responsible for taking the inventory, and it will be difficult for him to do that at any time, let alone at night-time. I think I have made that point clear.

I did not see this mentioned in the Bill, but I suggest that tow-truck operators should carry a log book. Perhaps it is because of my service background, but I think that a log book for tow-truck operators would not go astray. In fact, I think it would assist to overcome quite a number of the difficulties that have been experienced relative to the operations of tow-trucks. The Minister might well consider that suggestion when he is drawing up regulations. A log book could contain entries for calls, sources of calls, locations, trips, mileage travelled and so on.

Provision is made in the Bill for a spotter's fee, and I want that defined more specifically. How does the tow-truck operator get to the scene of the accident unless he is summoned in some way? How can we prevent what is presently happening in relation to spotters receiving, say, \$4 a call, as one honourable member said, or \$6 a call, as another honourable member said. Even if the Bill provides for the owner or his agent to make the call, people will still be racing to

compete for the towing job unless specific provision is made, and I do not think that the Bill will preclude the haggling that now takes place at the scene of a road incident.

Tow-trucks will not be allowed to obstruct highways and expressways, and the Opposition hopes that they will be adequately marked and that they will be equipped with warning and flashing lights.

In addition, I hope that motorists who are involved in accidents will no longer be faced with paying the hidden and unjustified charges that are now made. The Bill says only "a reasonable charge", and there does not seem to be any real definition of what a reasonable charge is.

Mr. K. W. Hooper: I think I answered that at the introductory stage. I said it would be done by regulation because of fluctuation in prices.

Mr. R. JONES: That is fair enough. The Opposition will accept the Minister's assurance that a reasonable charge will be defined in the regulations. I suppose there could still be haggling at the scene of an incident. Although the intention of the Bill is commendable, I do not know whether it will still be a case of "first in, best dressed" or the fellow in the smartest suit getting the job. I do not see how the haggling will be eliminated.

Another clause provides that, under the Wireless Telegraphy Act 1905-1967 of the Commonwealth, a person holding a tow-truck licence and any person employed by him shall not listen to either police or ambulance radio bands. Nowhere in my research did I read that there had been many prosecutions under that Act. If the practice of listening to such broadcasts has continued over the years, I do not know why the provisions of the Act have not been policed and applied more strictly up to date. I do not see how the Bill will change the position. Possibly the practice will still continue.

Mr. K. W. Hooper: They will find they are without their licences if they continue to do it.

Mr. R. JONES: They have first to be detected.

Mr. K. W. Hooper: We will have inspectors out; do not worry about that. We cannot enforce a Commonwealth Act, but we will enforce our own. The Commissioner will have the right to ask them to show cause why their licences should not be suspended.

Mr. R. JONES: Since the new Federal Government came into office, we have heard a lot about the State Police Force administering the provisions of Commonwealth laws.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! I ask the honourable member to confine himself to the Bill.

Mr. R. JONES: With respect, Mr. Deputy Speaker, the provisions of the Wireless Telegraphy Act will have to be administered in certain respects by the State police or State transport inspectors so that initial reports can be made. I cannot see it being done in any other way. I cannot see that there will be any change in the practice unless reports are submitted by the State officers I have mentioned.

I am pleased to see that there is some sort of appeal procedure. That will be referred to later.

As to the carrying by drivers and assistants of various licences and certificates, it has been suggested by a member of my committee that, to simplify identification, perhaps there should be a requirement that a photograph of the operator be included on the licence to preclude any swapping of documents.

What will happen with the overlapping of the different times of renewal for a driver's certificate, an assistant's certificate, a licence to operate, a driver's licence, vehicle registration, inspection certificate and so forth? I might have touched on this matter earlier. Approximately five different documents have to be carried. Expiry dates will vary. Would a person lose his licence for committing a breach of the Act by failing to carry all those documents? What would happen if one of the documents he was carrying had expired? It is rather an ambiguous and clumsy requirement. Annual renewal of the licence makes it even more difficult for the tow-truck operator. The holding of a driver's licence is a prerequisite to the holding of a certificate. Perhaps the extension of the currency of the certificate to two or three years should be contemplated. The Victorian authorities have admitted that the policing of their legislation since 1961 has been difficult. It is one thing to enact a measure and another thing to implement it and police it.

Since the licensing of driving instructors was instituted, the main complaint seems to be about the time lag between when a person is trained and declared competent and when he receives his certificate. That applies particularly to persons in country areas. By the time his certificate comes through, the applicant has got tired of waiting around to be a licensed driving instructor. For that reason it is difficult to obtain driving instructors in country areas. Many prospective instructors become tired of waiting and cannot afford to remain out of work, so they engage in other employment. Therefore, I suggest that the granting of licences and certificates should be looked at with a view to having permits issued immediately after application is made so that the applicants, while being investigated, can operate tow-trucks.

I am not quite clear as to whether the Bill provides for an appeal from the cancellation or suspension of licences or certificates.

Although the Bill does not refer in this respect to the Commissioner, I presume it is the intention of the Bill that the matter will be reviewed at the discretion of the Commissioner. From the wording of a later clause I gather that the Commissioner will be the authority to whom, on this aspect, an appeal will be made.

I have referred to the elimination of spotters. All steps must be taken to ensure that commissions are not paid to the highest bidders.

A very pertinent point, and one on which the Opposition believes explanation is required, is the provision as to right of entry. The A.L.P. believes that such a right must not be given without the authorised officer first obtaining a warrant under due process of law. Even though the tow-truck industry has been troubled by a number of unscrupulous operators, operators, like everyone else, are entitled to the protection of the law. Unless the Bill provides that a authorised officer must, prior to entering premises, obtain a right of entry, we will have to oppose the relevant clause.

A tow-truck operator must be allowed to claim protection if he is to be asked questions. The Bill provides that he must furnish the assistance or information asked for. I suggest that this provision has been written into the Bill without due thought being given to the protection of the individual and his right to refuse to make certain statements on the ground that he might incriminate himself. Everybody must enjoy the basic legal right to demand the presence of a solicitor before making a statement. And uppermost in our minds should be the right of the individual to the sanctity of his home or business premises.

Many tow-truck operators could conduct business from their homes, and, as I say, unless the Bill provides that, before entering a tow-truck operator's home or business premises, an authorised officer must first obtain the right of entry under due process of law, we would have no alternative other than to oppose that provision. I hope the Minister will prove conclusively that right to enter without a warrant is not permitted under the Bill, but on my reading of it I feel that there is such a right.

Coming to appeal procedures, I point out that in certain circumstances an appeal could be expensive when costs are given against an operator. Notice of appeal has to be lodged in writing and a prescribed fee has to be paid. This, no doubt, will be after an operator has been fined \$200 or \$500. We can only hope that the fee will not be too high.

I noted in the Bill that the appellant and the Commissioner may appear before an appeal tribunal. The appellant is entitled to be represented by counsel. I trust that the appeal tribunal will give him the right of cross-examination, documentation and corroboration, and that proceedings will not

be simply hearsay evidence. If the operator wins his appeal, I hope that costs will be sufficiently substantial to meet any expenses incurred in instigating the appeal. From the country operator's point of view, will appeals always be held in Brisbane? If so, will adequate expenses be allowed to country appellants? People who live in the country are generally very law abiding and, so far, there have been no problems with tow-truck operators in country areas. But we could have problems in the future. The regulations should embody provision for paying air fares to country operators who wish to appeal, because a country businessman does not wish to waste too much time in proving himself innocent.

In the general terms of the Bill reference is made again to the production of the licence. I am worried about the constant reference to this requirement. In this context, I will use a word that I got into trouble for using some little time ago. I ask, "What about Eureka?" Surely an operator should not be required to carry a licence on his person.

Mr. R. E. Moore: You got thrown out for using that word.

Mr. R. JONES: I used the word in a different context, and I did not get thrown out. The honourable member should not tell untruths.

Honourable members may recall that in 1965, which was the year I entered this Assembly, a driver who was pulled up for a traffic offence had to produce his licence immediately. I remember well being pulled up at that time on a traffic offence and being fined £1 for not being able to produce my licence on the spot. As a result of my submissions in this Assembly, a period of 48 hours is now allowed in which to produce a licence.

Mr. Chinchin: I do not think that is attributable to you entirely.

Mr. R. JONES: I take credit for it. It is rather strange that, after I raised the matter in the House, the amending legislation should be introduced.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! The honourable member will return to the Bill.

Mr. R. JONES: We must follow this to its logical conclusion. In Australia, there has been only one really bad political upheaval. That was caused by miners being forced to carry their licences. Because of the work they did—

Mr. DEPUTY SPEAKER: Order! I remind the honourable member that the matter he is dealing with has nothing to do with the Bill we are discussing. I know the honourable member is making a point, but I ask him to come back to the Bill.

Mr. R. JONES: Mr. Deputy Speaker, I beg to disagree. The principle involved is the same.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! I have ruled that the honourable member is getting away from the principles of the Bill. He is arguing around the Bill and I have allowed him a fair amount of latitude. I now ask him to come back to the Bill.

Mr. R. JONES: The Bill provides that the licence shall be produced on demand. This should not be provided, because of the lesson we learned many years ago. These fellows work hard in all weather. If they vote Labor, they sweat; if they vote Tory, they perspire. If they have to carry the registration certificate, licence and permit, those documents will become defaced unless they are carried in a safety deposit box. I believe that operators should be given some time in which to produce this documentation. It is one thing to have to produce a licence and another to have to produce it on demand.

If the agent or the driver—and the agent may be a police officer—authorises the tow, and the driver, passenger or owner succumbs, the towing operation becomes a charge against the estate. However, in New South Wales, if a police officer signs and accepts responsibility for the towing operation, the Police Department accepts responsibility for payment. This is not spelt out in the Bill and the Minister may consider it when framing the regulations.

We are endeavouring to achieve an improvement in the standard of behaviour and conduct. The regulations will provide for the standard and conduct of persons, particularly at the point of authorisation to tow the vehicle. I hope that the Minister will be able to achieve an improvement in this regard and that his officers will be able to frame regulations to remove the unscrupulous and unseemly practices that have prevailed for a long time.

I trust that the amount charged by tow-truck operators will not be too exorbitant and that the maximum and minimum charges fixed will be commensurate with the job done. Obviously, the amount of the fee has yet to be determined. We have knowledge of unscrupulous charges being made for a long time. I ask the Minister to give us some idea of the basis of the fees.

I look forward to the Minister's reply. Other members of the Opposition transport committee will be speaking in this debate and will no doubt compare this measure with the legislation of other States. They will elaborate on the right and power of entry, which we will oppose unless the Minister can satisfy us that it cannot be done without a warrant.

Mr. HARVEY (Stafford) (5 p.m.): Although \$16,000,000 was spent on preparing for the electrification of the Brisbane suburban railway system before the present Government came to office, no further work has been done on this project in the last 16 years. Today, six years after a report was presented to the then Commissioner of Police—

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! The House is discussing the Tow-truck Bill. There is no need for the honourable member to go into a preamble.

Mr. HARVEY: "The Sunday Mail" of 8 October 1967 shows that the Traffic Branch and Motor Squad of the Police Department had made recommendations to the Commissioner of Police that legislation be introduced to control the activities of tow-truck operators. Six years later, a Bill is now before the House to do something positive in this direction. One wonders if the wheels of justice and progress are moving at all, and, if they are, whether they are moving forward or backward.

Records and Press comments over the years have shown that there is a definite need for legislation to control this activity. There have been, and still are, many tow-truck operators who are more unscrupulous than Ned Kelly. At least Ned Kelly wore armour, and he made his intentions clear. Many people have been subjected to concern and distress by the activities of unscrupulous tow-truck operators, and many have been fleeced of substantial sums. There have also been many tragedies associated with this activity, and some people have received threats. It also appears from the records that on many occasions considerations in the form of cash or kind have been made for services rendered and favours extended.

The Tow-truck Bill is before the House today. Whilst we are unaware of the regulations that will ultimately be associated with it, any control must be an improvement on the present situation.

I notice in the interpretation clause of the Bill that "authorised officer" means a member of the Police Force, an inspector of machinery, or a person authorised by the Commissioner for Transport. Have their respective authorities been specified? Is there an overlapping of authority? A police officer would clear the wreckage from the scene of an accident to permit the movement of traffic. Is he also permitted to enter premises to obtain evidence for a prosecution on a traffic offence? The machinery inspector would be associated with the state of the vehicle and an assessment of its mechanical condition prior to the accident. The person delegated by the Commissioner for Transport would be acting in the interpretation of this legislation. The three authorised people have three different functions that place them in different categories. Therefore, I ask whether these

three persons have overlapping authority, and whether their authority and responsibility will be clearly defined when the regulations are drawn up.

I also ask the Minister to consider including in the regulations definitions of crane, laden weight, and load capacity. I do that because they are clearly defined in the Acts in other States. I realise that the definitions of crane, laden weight, and load capacity, may come within the provisions of the Inspection of Machinery Act, but is there any reason why they were not included in this Bill?

The Bill provides that "tow-truck" means a motor vehicle "being used at the material time for the towing of a trailer on which a damaged motor vehicle is being carried." Why are the words "material time" used instead of "specific time" or some other similar term?

In the clause relating to applications for licences, the words "where the applicant is a natural person" appear. I looked up the definition of "natural person" in the Oxford Dictionary, but I am sure it is not applicable to the Bill. Therefore, I should like to know exactly what is meant by the term "natural person" in this instance.

In relation to the conditions of a licence, I should like to see provision made, as has been done in other States, for all tow-trucks to have the owner's name or trade name and address placed on both doors, together with the licence number and the lifting capacity of the vehicle. In fact, I should like to see the clause brought into line with section 10 of the Western Australian Act, under which tow-trucks are divided into categories, 1, 2 and 3. I do not wish to go into detail and waste time unnecessarily—I am sure that the Minister must have had copies of the Western Australian Act before him when the Bill was drafted—but class 1 is a safe working load of 2,300 lb.; class 2, 5,600 lb.; and class 3, 11,500 lb. Other requirements relative to classifications and interpretations are set out in the Western Australian Act, but I believe that the provisions of section 10 of that Act should be included in conditions relating to licences and classifications of licences.

Another honourable member referred earlier to requirements relating to the taking of an inventory. Should not provision be included for such inventory to be produced on request to the owner or authorised person or agent? I do not believe that the inventory should be in the records of the tow-truck operators, and not be handed over, when required, to the owner of the damaged vehicle or an authorised person or agent. Again I believe that we should look at the provisions of the New South Wales Act in that regard.

One of the problems we have with tow-truck operators at the present time results from the lack of a suitable provision to

enable the owner of a vehicle or his agent to enter upon premises with the necessary equipment to remove his vehicle. Following an accident, a vehicle will be towed into the yard of a tow-truck operator. When the owner comes to recover his vehicle and wants to use the facilities of another tow-truck operator, he might find that the latter operator is not allowed on the premises. The operator who originally towed the vehicle into the yard will say that he will tow the vehicle to the footpath at a charge, the minimum charge being \$15.

If a vehicle is damaged on the roadway and a police officer asks that it be towed around the corner, under the scale of charges laid down by the Tow Truck Operators' Association the owner of the vehicle is up for \$15. No matter how short may be the tow, the minimum charge is \$15. I understand that the present storage charges are \$1 a day for the first 48 hours, and 75 cents a day thereafter.

When a person is involved in a motor vehicle accident he suffers even if he is covered by insurance. Although the accident may not have been caused by him, he still may lose his no-claim bonus. In any event he faces some sort of hardship through being involved in the accident and in addition, in many cases he is fleeced by a tow-truck operator. It is no wonder tow-truck operators fight to get jobs. There is a definite need for the owner of a vehicle to have authority to enter the yard of the tow-truck operator who removed his vehicle from the scene of an accident so that he can have his vehicle removed by an operator of his choice. The owner should not be charged a further \$15 merely to have his vehicle towed to the footpath.

I commend many clauses of the Bill. I refer now to clause 15, which deals with the driver's certificate and the assistant's certificate. Could the certificates not be similar to international drivers' licences, which carry a photograph of the licensee?

Mr. Bromley: You would be the only one in the House with an international driver's licence, wouldn't you?

Mr. HARVEY: I do not know about anyone else, but I have one.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! I remind the honourable member that he does not need such a licence to drive a tow-truck.

Mr. HARVEY: I believe that there is a definite need for a photograph to be included with the certificate. This would prevent certificates being swapped.

The previous speaker referred to the right of appeal. Clause 29 provides that an appeal shall be presided over by a magistrate, a representative of the Commissioner, and one other person. That is generally the requirement for this sort of thing at the present time.

I refer now to clause 24, dealing with false statements and representations, and coercion. I draw attention to paragraph (d), which reads—

“obtain or attempt to obtain by force or undue influence a consent to remove a damaged motor vehicle or a signature on a towing authority.”

I consider that the provisions contained in section 14 of the Western Australian Act should also apply in this State.

The Western Australian Act provides that a towing authority shall be filled out in duplicate and shall contain the name and address of the person who is licensed to operate the tow-truck, the name and address of the person driving the tow-truck, the registered number of the tow-truck, the name and address of the owner of the vehicle to be towed or salvaged (if that is known), the name and address of the person authorising the motor vehicle to be towed or salvaged, and, in the case of a police officer, his rank and number as well as his reason for authorising the removal of such vehicle, the make and registered number of the vehicle to be towed or salvaged, the place to which the vehicle is to be towed, the place from which the vehicle is being towed, and, finally, the reasons why it was nominated to be towed.

Quite recently, in Stafford Road, a motor vehicle knocked two girls down. The police arrived on the scene and, although the vehicle suffered no damage and could have been driven away, they ordered it to be towed away. An argument developed between the motor vehicle's owner, two other persons who were present, and the police officers, who, as I say, without giving any reason, insisted that the vehicle be towed away. The outcome was that the tow-truck operator, who had also arrived at the scene, was waved off and the vehicle was driven away. That incident highlights the need to nominate the reason why a vehicle is towed away.

I have already suggested that the towing authority be completed in duplicate. This would enable the original document to be handed by the driver of the tow-truck to the person authorising the towing away of the vehicle so that both parties are in possession of the document. Such a provision is essential, because it is possible for a vehicle to be towed to the wrong address or, alternatively, for a claim to be made that a vehicle is towed to the wrong address. If the form is filled out in duplicate and signed by the authorising person, no dispute will arise.

Tow-trucks should not be permitted to patrol the streets waiting for accidents to happen. They should be compelled to wait at their depots until called out as required.

Reference has been made to the legal rights of a person who is requested to supply information to an authorised officer. I suppose that if a person who is questioned

does not provide the information sought, he could be regarded as having something to hide. Nevertheless, if he asks for legal representation he should be entitled to receive it. Of course, if a person has nothing to hide he should not require legal representation. However, as all our statutes contain such a provision, it is only right that this one, too, should contain it.

It is only right to provide that anyone who restricts an authorised officer in the exercise of his duties commits an offence under the Bill. I suggest that at the scenes of some accidents the tow-trucks that arrive create a greater traffic hazard than the vehicles involved in the accidents.

Tow-trucks should be equipped with dual wheels, fire extinguishers to meet emergencies, and brooms to clear up broken glass on the roadway to avoid damage to other vehicles.

Most of the remaining points in the Bill have been covered by other Opposition speakers. In my opinion, it should have been introduced at least six years ago. I know that we will experience many teething troubles, but I acknowledge that there is a definite need to ensure that the provisions of the Bill and the regulations are complied with. Probably in nine months' time certain weaknesses will become obvious and will require the introduction of amending legislation.

It is disquieting to note that we are far behind other States in this field. However, the introduction of this Bill could rectify many problems experienced in the past. Many people have been subjected to undue distress and suffering when they were in no condition to cope. I look forward to the Minister's reply to my queries.

Mr. FRAWLEY (Murrumbidgee) (5.22 p.m.): Since this Bill was introduced I have received many telephone calls through the Parliament House switchboard from people claiming to be associated with the tow-truck industry. Most of the calls were congratulatory, a few were abusive and two bordered on being threatening. One caller said, “Someone will get a bullet over this.” When I asked, “Who is the someone?”, he hung up. Another caller said, “Someone will get badly hurt over this tow-truck business.” When I asked “Who are you talking about, me or the tow-truck operators?”, he hung up.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! The honourable member knows that we are now debating the second reading of the Bill. I should like him to proceed along those lines.

Mr. FRAWLEY: I think the time is opportune to quote section 55 of the Criminal Code, which provides—

“Any person who advisedly, by force or fraud, interferes or attempts to interfere with the free exercise by either House of Parliament of their authority, or with the

free exercise by any member of either House of his duties or authority as such member, or as a member of a Committee of either House, or of a joint Committee of both Houses, is guilty of a misdemeanour, and is liable to imprisonment for three years.

"(The offender may be, and it is hereby declared that he always was liable to be, arrested without warrant.)"

It would be wise for some of these unscrupulous tow-truck operators to note that provision and realise that they are treading on very dangerous ground when, even if by implication, they threaten members of Parliament in an effort to stop them from saying what they believe to be correct. Any member of Parliament, provided he has sufficient information, should be able to say what he believes should be done. Even if he cannot prove anything, at least he should be able to bring the matter out into the open.

I now wish to discuss several aspects of the Bill. I note that the Commissioner of Police will cause inquiries to be made when an application is made for a licence. I may be wrong, but I thought that the honourable member for Cairns suggested that even criminals should be allowed to hold tow-truck licences. I hope the honourable member will correct me if I am wrong.

Mr. R. JONES: I rise to a point of order. I am being entirely misrepresented. I am being almost as badly misrepresented as were some tow-truck operators by the honourable member for Murrumba at the introductory stage.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! The honourable member will please state his point of order.

Mr. R. JONES: My point is that I am being misrepresented. I ask the honourable member for Murrumba to withdraw the statement.

Mr. FRAWLEY: I withdraw it. I am pleased that the honourable member for Cairns corrected me; I was labouring under a misapprehension. I really thought that he advocated the licensing of criminals to drive tow-trucks.

When the police are investigating the character of a person who has applied for a licence to drive a tow-truck, consideration should be given to a young person who may have committed a misdemeanour when he was under 17 years of age. I do not think that should be held against him. If a young person committed an unfortunate act without realising what he was doing—I do not refer to armed robbery or anything like that—he should not be debarred from being considered as a result. I trust that the Police Commissioner will take this into account and will allow a certain amount of latitude to anyone who is endeavouring to go straight.

The Bill provides that the licence shall state the place from which the business of operating the tow-truck or tow-trucks may be conducted. This is interesting; I can recall one tow-truck operator who has registered six different places. They are A.P. Enoggera Towing, 190 Pickering Street, Enoggera; Albion Towing, 23 Pickering Street, Alderley; Constant Autos Co., 190 Pickering Street, Enoggera; Constant Towing & Salvage Co., 23 Pickering Street, Alderley; Enoggera Autos Towing, 23 Pickering Street, Alderley, and Gilroy, A. F., 23 Pickering Street, Alderley. Mr. Gilroy lives at 23 Pickering Street and his panel-beating shop is at 190 Pickering Street. So that he is operating six businesses from those two places. If I read the Bill correctly, all of those names will have to go on his trucks.

This gentleman is misrepresenting himself. On certain tows he claims to be authorised by the R.A.C.Q. Albion Motor Body Repairs, who are authorised, applied to the Commissioner for Corporate Affairs to be registered as "Albion Towing Company". They were told there was no need to be registered, because nobody close to them could be registered. Yet Mr. Gilroy has been able to register Albion Towing. When people ring up his telephone number they say, "Are you from Albion Towing?" They do not say, "Are you from Albion Motor Body Repairs?" He says, "Yes." He leads them to believe that he is the authorised R.A.C.Q. agent. In this way he "sucks in" a lot of taxi-drivers, because the Albion firm has an agreement with Waltons Insurance Co. Ltd. to tow taxis insured with them. Yet this person pretends that he is authorised by the R.A.C.Q.

Mr. Hinze: Is he doing it now?

Mr. FRAWLEY: I would not say he is doing it right at this moment, but he has been doing it up till now.

In last Sunday's "Sunday Mail" Mr. Ready claimed that he had not been towing for two years. I got someone to ring him last week.

Mr. Bromley: Why didn't you ring him yourself?

Mr. FRAWLEY: I was afraid to. I got someone to ring him last week at Suburban Towing, 343 Stanley Street, South Brisbane, which is run by his wife. The pink pages of the Telephone Directory still lists a telephone number for Ready Towing Service, which he claimed he discontinued two years ago. But he is still paying to have the telephone number listed. Anybody who rings the number shown is referred to Suburban Towing. There is also Broadway Autos Towing Service incorporating Ready Towing Service. I claim that Mr. Ready is still conducting towing operations in Brisbane. He claims that he has been victimised for 15 years but he does not worry about the people who have been his victims for 15 years.

Mr. Bromley interjected.

Mr. FRAWLEY: The honourable member victimised Col Bennett and put the knife in his back.

The Bill also provides that the tow-truck to which the licence relates and its equipment have to comply with the provisions of any Act. At the moment the Division of Occupational Safety carries out inspections every six months on all trucks registered as tow-trucks. It does not inspect private vehicles from which the boot lid has been removed and a hoist installed in the boot because they are not registered as tow-trucks. In future, everything registered will be inspected—I hope every six months—and I hope that, in addition, all ropes and towing equipment are inspected. I also hope that the vehicles will have dual rear wheels, as they are far superior to single rear wheels. I know that inspectors will be on the road checking on these things at all times.

An inventory should be made at the scene of the accident if possible, unless the vehicle is blocking a major intersection. I suggest that tow-truck operators do as I used to. I had a long lead with a lamp on the end of it. It could be plugged into a fitting at the back of my tow-truck. I could walk around a wrecked vehicle and look underneath it and check everything in the presence of a police officer. It is important that, if possible, an inventory be made on the spot in the presence of a police officer.

Many owners, when they realise that their vehicle is a write-off, go to the yard the next day and strip components from it. They will take out a good battery and replace it with an old one. They will take the tyres off and replace them with worn tyres. They will take out the radio. The insurance company will pay the market value of the car, and its representatives may not even see the tyres or the battery.

There are quite a few owners who attempt to defraud insurance companies by stripping parts from damaged vehicles and blaming their loss on tow-truck operators. The operators have to be protected to some extent. There are many good, reliable tow-truck operators who are members of the Tow Truck Operators' Association. This association carefully screens all its members and will not accept into membership any person who engages in nefarious activities. They are a select group, and they have been pressing for this legislation for years. They have a scale of charges that are quite reasonable, and I hope the Minister uses them as a basis for some of the charges under the legislation.

Mr. Newton: Why don't you put in a commercial for some of the good ones?

Mr. FRAWLEY: Honourable members opposite would not have a clue on this subject. They just waste time by interjecting.

Let us take the case of a person who is injured in an accident and, although he has to be taken to hospital, is still conscious

and is able to sign the authority-to-tow form. He may say that the vehicle is to be taken to a given address. That may be the address of friends of his who, when the vehicle arrives there, do not want to take delivery of it and will not pay the towing fee. One of the hardest jobs facing a tow-truck operator is obtaining his fee for towing vehicles, not only from owners but also from some insurance companies. These companies prevaricate and keep operators waiting as long as they possibly can.

I feel that if a tow-truck operator takes a motor vehicle to an address given by the owner and the people at that address argue about paying the fee, he should be allowed to take the vehicle to his depot. He should not be placed in the position of having to take legal action to recover a small amount of money. It may be only the minimum fee of \$15, and it is hardly worth going to court for that amount. Tow-truck operators have to be given protection in some way to ensure that they are paid for their work.

Mr. Davis: They might be able to get it through the small claims court.

Mr. FRAWLEY: I thought the honourable member would say something bright like that.

It was always my understanding that the licence to be carried by the driver of a tow-truck would bear his photograph so that he could be readily identified by police officers and owners of damaged vehicles.

There will still be many tow-truck operators converging on accidents, and they will get there because they have been listening to the police radio or have been notified of the accident. I cannot see how this can be stopped. In any case, sometimes three tow-trucks are needed at an accident scene. This could perhaps be overcome if the police took the numbers and names of operators who arrived at accident scenes without being called, and endeavoured to ascertain from where they received their information.

Mr. Davis: Did you listen to the introduction of the Bill?

Mr. FRAWLEY: Yes.

Mr. Davis: Did you hear what the Minister said?

Mr. FRAWLEY: I do not think the honourable member for Brisbane listened very well.

I heard the honourable member for Cairns refer to a privately owned vehicle that required towing after breaking down as a result of mechanical failure. I do not think it is intended to require the owner of such a vehicle to make use of a tow-truck. As I understand it, the car-owner whose vehicle breaks down can get a friend to tow him with a line, if the vehicle can be towed. I do not think it was ever intended that a private motorist who had trouble with, for

example, the petrol pump or coil of his car would have to engage a tow-truck operator. I think it will still be permissible for such a vehicle to be towed by another private vehicle. I think I can put the honourable member's mind at rest on that point.

The honourable member for Cairns said that being required to carry a licence might be an encumbrance to a tow-truck driver. This requirement is necessary. A tow-truck driver could be illegally using for his own use a vehicle belonging to the person by whom he is employed. He could have taken the tow-truck out during the week-end to make a few dollars for himself on the side. I think it is necessary for him to carry his licence.

That does happen. I know of cases in which tow-truck operators lend their tow-trucks to people for the week-end and take half of what they get. These people do not work for the firm during the week. The tow-truck is simply lent to them from Friday night to Sunday night, and they take their girl-friends for a drive and pick up business from any accidents they come upon. I recall one occasion when I was at the Boondall Drive-In Theatre at midnight to take a friend of mine home—

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! The honourable member is getting away from the provisions of the Bill. I ask him to return to them.

Mr. FRAWLEY: I shall endeavour to stick to the provisions of the Bill.

If the driver of a vehicle is incapable of authorising the tow, it is the practice of the police—it is a good practice, too—in cases where there is a fatality to have all the cars involved in the smash taken to the nearest police station where there is a yard. I believe in that. They should not be allowed to go anywhere else, because that is when faulty tyres may be changed. In fact, on one occasion I towed a car that had been involved in an accident—it happened at night-time, so it was very difficult for the police to check—and I was asked to swap the tyres over and put good ones on so that the person concerned would not be charged with driving a vehicle in an unroadworthy condition.

In order to overcome things such as that, I think it should be mandatory, whenever there is a fatal accident or an accident in which it is probable that there will be a charge of bodily harm or grievous bodily harm, for a policeman to make a quick assessment and insist that all the cars go to the nearest police station, where they can be held for examination by a police mechanic. It would be rather ridiculous to call out at any hour of the day or night a police mechanic or a mechanic authorised to make inspections of vehicles to examine vehicles suspected of being unroadworthy, especially if they are on busy highways. If a police officer suspects that the accident

has been caused by a mechanical defect in a vehicle, it is quite reasonable for him to have that vehicle taken direct to a police station and not to allow it to go to the yard of any tow-truck operator or to the owner's yard.

Let me return now to the minimum towing charge of \$15. I point out that reputable tow-truck operators do not charge \$15 to tow a vehicle across the street from their yard. Some of them charge more, of course. However, I have been to the yards of many tow-truck operators over the past three years and I have been charged by only a few. Most reputable tow-truck operators will give another tow-truck operator or the owner of the vehicle any assistance he requires to get his car from their yard. Even though they own a motor-body shop, they still allow other tow-trucks into the yard. It is only a few disreputable people who have given the industry a bad name by trying to "flog" the public for every cent they can. No matter what the insurance company pays, it is still the public that pays in the long run.

Mr. Davis: Why don't you name them?

Mr. FRAWLEY: I will name the honourable member as a shareholder in one of these tow-truck companies, if he is not careful.

In regard to the charges made by the Tow Truck Operators' Association, I must correct a statement by the honourable member for Stafford about storage charges. The first 48 hours' storage after a tow are free. No reputable tow-truck operator or member of the Tow Truck Operators' Association makes a charge for the first 48 hours. After that, the charge is \$1 a day if the vehicle is under cover and 75 cents a day for vehicles that are not under cover.

Mr. Hinze: What is that for?

Mr. FRAWLEY: After a wrecked vehicle has been towed to the tow-truck operator's premises, he does not make any charge for the first 48 hours. If somebody takes it away within 48 hours, he has to pay only the minimum charge or the charge that the tow-truck operator incurred. If he had to use a trailer or a tandem trailer to carry a car, he would naturally expect to be paid for that.

The mileage charged is 80 cents a mile empty and \$1 a mile loaded. In other words, when the truck has a wrecked car behind it, the charge is \$1 a mile; when it is empty, the charge is 80 cents a mile.

The hourly rate between 8 a.m. and 4 p.m., Monday to Friday, is \$6.50, and after hours it is \$9. Those are reasonable charges. The minimum charge between 8 a.m. and 4 p.m., Monday to Friday, is \$15, but, as I pointed out earlier, the operators do not stick to the minimum charge. If somebody breaks down within a mile of his home, a good tow-truck operator does

not "flog" him for the whole \$15. If the call is in close proximity, the tow-truck operator usually charges only a reasonable amount. The minimum charge after hours is \$18, and it is worth \$18 to be dragged out at 2 o'clock on a Sunday morning to pick up a wrecked vehicle, perhaps wrapped round a telephone post, and tow it to a police station.

I sincerely congratulate the Minister for introducing the Bill and commend the members of his committee, who spent many hours in ensuring that Parliament received a Bill to license tow-trucks and tow-truck operators. I thank the Minister for allowing me to sit in on some of the discussions. Even though I was not a member of his committee, he was gracious enough to allow me to have some discussions with the committee.

The licensing of tow-trucks in this State is here to stay. Even though it may have taken some time to weigh all the pros and cons and to make sure that it did the right thing, the Government has brought down this Bill because it realises that the public has to be protected against the snide operators. Through the Commissioner for Transport, we intend to see that in the very near future tow-truck operators give a reputable service to the public.

Mr. HANSON (Port Curtis) (5.41 p.m.): Although the honourable member for Murrumba put forward several ideas, I am reminded of his speech at the introductory stage when he made very serious allegations against the Police Force in general over the tow-truck racket.

Mr. FRAWLEY: I rise to a point of order. Let us get it straight. I said that a small minority of police were involved. Those on the Opposition side who can read can check on my speech in "Hansard", or get whoever does their publicity to check for them. I did not say that all the Police Force were involved. I ask the honourable member to withdraw that statement because it is offensive to me.

Mr. DEPUTY SPEAKER (Mr. Wharton): Order! I ask the honourable member to withdraw the statement.

Mr. HANSON: I certainly withdraw it if it is offensive to the honourable member.

In the Brisbane "Telegraph" of Friday, 30 March, publicity was given to what was said by the Minister in charge of police when he demanded proof of the allegations that certain police worked in with tow-truck operators. He said that he was going to ask the honourable member for Murrumba to substantiate his allegations or apologise to the Police Department. In his speech today there was no semblance of an apology by the honourable member for Murrumba. He has certainly "gone to water". By his non-substantiation and lack of apology, he has cast further doubts on the integrity of certain

members of the Police Force, if not the Police Department in general. He has nothing to be proud of.

If he were able to substantiate his allegations or offer definite proof, why did he not approach the Minister instead of getting up in this Chamber and using his vocal chords to vilify the Police and spew his vituperation on many good members of the Legislative Assembly, as he has done ever since he came into Parliament? What he did was very wrong indeed. I am very restrained in my speeches at all stages of a Bill. Anything I say, I can substantiate. If I happen to make a mistake, I am man enough to apologise. Apparently that is not the case with the honourable member for Murrumba.

Mr. FRAWLEY: I rise to a point of order. I have a list of names here and I am going to divulge those names when I want to, not when the honourable member for Port Curtis wants me to. I take exception to the fact that he said I have "gone to water". I have not. I am keeping my list of names as an insurance policy. I have three copies—

Mr. ACTING SPEAKER: Order! There is no need for the honourable member to make a speech. There is no valid point of order.

Mr. HANSON: After that interruption I shall now proceed with considerable restraint to the other matters I wish to raise. Over the years a number of complaints have been made about the behaviour of tow-truck operators and drivers. In particular complaints have been made about the high speed at which tow-trucks are driven to the scenes of accidents as well as the conduct of rival tow-truck operators and drivers on their arrival. Several operators have been quite unscrupulous in their endeavours to obtain business from motor vehicle repairers. The term "spotters" has been used. The odious practice in which they engage is on the increase.

Owing to grossly inflated repair bills, insurance companies have found it necessary to increase premiums on motor vehicle insurance policies. This has resulted in the transfer of the burden to the shoulders of the motor vehicle owners. I do not know whether this fact has escaped the notice of the honourable member for Murrumba, or whether he has any great concern for motor vehicle owners.

I think all honourable members will agree that no form of control entirely eliminates abuse. We, as members of Parliament, can legislate until we are blue in the face; it is the policing and implementation of legislation that is the criterion in deciding whether or not such legislation is to the good of the community. Unfortunately, since I have been a member of Parliament I have seen hypocrisy unbounded in this Chamber. Bill

after Bill has been claimed as being in the public's interest, but unfortunately it has subsequently been found to be sadly lacking.

A Government Member: Give us an instance.

Mr. HANSON: The honourable member who interjects, one of the members of the ginger group—the great stirrers on the Government side—

Mr. ACTING SPEAKER: Order!

Mr. HANSON: I have been asked to give an instance, Mr. Acting Speaker. There are many such instances, and in some respects this Bill is no exception. If I drive at a speed in excess of the speed limit, I can be convicted under the Traffic Act and have points debited against me. Eventually, if I obtain a sufficient number of points, I might lose my licence.

A Government Member: How many points have you got?

Mr. HANSON: None at all. I am a law-abiding citizen. I am certainly not like the honourable member, who speeds all over the place. As a matter of fact, in relation to towing, Ramu the killer whale could not tow him around the pool on a June morning.

Mr. ACTING SPEAKER: Order! The honourable member for Port Curtis will return to the second reading of the Tow-truck Bill. I do not want to hear him wander again from its principles.

Mr. HANSON: With due respect, Mr. Acting Speaker, it is not my intention to wander from the principles of the Bill. I was provoked.

Mr. ACTING SPEAKER: Order! The honourable member knows full well that he does not have to take interjections.

Mr. HANSON: One provision in the Bill is particularly abhorrent to members of the Opposition. I am referring to the entry by authorised officers. Similar provisions have appeared in other legislation introduced by this Government. No-one has been more vocal on those provisions than those honourable members who sit on the Government back benches. They have repeatedly criticised their own Government. By comparison, Opposition members have been consistent in their outlook. We have argued strongly on many occasions that the right of entry should be obtained only under the due processes of the law, that is, by way of warrant. We believe, and rightly so, that a man's home is his castle. A laissez faire attitude, under which a police officer can enter premises, on demand, at any time of the day or night, is—

Mr. ACTING SPEAKER: Order! The honourable member is getting well away from the provisions of the Bill.

Mr. HANSON: With due respect, Mr. Acting Speaker, if you look at Clause 25 of the Bill, you will find that I am speaking about the right of entry, and that my comments are indeed applicable to authorised officers entering premises. A tow-truck operator may have several units that he operates from two or three tow-truck yards, and he may use his own premises or tenanted premises. No police officer or officer of the Department of Transport should have right of entry to a person's home at any time. Any provision conveying such right is abhorrent to us.

Mr. Miller interjected.

Mr. HANSON: If the honourable member examines the Bill carefully, he will find that the principle is definitely implied. Some time ago, when we were dealing with other legislation, the honourable member would have supported submissions similar to those I am making.

I am not speaking about the police in a derogatory way. They have a certain function to perform and, in the prosecution of their duties, they are obliged to do certain things which are abhorrent to them and which take up a lot of their time. In the light of the mounting crime wave, they could well be occupied in other ways. Certain limitations should be imposed on the right of entry to any premises. In this instance "any premises" that are entered should be licensed tow-truck premises. No officer should be allowed right of entry at any time to a man's home, as distinct from the premises on which he carries on his business operation.

I now have some submissions to make on the excessive speed at which some tow-truck operators drive to the scene of accidents. Many of them seem to believe that, when going to an accident, they can ignore "stop" signs and traffic lights and drive at break-neck speed, even on the wrong side of the road. It is laughable that we should include in this legislation any reference to the speed at which a tow-truck should be driven. We will not stamp out sins of the past in this way.

Many tow-truck operators who have driven at excessive speed for years seem to think that they have almost a divine right to ignore the laws of the land and, no doubt, they will continue in this way. The drafting of this legislation will not overcome these ills in any way without an ever-vigilant Police Force to ensure that the laws of the land are complied with. At times, tow-truck drivers have been menaces on the road and have endangered people's lives. If this legislation influences the Government to appoint more police to control the traffic and ensure that our laws are complied with, it will have our blessing.

My driving licence depends on my obeying the traffic laws. Neither I nor any honourable member or Minister can drive through

red lights with impunity. We cannot pass vehicles on the wrong side of the road, as do many tow-truck operators. It would be interesting to get statistics showing the number of fines imposed on tow-truck drivers for breaches of the Traffic Act. I am sure that they would be few in number compared with fines inflicted on the public generally. If this measure is not implemented and policed properly, it will be so much political claptrap and something not meriting the approbation of people who are vitally interested in the public good.

The Opposition shadow Minister for Transport (Mr. R. Jones) mentioned comprehensive insurance. Many tariff insurance companies are opposed to giving over-all comprehensive insurance to tow-truck companies. As many honourable members have pointed out, considerable damage can be done to a car being towed. In addition, particular care must be exercised in the towing of vehicles with automatic transmission. Unfortunately this care is not always taken and many complaints are lodged by owners.

Handbooks compiled by manufacturers and distributed by dealers outline the precautions that must be taken in towing automatic vehicles. However, because of the inexperience of many people in this industry, damage has been caused to the automatic transmission of vehicles under tow. This is obvious to insurance companies, and many are not prepared to extend comprehensive insurance to these companies and carry the risk of paying out up to \$100 in excess of the damage that was originally done to a vehicle. I suggest that some form of compulsory insurance is very necessary in this operation to cover the theft of furs, cameras, and other valuable articles.

I have been amazed to find that after an accident, particularly in the city where there is a heavy incidence of accidents, debris and glass have been allowed to remain on the street. I suggest to the Minister that, in framing the regulations, he makes it incumbent upon the tow-truck operator to carry a broom and do a few minutes' work in cleaning up the street in the interests of tidyness and public safety. On occasions I have observed debris and glass on the street for up to three days after an accident. It remains there until efficient council cleaners come along and clean it up.

In addition to the tow-truck operators I have been discussing, there are people under contract to firms to tow their broken-down vehicles. I do not think it is right that they should have to constantly seek some authority if they are under contract to a particular firm.

Referring again to the accident field, the Minister should seriously look at setting up some form of roster system to overcome many of the difficulties that have arisen in tow-truck operations.

Before tow-truck operators are licensed, they should have to produce some form of certificate showing that they have a fundamental knowledge of first aid. This is very necessary because an ambulance might be late in coming or could even be involved in a collision itself.

Tow-truck operators are in a very lucrative industry and, in addition to having some first-aid knowledge, they should have, in their cabins, a small oxy-acetylene plant to assist them in getting people out of wrecked vehicles. Many people are trapped in vehicles for a considerable time because they are unable to extricate themselves.

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

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (7.15 p.m.), in reply: I thank honourable members for their contributions, and for the assistance that they have endeavoured to give to the passage of the Bill through the House.

The honourable member for Cairns was concerned that the special provisions contained in this Bill might be inferior to those of the Acts of other States. After a thorough study of the Acts in other States, I believe that the Queensland Bill has improved on them. In Victoria, for instance, difficulties are being experienced, and we believe that in the Bill now being considered the gap that is causing the trouble in Victoria has been closed.

The honourable member also asked that this legislation be proclaimed as soon as possible. I assure him that once all formalities are completed and the regulations are in order, the proclamation will follow as soon as possible.

The honourable member also mentioned the case of a firm, one member of which had a criminal record, and he asked why such a firm should be refused registration because of the record of one member. I advise him that this is the normal procedure in all similar Acts dealing with registration. I ask the honourable member to accept the proposition that the actions of one member of a firm or partnership cannot be condoned. It also has to be appreciated, of course, that those who are registered might not be the ones holding certificates. The owners of damaged motor vehicles must be protected in every possible way.

The acceptance or rejection of an application for registration is in the hands of the Commissioner. If a person had a conviction many years ago and had "gone straight" since, the Commissioner would exercise discretion in accepting or rejecting his application for registration. Of course, if his application was rejected, he has the right of appeal.

The honourable members for Cairns and Stafford referred to the meaning of "natural person". This terminology refers to a human being as opposed to a body corporate. It

refers to you and me, and all individual persons. That is the legal interpretation of "natural person".

The honourable member for Cairns was rather adamant that drivers should not have to carry their licences at all times. I presume that he was in fact referring to their certificates, because licences will be held at the registered offices of firms. It is the certificate of a driver or assistant that must be carried at all times.

The honourable member referred to log books as a necessity. I inform the House that the keeping of records of all procedures will be required. Whether this is to be called a log book or given any other name, records of this type will have to be kept.

The honourable member also mentioned spotters' fees, and the lighting of tow-trucks. I hope the payment of spotters' fees ceases after this legislation becomes effective. I know there are some who say that this will not be the case, as some people will still thumb their noses at the law. I assure honourable members that while I administer this Act and the Traffic Act, I will want them properly policed. The honourable member for Port Curtis made the point—I agree with what he said—that we should not introduce legislation if it cannot be policed.

Mr. Jensen: I hope you police the taxis, too. They are the worst offenders.

Mr. K. W. HOOPER: That is another issue, and I assure the honourable member for Bundaberg, as I told the honourable member for Cairns this morning, that it also is under close scrutiny.

I do not blame the honourable member for Cairns for criticising the failure to prosecute for breaches committed under the Wireless Telegraphy Act. There has always been a problem with the Commonwealth relative to the jamming of two-way radios. Even though there are no prosecutions and we do not receive complaints from the Commonwealth, if we can prove that this is being done—at times it is not very difficult to prove that it is—the Commissioner will have the right to call people in to show cause why their certificates or their licences should not be withdrawn.

I know that the right of entry is a matter of particular interest to the honourable members who dealt with it, and I hope I can clear the air in this respect. I assure honourable members that I hold a view similar to theirs, and I agree with the honourable member for Port Curtis that an Englishman's home is his castle. The regulations will clearly define a person's registered place of business, with no infringement on his residential area other than in cases in which a warrant has been issued. I give the House that guarantee.

The honourable member for Cairns and other honourable members suggested that an inventory should be made at the scene of an accident. That suggestion has merit. On the other hand, the basic idea of the legislation

is to clear the roads of the vehicles involved in an incident or an accident, and that is the reason why we have provided for it to be made immediately upon arrival at the place to which the vehicle is towed. It might be said that pilfering can take place after the vehicle arrives there. I remind the House that the Bill says "immediately". Honourable members will agree, I think, that pilfering and looting can take place at the scene of an accident. Those of us who saw service during World War II know just how looting can take place under certain conditions. By making it immediately on arrival at the place to which it is towed, I believe that traffic congestion will be avoided, the vehicle will be under the scrutiny of the people concerned, and they will have to stand by their inventory.

The honourable member for Stafford said he was concerned because it had taken the Government six years to introduce this legislation. Let me inform the honourable member that he is a little bit out in his time. It took much longer than that. However, I think the reasons are quite valid. First, the former member for Merthyr, Mr. Sam Ramsden, chaired a Government committee, of which I was a member, to go into all aspects of tow-truck operations. That committee submitted a report, but it was not possible to overcome certain problems that existed.

I also chaired a committee, as did my colleague from Mt. Gravatt, Mr. Chinchin. Each of those committees submitted a report, but certain legal problems could not be solved. Finally, a report was received from the committee chaired by the honourable member for Mt. Gravatt, which consisted, as I said at the introductory stage, of the honourable member for Toowong (Mr. Porter), Mr. Acting Speaker (Mr. Lickiss), and myself. The Government believed that this report provided a basis on which it could take some action, and that is exactly what has been done. I assure the honourable member that although we desired very strongly to do something about it, there were certain legal problems that we could not get around. The existence of those problems has been proved in Victoria. I certainly hope that we have now been able to get around them.

The honourable member for Stafford also said that the report was sent to the Commissioner of Police six years ago. Let me assure him that this Government decides policy, not the Commissioner of Police for the time being, whoever he might be. The Government decides what legislation is introduced into this Chamber.

Mr. Newton interjected.

Mr. K. W. HOOPER: If the honourable member wants to hear more about it, he can certainly hear it from me. I am not referring to any particular Commissioner. I said "for the time being", and I stand by that.

I hope to allay the fears of the honourable member for Stafford about the words "material time", which apparently concerned him. The definition of "tow-truck" in paragraph (b) is designed to cover, say, a car towing a damaged motor vehicle from the scene of an accident on a trailer in circumstances where the car would not be a tow-truck as defined in paragraph (a). Such cases would indeed be rare, hence the liability is restricted to the use of the car at that particular "material time".

The honourable member asked about equipment carried on the tow-truck and the design and structure of the tow-truck itself. I thank him for that query. The matter has been taken care of. The Bill complies with the national code for tow-trucks as approved at a meeting of the Australian Transport Advisory Council and amended and updated in February of this year.

Mr. Harvey: Will you have the various classifications on them?

Mr. K. W. HOOPER: Yes. I think the lettering and marking was mentioned by me at the introductory stage. The matter will certainly be covered so that the vehicle can be quickly and positively identified.

The honourable member for Murrumbidgee told us that after his speech at the introductory stage he was threatened on several occasions. I am sorry that happened. At that stage he brought several cases to the notice of the Committee. He sincerely believed that what he produced then should have been produced. He believed them to be true charges, and it was his right to make them. He, too, was concerned about the inventory. I think I have already covered that point.

The honourable member also referred to towing charges. By interjection, I said we could use the charges of the Tow Truck Operators' Association as a basis. Its charges can be used as the start of an investigation into charges. We have to start somewhere. It may be that those charges are not fair but, from a quick look at them and without a detailed investigation of them, they seem quite reasonable. We cannot write actual charges into the regulations because, as I said earlier, they can change from time to time.

Mr. Bromley interjected.

Mr. K. W. HOOPER: The honourable member mentions the R.A.C.Q. As I have said so many times, in this legislation we are covering only vehicles that have been involved in accidents. Under the Bill we are not concerned with the mechanical failure of vehicles. There will be no restriction at all on the normal towing of vehicles with mechanical failure.

I have already covered most of the points raised by the honourable member for Port Curtis, the first part of whose speech

consisted of an altercation with the honourable member for Murrumbidgee. But that is his business. I know that the honourable member for Murrumbidgee is quite capable of taking care of himself, and I applaud him for having the intestinal fortitude to say what he said on the floor of this Chamber.

The honourable member for Port Curtis reminded us that an Englishman's home is his castle and that nobody should enter it without permission. Perhaps he has forgotten about Senator Murphy's raid on A.S.I.O.

Mr. R. JONES: I rise to a point of order. I do not know whether you, Mr. Acting Speaker, would consider the A.S.I.O. headquarters as being a home in the true sense of the term.

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

Mr. Jensen: You had better watch your P's and Q's.

Mr. ACTING SPEAKER: Order! The honourable member for Bundaberg should watch his P's and Q's, too.

Mr. K. W. HOOPER: I have drawn that analogy because I believe it to be a fair one.

The honourable member for Port Curtis expressed concern about speeding and traffic breaches. If he reads the Bill closely, he will find that the Commissioner has the right to call upon a licensee to show cause why his licence should not be suspended. The honourable member also referred to the care of vehicles. Again I agree with the point he raised, and assure him that it is provided for in the Bill.

I think it was the honourable member for Port Curtis who referred to comprehensive insurance. I thank him for his comments, because his point was very well taken. I will most certainly have it investigated when the regulations are being drawn up.

Motion (Mr. Hooper) agreed to.

COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Clauses 1 to 9, both inclusive, as read, agreed to.

Clause 10—Imposition of conditions of licence—

Mr. R. JONES (Cairns) (7.33 p.m.): This clause provides—

"The Commissioner may upon the grant or renewal of a licence impose such conditions as he thinks fit . . ."

Whilst I realise that a later clause provides the right of appeal, I claim that this clause gives very wide powers to the Commissioner. In saying that, I am not casting any reflection on the present incumbent of the office. I feel that the Bill should spell out the

conditions under which a licensee may lose his licence. I hope that this clause will be implemented with some discretion and that each case will be treated on its merits.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (7.35 p.m.): The honourable member answered his own query when he said that the Bill contains a right of appeal. He said—and I thank him for doing so—that there was no reflection on the present Commissioner for Transport. The honourable member would surely understand that the Commissioner will be required to give his reasons, and the right of appeal is provided. That is fair enough. This is certainly not a harsh condition. It is designed to protect the industry and the rights of people whose vehicles are being towed. I believe that it should remain in the Bill.

Clause 10, as read, agreed to.

Clause 11, as read, agreed to.

Clause 12—Conditions of licence—

Mr. R. JONES (Cairns) (7.36 p.m.): The conditions of licence form a very important part of this measure. The honourable member for Port Curtis drew attention to the fact that an ordinary citizen who breaks the law is penalised under the Traffic Act. However, it appears that in the past tow-truck operators have had a degree of immunity. During the debate it was stated that tow-truck drivers have broken certain provisions of the law and driven recklessly. I should hope that one of the conditions of licence is that they will abide by all provisions of the Traffic Act as well as those in this measure.

Clause 12 (2) (f) says that a person shall not attempt to obtain a signature on a form except in certain circumstances. Human nature being as it is, it will be difficult to police this provision, particularly when a tow-truck driver has to tow a damaged vehicle to a certain place. I visualise that many blank forms will be signed; that a tow-truck driver will offer a form to a dazed driver or harrassed accident victim who will sign the form without knowing what he signed. I can see nothing in this which says that the form has to be filled in before it is signed. Probably that is understood, but I can see no requirement in clause 12 that it must be completed.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (7.38 p.m.): As the honourable member said, this is one of the most important clauses in the Bill because it sets out several requirements with which the licence-holder and his employees will have to comply. This clause gives teeth to the Bill. Non-compliance with the conditions set out in subclause 2 could lead to prosecution of

a licence-holder, apart from the fact that the breach of any of these conditions may result in the suspension or cancellation of a licence. I think honourable members will agree that subparagraphs (a) to (e) inclusive are fundamental to safety and, as such, there should be no argument about them. On the matter of policing the Act, I think I have made it quite clear that I will certainly be demanding that it be policed.

Mr. Jensen: You will see that it has false teeth.

Mr. K. W. HOOPER: If the honourable member for Bundaberg were as concerned about safety as I am, he would not make such inane interjections on a serious matter.

The honourable member for Cairns made the point that the forms might be abused. The honourable member may rest assured that inspectors of the Department of Transport will be on the ball the moment any such practice comes to their notice in any way, and the Commissioner has the right to bring an operator in to show cause why his licence should not be suspended.

Mr. HARVEY (Stafford) (7.40 p.m.): Could we be assured that these forms will be filled out in duplicate and a copy handed to the owner of the vehicle or the person who authorises it to be taken away so that there can be no subsequent argument? Further, could the form contain everything set out in the South Australian report, that is, where the towing will be from and where it is to go, and all the other necessary details?

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (7.41 p.m.): The honourable member can be assured that the making of a number of copies may be warranted. This will be taken care of.

Mr. R. JONES (Cairns) (7.42 p.m.): Clause 12 (2) (l) provides that a tow-truck operator shall not take anybody except his assistant to the scene of an accident. It is not spelt out that he can give a lift to a passenger or driver from the scene of the accident. If an accident occurred on an isolated road—for instance, between Kuranda and Mareeba in the Cairns hinterland—a driver might want to accompany the tow-truck operator and his damaged vehicle. The Minister touched on this point in his introduction and said that the operator will be permitted to carry the driver or a passenger away from the scene of an accident, but I think it should be spelt out in the clause.

In addition, I think it should be stressed that the words "motor vehicle" which appear at line 49 on page 5 of the Bill refer to the damaged motor vehicle. I know that the word "damaged" is used earlier in the clause and I think the Minister has mentioned it, but it should be spelt out.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (7.43 p.m.): I did refer to either driving to or away from the scene of an accident. This was particularly related to conditions in isolated areas. I referred to isolated areas and pointed out why this provision was necessary. The people as designated would be the only ones entitled to ride on the towing vehicle, but it could be to the scene of an accident and not necessarily only away from it.

Mr. HANSON (Port Curtis) (7.44 p.m.): I cannot see where the matter I want to raise is mentioned in the Bill, and I seek advice on whether it is. If it is not, I should like to know if it can be included at some future time. It concerns a very important point.

Sometimes there is a requirement that a tow-truck operator is allowed only one point of articulation when towing a vehicle. If the vehicle is articulated, the prime mover has to be unhooked and it and the trailer have to be towed separately. In other States there is a provision that if an articulated vehicle is up to a certain length it can be towed as an individual section, but if it is over a certain length there must be two separate tows. I have been told by several tow-truck operators that usually they could couple their trucks to the braking system of the articulated vehicle, and that this practice is safer than unhooking the prime mover and trailer and towing them separately. I am not a transport man,——

Mr. Lee: I'll say you're not.

Mr. HANSON: That is all right. I did not earn my living by fleecing the Brisbane City Council in towing its gravel around, making huge amounts of money and reaching the status of a millionaire. I am seeking ordinary, simple information. This is not a laughing matter. That interjection is resented by me. It is a shocking disgrace to think that a member of this Assembly can come in with asides such as that. How dare he think that he can ascend to celestial heights and water on everyone under him! I greatly resent his statement.

The ACTING CHAIRMAN: Order! The honourable member will return to clause 12.

Mr. HANSON: I was explaining the point——

The ACTING CHAIRMAN: Order! The honourable member will not continue speaking while I am on my feet. I ask him to return to clause 12.

Mr. HANSON: I thank you for your tolerance, Mr. Wharton. I am sure that you, too, must be disgusted at the attitude of the honourable member for Yeronga.

The ACTING CHAIRMAN: Order! The question under discussion is clause 12. I ask the honourable member to stick to it.

Mr. HANSON: I think I have explained my point. I am merely seeking guidance. People in the industry maintain that what is prescribed in other States would lead to a higher standard of efficiency and safety in Queensland. I am not particularly conversant with this industry; I am merely seeking guidance.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (7.46 p.m.): The honourable member referred to vehicles of various length that must be separated from the prime mover. This is a requirement under the Main Roads Act, and thus does not come within my jurisdiction. I thank the honourable member for his remarks. They will most certainly be taken into consideration and passed on to the Minister for Mines and Main Roads.

Mr. R. JONES (Cairns) (7.47 p.m.): Clause 12 (2) (g) refers to the provisions of the Wireless Telegraphy Act 1905-1967 of the Commonwealth. Tow-trucks are already equipped with two-way radio sets, and that principle is accepted. As one who has had some experience with wireless telegraphy, I wonder if it would be possible to have frequency differentiation. I am not qualified to say whether frequency differentiation would prevent what is now happening, but, in conjunction with the Commonwealth authorities, it could be considered as a possible means of preventing the improper use of two-way radios. Piracy of ambulance and police wave-bands is admitted. If the problem is looked at from a technical point of view, it might be possible to solve it. Requiring tow-trucks to leave from depots may prevent them from parking in elevated positions and receiving ambulance and police messages. I think the problem should be looked at from a technical point of view to see if it can be solved by the use of different wave-lengths.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (7.48 p.m.): The honourable member for Cairns said that he was rather technically minded. I assure him that I am not in that category. There have been many discussions, both official and unofficial, with the Postmaster-General's Department on this matter. It is a very difficult problem. All I can say is that, if there is some technical means by which tow-trucks can be denied access to police and ambulance broadcasts, I should like to hear of it. Many attempts have been made to do this, but the technical officers to whom the problem has been referred have not as yet come up with an answer.

All efforts will be made to stamp out this practice. This can be attempted only by having inspectors crack down hard on those who infringe the Act. I must stress that the Commonwealth Act is one that the Queensland Government cannot administer. It is policed by Commonwealth officers only.

Mr. HANSON (Port Curtis) (7.49 p.m.): I think the Minister will agree that there have been few prosecutions under the Wireless Telegraphy Act. There have, however, been some. Certainly it is very difficult to launch prosecutions. By virtue of its composition, an Act, like a cricket team, may look very good on paper, but it may still produce very meagre performances.

One thing should be made very clear. One does not need a licence for a general radio receiver. Anyone can have a general receiver in his home or his office and tune in to a certain frequency. An offence is committed only when information is passed on, in this instance to the operator of a tow-truck. I should like the Minister to tell me how he is going to prove that information has been passed on. In attempting to do that, he would expend a considerable amount of time of the Police Department and get himself into all sorts of hot water. There will certainly be appeals against any decisions given in courts, and any prosecutions that are launched will certainly be contested.

I maintain that this, in common with many other matters in the Bill, is just so much window dressing by the Government. A very highly qualified inspectorial staff would be needed before prosecutions could be launched successfully under this clause.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (7.51 p.m.): I did not intend replying to the honourable member, but again I assure him, with all the sincerity at my command, that this is a real attempt to do what he believes cannot be done. I believe that the provisions of the clause will be carried out and that this action of people jamming the radio will be stamped out. Again I put it to him that if in fact the Commonwealth authorities cannot overcome the problem—we cannot, of course, interfere under the Commonwealth Act—we will implement the provisions of the Bill and do our best. I believe that we will be able to bring an offender to justice and call him before the Commissioner to show cause why his licence should not be suspended.

Clause 12, as read, agreed to.

Clauses 13 to 22, both inclusive, as read, agreed to.

Clause 23—Consideration for obtaining certain information or work—

Mr. R. JONES (Cairns) (7.52 p.m.): This is another important clause, and the Opposition is trying to ensure that the Bill achieves its purpose—that is, to eliminate spotters.

In effect, the clause says that a person shall not receive consideration for obtaining certain information or work, nor shall he agree to give or receive any valuable thing in consideration of the furnishing of information, etc. It has been admitted in this Chamber that over the period during which

the Government has been haggling about the Bill, people have received spotters' fees or commissions. I ask: was it not always an offence under certain Acts for any person to accept a consideration for obtaining certain information? If the person concerned was known and it was an offence, why were not prosecutions launched? Possibly there has been power to do it, but no action has been taken. What is going to be achieved now by writing it into this measure if action has not been taken under other Acts?

The question then is: what do we do to spot the spotter? What do we do to stop the spotter? If there is an accident, what course do we take as citizens? When we ring up the tow-truck operator, the ambulance, and the police, do we come within the provisions of this clause? Although we are not accepting a commission, we are in effect giving information.

Honourable members know the old routine of "duchessing". I suppose every politician has suffered it. A person does not actually send one \$5 in the mail; he takes one out for dinner, or something like that.

Mr. Lee: Like your mob did in the old days in regard to the appointment of J.P.'s—£10.

Mr. R. JONES: The honourable member should not judge everybody by himself.

A person who has constantly done that sort of thing in the past becomes a professional spotter. Will the provision in the Bill eliminate the practice of a spotter ringing up two, three or four different companies and receiving a commission from each of them? We have to consider the position of the respectable citizen who believes he is assisting when he telephones a tow-truck operator. We have to ensure that he does not come within the provisions of the Bill. For it to be an offence, I know that he has to receive a reward, and that has to be proved. Taking it to the other extreme, I suppose that he might have to prove that he did not receive anything. The clause will have to be policed with some discretion. We do not want to discourage people from reporting accidents and trying to be of assistance. Certainly people would be discouraged if there was a likelihood of some unscrupulous person levelling charges at them. Persons involved in an accident can be in a highly emotional state, particularly if any of their loved ones are killed or injured. While in that state of mind they may level all sorts of complaints as they look for scapegoats or people to blame. They can make all sorts of wild accusations. I am not trying to defend the spotter.

I think I was misinterpreted when I spoke about the person who, in his youth, robbed the "Johnny" patch by picking up a watermelon, as most of us have, and broke the 11th Commandment by being caught. We have to look at the clause in the light of what might be done by John Citizen, who

honestly believes that he is doing somebody a service by ringing up a tow-truck operator only to find at a later stage that an accusation is made against him of receiving some sort of consideration for it. The onus is then on him to prove his innocence. We have to watch the administration of that clause very carefully.

Clause 23, as read, agreed to.

Clause 24, as read, agreed to.

Clause 25—Offences with respect to authorized officers—

Mr. R. JONES (Cairns) (7.58 p.m.): This is the clause that is abrasive to Opposition principles. Over a long period of time we have said that the right to enter premises must be obtained through the due process of law. We thank the Minister for his reassurance, and we are pleased that he has accepted our proposition.

Mr. R. E. Moore: What proposition is that?

Mr. R. JONES: If you were not in the Chamber and did not hear it, just shut up and we will get along a lot quicker.

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

Mr. R. JONES: My apologies, Mr. Wharton.

We would have opposed the clause had the Minister not said that an Englishman's home is his castle, and that he would undertake to include in the regulations provision that, if a residence was part of licensed premises, nobody would be able to enter without the authority of a warrant issued by a justice.

Mr. Tucker: The Minister actually gave that undertaking?

Mr. R. JONES: He has given that undertaking in the Chamber, and I am sure he will give us reassurance on that point. The Minister said that.

Mr. K. W. Hooper: Yes.

Mr. R. JONES: We accept that. I will not labour the point as we have the guarantee that provision will be made in the regulations that, where a residence is attached to a place of business, a warrant of entry will have to be obtained.

We understand that there has to be a right of entry to separate licensed premises under certain circumstances. We accept that police are entitled to enter and inspect a licensed hotel or a licensed yard at any time. However, we draw the line at entry of a residence.

Mr. K. W. Hooper: It is his registered place of business. I give you an undertaking that this is taken care of in the regulations. His residence is exempt, and a warrant will be required.

Mr. R. JONES: In view of the Minister's assurance, we withdraw our opposition to this clause.

Clause 35, as read, agreed to.

Clauses 26 to 34, both inclusive, as read, agreed to.

Clause 35—Production of licence, certificate or permit—

Mr. R. JONES (Cairns) (8.1 p.m.): We are somewhat reluctant to let this clause go through without debate, because we feel that the regulations should provide a certain period of time, for example, 24 hours, in which the holder of a licence can produce his licence, certificate or permit for inspection.

There is one point that might have escaped the notice of the public. Subclause (2) provides that, before a tow-truck driver offers to tow a damaged motor vehicle, he shall whether requested or not produce his driver's certificate or permit for inspection by the person to whom the offer is to be made. I am sure that dazed victims of motor accidents or harassed motorists will not be familiar with this clause or with their right to request the tow-truck driver to produce his certificate or permit. I realise that this is a protective clause, but I feel that it should be drawn to the attention of the general public.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (8.2 p.m.): Opposition members may be somewhat confused. I think it was the honourable member for Stafford who asked that a photograph be included on the certificate of the driver or his assistant. If the driver or his assistant is required to have some identification, where better could it be than on his licence? We are requiring this to be done for the protection of persons who are involved in traffic accidents.

Clause 35, as read, agreed to.

Clause 36, as read, agreed to.

Clause 37—Evidentiary provisions—

Mr. R. JONES (Cairns) (8.3 p.m.): This clause provides that a document purporting to be a report may be admissible as evidence of the matters contained therein. The Opposition believes that this is contrary to the principles of British justice unless the person who compiles the report is subject to cross-examination. Every person should have the right to cross-examine someone who presents a document that could incriminate him. I see the Minister is obtaining legal advice from the Attorney-General. I have had a good deal of experience with hearsay evidence

in the Railway Appeal Court, and I feel that we should look at this provision at a later stage.

Clause 37, as read, agreed to.

Clause 38—Exemptions—

Mr. R. JONES (Cairns) (8.4 p.m.): I should like the Minister to cite an example of an exemption under this clause.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (8.5 p.m.): A little earlier the honourable member for Cairns raised a question that is only partially related to the measure. He asked whether there would be some period of exemption for a person who was being investigated for the issue of a licence. There certainly will be exemptions. An applicant will be given an interim licence provided he meets all the requirements as to good character and so on. As to the exemption referred to in this clause, it is obvious that there are many reasons on which exemption could be sought. Because the measure is not in operation at the moment, I cannot cite any particular reason, but I am sure the honourable member realises that there are a tremendous number on which exemption could be sought.

Clause 38, as read, agreed to.

Clauses 39 to 43, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Mr. Hooper, by leave, read a third time.

FACTORIES AND SHOPS ACT AMENDMENT BILL

SECOND READING

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (8.7 p.m.): I move—

“That the Bill be now read a second time.”

During the introduction of this Bill to amend certain sections of the Factories and Shops Act, I mentioned that the measure dealt with a number of unrelated matters and I gave a detailed explanation of what the amendments consisted of and the reason for their introduction.

The honourable member for South Brisbane concerned himself mainly with that aspect of the measure which dealt with art galleries. As a result of the inclusion of art galleries in the list of exempted shops, art galleries will be able to open at any time and patrons of the arts, like the honourable member, will be able to browse and buy, without any restraint, art and craft items with which they are concerned.

In amending section 60 (1) of the Factories and Shops Act, it was not intended in any way to become involved with trading hours for non-exempted shops. That is a different matter entirely, and I do not intend to be drawn into any discussion of trading hours for non-exempted shops, which are provided for under the Industrial Conciliation and Arbitration Act.

The content of this Bill includes provisions for the implementation of uniformity between the States regarding the branding of footwear, and also amends the definition of “Textile Goods” so that all goods manufactured from textiles (except those specifically exempted by regulation) will be subject to control as to trade description.

The tripartite Factories and Shops Health Welfare and Safety Board has recommended unanimously those sections of the Bill dealing with—

(I) The extension of the power of the Governor in Council to delegate to a specified person the power of exemption relative to the provisions of the regulations and rules;

(II) Provisions to enable the promulgation of a rule to prescribe amenities for workmen on a construction site as distinct from workmen in a factory or shop; and

(III) A provision to enable the regulations and rules to call up wholly or in part codes and rules of recognised bodies such as the Standards Association of Australia.

The Bill adopts proof-by-averment provisions similar to those in the Business Names Act to simplify procedures in enabling prosecutions to be taken against occupiers who deliberately fail to renew their factory or shop registrations.

Provision is made in the Bill to enable pre-employment or other medical examination for fitness for employment in respect of any person in a particular class or classes of factory which may be prescribed. Such requirement at present exists only with respect to young persons, but it is desirable that a power exist that where necessary any person can be medically examined for fitness for employment in an industry.

This Bill was well received on its introduction, and I will be pleased to hear the comments of honourable members now that they have studied its provisions.

Mr. BROMLEY (South Brisbane) (8.11 p.m.): It is true that, after studying the Bill—

Mr. Lee: Here comes 40 minutes of misery.

Mr. BROMLEY: As a matter of fact, we would have 40 years of misery if the honourable member for Yeronga were here for that length of time. But fortunately, by the look of him, he will not last that long. He

has "shot through" already, thank goodness, so we might be able to get this Bill through within a reasonable time.

As the Minister said, this Bill deals with a number of unrelated subjects which are covered in the Act. It took quite some time for me and the members of my committee to go through the 32 amendments and tee them up with the sections of the Act. The Act has not been consolidated, and I had to refer to the 1964 Act and the various pieces of amending legislation that have been passed since then.

In his opening remarks the Minister said in a deliberate and straightforward manner to all in the Chamber, and consequently to everybody outside it, that the Bill has nothing whatsoever to do with altering the trading hours of non-exempt shops. He said that by way of clarification, and I further clarify it. He said that the matter came within the Industrial Conciliation and Arbitration Act. Of course, I must agree with him. I am glad that the Minister made that statement because it will save a good deal of debate tonight, particularly on one clause.

The Minister said, and I again agree, that the Bill deals with many subjects, such as building, construction work, constructor, project, back lining, sock lining, sole and upper. Because many of the 32 amendments are set out in 11 clauses, it took a considerable amount of time to relate them to the sections of the Act which refer to each of the articles and items referred to in the clauses. The other clauses of the Bill cover a wide range of subjects that are not contained in the principal Act but will now be added to it. Some of these are the most important for discussion. There may be one or two speakers who wish to deal with them in greater detail than I intend to.

I think it would be true to say that some of the items are of benefit to the consumer; some are of benefit to the welfare of employees; and some are of benefit to employers and the self-employed. I shall deal with the self-employed at the Committee stage. My committee has noticed that many of the amendments are of a machinery nature, and could in fact be described as repetitive. Some are technicalities that strengthen the legality of some sections of the principal Act. I suppose they could best be described as correcting errors in the original drafting.

I shall mention a few of the items, and generalise briefly as I proceed. I point out that Opposition members will be speaking on some of the clauses at the Committee stage, but not so many of them now that the Minister has clarified some points. I trust that the Minister will be able to supply the answers that the Opposition is seeking. If I enumerate these points now, perhaps he could reply to them when he is winding up the debate at this stage of the Bill. If he is able to do that, it will shorten the passage of the Bill.

I am wondering why the word "constructor" is used frequently in the Bill. It is a new word; it is not in the principal Act. Why this word has been introduced, I do not know.

Mr. Chinchén: You went through all this nonsense at the introductory stage.

Mr. BROMLEY: No definition of "constructor" was given at the introductory stage. When the honourable member refers to what I am saying as "nonsense", he is actually reflecting on the Minister and his staff who prepared the legislation. The Bill contains the word "constructor", but the need for that term completely eludes me. We speak about contractors, but why should we continually use the word "constructor"?

With regard to the branding of uppers and linings of shoes—

Mr. Murray: What about closing at 10 o'clock?

Mr. BROMLEY: If the House closed at 10 o'clock the honourable member would still remain, because when he is in places that customarily close at 10 o'clock he stays there.

Mr. ACTING SPEAKER: Order! After all that, I hope the honourable member will, for once, deal with the principles of the Bill.

Mr. BROMLEY: I have not departed from the Bill at any stage, Mr. Acting Speaker. I have been dealing with it and asking for clarification of some of its provisions.

I turn now to the branding of uppers and linings of shoes and the trade descriptions of these, and also to the requirements relative to leather shoes and leather manufactured goods. All these matters could have been clarified in the Minister's second-reading speech. Members of the Opposition do not know whether this amending legislation setting out the need for these descriptions and defining the words specified will operate uniformly in all Australian States. I know that some of the provisions relating to the branding of leather have been agreed to by all States, but what about the ones relating to the branding of textiles?

Mr. Murray: That comes under the Brands Act.

Mr. BROMLEY: I thank the honourable member for that information.

Mr. Jensen: They put the brand on the cattle before they take the hides off them.

Mr. BROMLEY: I do not think the honourable member for Clayfield would know very much about branding, although I understand some of his colleagues have branded him occasionally.

The Standards Association of Australia has been mentioned, and it is pleasing to know that it is "on the ball" in regard to the branding of leather and the other materials used in the manufacture of shoes.

However, there is nothing in the Bill that deals with the standards of leather goods set by the Standards Association.

If the provisions of the Bill are to be applied uniformly throughout Australia, they can only result in better-quality leather shoes and leather goods for the consumer. In that respect alone, the Bill is well worth while.

The Bill also deals with working conditions and the improvement of working conditions. I am sure that the honourable member for Belmont, who spoke at length on this subject at the introductory stage, agrees with me when I say that some of the conditions of employees not only in small businesses but also in some of the larger shops and factories are completely archaic.

Mr. Murray: In what way would you suggest that they are archaic, Fred?

Mr. ACTING SPEAKER: Order! The honourable member will refer to the honourable member for South Brisbane by his correct title.

Mr. BROMLEY: I was going to suggest that. Thank you, Mr. Acting Speaker.

Mr. ACTING SPEAKER. Order! The honourable member need not thank me. I ask him to carry on with his speech.

Mr. BROMLEY: I do not mind the honourable member for Clayfield being matey with me outside, but I demand some respect when he refers to me in the Chamber.

Mr. Murray: Well, will the honourable member tell us?

Mr. BROMLEY: While the honourable member finds difficulty in respecting people, there must be a need for him to be pulled into gear.

Mr. Murray: Where are these archaic buildings?

Mr. BROMLEY: The Queensland Club, across the road from here, where the honourable member goes, is certainly not an archaic building, but there probably are plenty of archaic buildings in which he has some interest. However, I do not wish to waste the time of the House by talking about archaic factories.

The Bill refers also to dentists, dental surgeons and laboratories. In that respect, I will tell the honourable member something about archaic conditions if he really wishes me to do so. I am simply pointing out that we who are interested in those in the trade union movement know that there are many archaic factories.

Mr. Murray: Is that where the branding of uppers comes in—in the dental section?

Mr. BROMLEY: The honourable member should have been branded somewhere. I do not think he would know much about full uppers or lowers, or dentures, or anything connected with prosthodontic work. He

may know something about taking impressions, but he certainly could not make an impression on anybody.

If the amenities set out in the Bill are to be made more attractive, the letter of the Bill must be followed to its logical conclusion, which is that more people will be needed to inspect factories and shops. Either that, or there will have to be direct action on the part of employees to make sure that they get better conditions. After all, a law is a law, and if the Government's inspectors do not police the legislation it is up to the employees to take action where necessary.

Mr. Murray: That is inciting a riot.

Mr. BROMLEY: I do not mind inciting a little bit of militancy, but I leave the inciting of a riot to the extreme Right-wing Fascists.

Mr. Tucker interjected.

Mr. BROMLEY: As the honourable member for Townsville West points out, the honourable member for Clayfield is a riot at the best of times. I do not know whether that should be spelt "r-i-o-t" or "r-a-t".

Government Members interjected.

Mr. BROMLEY: I take it that honourable members opposite will "pay" that. Obviously the so-called ginger group at the back have been indulging in a merry time this afternoon and this evening. Because they are not capable of speaking—or perhaps they are not allowed to speak—they are determined to have a little bit of fun with inane interjections.

Mr. Murray: That is a reflection on honourable members on the back bench.

Mr. Hughes: Can we take the honourable member's speech as read?

Mr. ACTING SPEAKER: Order!

Mr. BROMLEY: Thank you, Mr. Acting Speaker.

It is true that the Bill provides that amenities such as are available to employees in factories and shops will be provided for workers on construction sites. This provision is not before time. On some of the construction sites there has been nowhere for the workmen to change their clothes. On some sites there was nowhere to go to use "the honourable member for Clayfield". I put that to you, Mr. Acting Speaker. I believe you would understand what I am referring to. It seems that the Minister for Development and Industrial Affairs has recognised the need for these facilities.

One clause of numerous paragraphs covers various definitions, including those of "building", "construction work", "constructor", "owner" and "project". The definitions all seem to be tied up with the provision of amenities.

I ask the Minister why the Bill repeals section 78A of the principal Act, which deals with false advertising. Elsewhere the Bill

deals with false advertising, but it certainly does not set out the same detail as section 78A of the principal Act. That section relates to false trade descriptions and contains special provisions relating to boots and shoes. I see no reason why section 78A of the principal Act should be repealed.

I cannot see in the Bill a full reference to false advertising of leather goods, textile goods and wearing apparel. These days, many shops engage in a great deal of false advertising of shoes. I have received numerous complaints from mothers about highly priced, poor-quality children's footwear, which seems to wear out completely after it is worn at school for only one or two weeks. The uppers come away from the soles, and the shoes are no longer of any use. In the majority of advertisements the uppers are falsely referred to as leather, whereas in fact they are not made of leather at all.

As a comparison, last night I read an issue of "The Queenslander" to commemorate the 100th anniversary of that newspaper. In a very early issue that was reproduced, saddlery, boots and shoes made of leather were advertised, and the advertisements were completely true.

Mr. R. E. Moore: It sounds like a lot of bull to me.

Mr. BROMLEY: I am shocked by the honourable member's coarse nature and tongue. I am ashamed to think that he is a member of this Parliament.

Mr. R. E. Moore: I am talking about the animal.

Mr. BROMLEY: The honourable member should not talk about himself in that manner.

Mr. Tucker: You wouldn't call him a bull, would you?

Mr. BROMLEY: No, I wouldn't.

In the "Telegraph" of 29 March 1973, Erica Parker refers to complaints about shoes and the repair of so-called leather shoes that are nothing more than rubbish. She claims it is a sign of the times that many shoes are made to be worn for only a short time and then discarded. Her claim is quite correct.

A full inquiry should be conducted into Queensland's leather industry. I hope that the Bill will correct the anomalies in the industry today.

Mr. Murray: What about sitting down and letting us get on with it?

Mr. ACTING SPEAKER: Order!

Mr. BROMLEY: They are playing up again.

Mr. ACTING SPEAKER: Order! If the honourable member will attend to his speech, I will attend to the behaviour of honourable members.

Mr. BROMLEY: They are nattering away all the time. It is awful to think that there are such members in the Liberal Party.

Mr. ACTING SPEAKER: Order! Will the honourable member continue with his speech. He is only wasting the time of the House.

Mr. BROMLEY: I do not think I am wasting time. I am being provoked into replying to some interjections.

Mr. ACTING SPEAKER: Order! The honourable member knows that he does not have to accept interjections.

Mr. BROMLEY: While it is the duty of any person or manufacturer to clearly label all these goods, I remind the House that some time ago an honourable member of this House—he was then occupying the Minister's portfolio—introduced certain amendments. At that time we requested specifically that one provision dealing with the branding of leather goods be not deleted from the Act.

Mr. Tucker: It was Mr. Dewar.

Mr. BROMLEY: It was the former member for Wavell, who had his head chopped off.

Mr. ACTING SPEAKER: Order! The honourable member will either return to the provisions of the Bill or resume his seat.

Mr. BROMLEY: At that time we opposed the deletion of that provision. It is strange that now it is being reinserted in the legislation so far as the branding of shoes and other footwear is concerned.

Mr. Houston: The present Minister supported that Bill.

Mr. BROMLEY: He may have supported it, but it is pleasing that he has noted our submissions and is now reinserting the provision in the legislation.

While talking about the branding of leather goods, I should like to refer briefly to Sunshine Vinyl Pty. Ltd., a firm that the Minister well knows has started operations at the Molendinar Industrial Estate to manufacture high-quality synthetic leather for use in the automotive, furniture, garment and footwear industries, which includes boots. It is strange that under the measure the word "boots" is to be removed from the legislation.

An Honourable Member: This is bloody terrible.

Mr. BROMLEY: I agree with the honourable member who said it is b—— terrible. I do not know why we should delete the word "boots" and substitute the word "shoes" when so many boots are used in heavy industry, and when industries are being established to manufacture boots of all descriptions, whether from synthetic leather, real

leather or canvas. In those circumstances, some reference to boots should be retained in the legislation.

Mr. R. E. Moore: Would you suggest "boots and shoes"?

Mr. BROMLEY: As shoes are referred to in the Bill, I wonder why boots are being deleted. At this stage I cannot refer to the particular provision but, if necessary, I will do so at the Committee stage.

Mr. Houston: The honourable member for Windsor wanted boots taken out.

Mr. BROMLEY: I do not know whether he did, but he is nodding his head, apparently in agreement.

I have two other matters that I wish to deal with. One concerns the implementation of recommendation 144 of the International Labour Organisation Convention. The Minister dealt with this matter when he referred specifically to pre-employment medical examination. At the introduction stage he referred specifically to the word "benzene". If the I.L.O. Convention mentioned did not refer to all pre-employment medical examinations, a subsequent one should. It should apply to other occupational substances which are liable to render people unfit for work or adversely affect workers' hearts. Pre-employment medical examinations comprise one of the main principles of the Bill.

The Minister pointed out that the Bill will delete the word "young" from the Act. I can find no fault with this proposal. If the word "young" is omitted from the Act, will pre-employment medical examinations apply to every person working in the occupations listed at the end of the Act? The health and future of the workers could be affected not only by benzene but also by other substances. It is a pity that the Government does not implement most, if not all, of the I.L.O. recommendations instead of sitting on the fence as it does. The previous Federal Government not only failed to support some of them but also made no effort to implement those that it did support.

Mr. Porter: What has this to do with the Bill?

Mr. BROMLEY: It has a lot to do with the Bill because the Minister is introducing an I.L.O. recommendation that will be of benefit to all workers. I do not know whether the honourable member classifies himself as a worker or not, but this is a good principle of the Bill.

As the Minister said, I dealt mainly with art galleries in my previous speech. I dealt with the need to exempt them from the provisions that apply to non-exempted shops. I am pleased that the Bill will remove any misunderstanding among artists. I was at the Reid Gallery on Sunday afternoon and many people interested in art, including Irene Amos, who had a private showing,

discussed this matter with me, as did the person who has corresponded quite a lot with the Minister. A new gallery called the "Town Gallery" will be opened at 4 o'clock tomorrow afternoon. I suppose it will be the only gallery that will have operated in a completely legal fashion, without any doubt. As I said before, I am quite happy with this proposal. I reiterate that for some eight years I have been trying to get this provision altered.

Mr. Chinchin: Hurrah for Fred.

Mr. BROMLEY: Hurrah for me, hurrah for the Minister, hurrah for the House and hurrah for everybody else who is interested. It is a shame that long before this, Government members did not assist me to get it done. I suppose we must be thankful for small mercies.

Another clause could give us cause for concern. At the committee stage, I may have something to say about the declaring of further exemptions. Fairly wide powers are to be given to the Governor in Council to declare, by Order in Council, shops to be exempted shops. It may be necessary to deal with that matter at the committee stage. I should like the Minister to assure me again, as he did when moving the second reading of the Bill, that this is not a new way of circumventing the Industrial Conciliation and Arbitration Act in the fixation of trading hours. I do not for a moment think that it is, but I know that some members of the Government parties hoped that it would affect everybody.

There are 32 clauses in the Bill, but Opposition members will be speaking on only two or three. Other speakers on this side of the House will be dealing at this stage with one or two specific matters. The Opposition has no intention of opposing any clause as long as the Minister gives clarification of the points that I have raised.

Mr. YEWDAL (Rockhampton North) (8.47 p.m.): The matters that I wish to raise relate to the Inspection of Machinery Act, the Construction Safety Act, the Health Act, and the Workers' Accommodation Act.

As I see it, the attitude to the safety of persons employed in, or in connection with, the construction of buildings or premises seems in recent times to have changed. In years gone by, a contractor would commence construction of a factory or building, and he would continue till the job was finished. Today, subcontractors are frequently employed in the building industry, and frequently up to five or six subcontractors in different trades may be engaged. From my experience and observation, many subcontractors do not provide the necessities for the safety, health and welfare of workers on their jobs. The subcontractor who goes on to the job initially carries out some portion of the work. He is on the job for a limited time and then moves away. Others then commence. Quite often the job is well

advanced before any facilities at all are provided for the workers. I feel that some action should be taken by those in authority to see that facilities for the safety, welfare and health of workers are provided in the initial stages of a job, and maintained throughout the period of construction.

The other safety matters to which I wish to refer relate to the metal trades. I have personally seen welding being carried on at the front of buildings and on footpaths, without any screens being erected for the protection of the public. On one occasion I saw welding being carried on close to a primary school and children were constantly moving to and fro past it. On many occasions I have seen work being performed by welders on the open footpath. Naturally, the welders use shields or goggles, but there is no protection for children or other members of the public. In my opinion, this should be drawn to the attention of the department, which should take some action. I do not think it should be left to the public to police the provisions of the Act; the department should police them.

I shall now deal with the attitude of employers whose employees use various machines in workshops or factories. Let me take as an example emery wheels in metal shops. These are used to grind metals. If one walks into some shops, one sees employees using these machines without any eye protection, and the employer is not in any way enforcing safety provisions relating to the eyes of his employees.

One also sees situations in which electric drills and leads are being used on construction jobs without power packs. It is a very dangerous practice to work with leads of a certain length and a certain power without taking the necessary safety precautions.

As I pointed out earlier, workers' accommodation on jobs sometimes leaves much to be desired. During the initial stages of construction work, particularly when house blocks and foundation works are being constructed, employees are not provided with any cover in wet weather. They either have to shelter in their own vehicles or use raincoats and remain in the open.

If I may digress slightly—I think it is relevant, Mr. Acting Speaker—I wish to refer briefly to the health and safety of workers in governmental jobs. As I said at the introductory stage, I have seen camps on Main Roads Department jobs where the drainage of waste water is inadequate, drinking water is not covered with mosquito proofing, and generally there is bad ventilation in the accommodation huts.

First aid is also an important matter. Large numbers of workers often assemble on jobs and find that no first-aid equipment has been provided or, if there is any, it is inadequate. Very few workers have even

a fundamental knowledge of first-aid and are able to give first-aid to people on the job.

The previous speaker from this side of the House also raised the question of false advertising. Without reiterating the comments of the shadow Minister (Mr. Bromley), I suggest that false advertising brings in its train a great deal of criticism. Quite a number of firms, particularly retail outlets, advertise for sale certain quantities of goods of a certain quality. When one goes to those sales, one finds only a very limited quantity of the goods advertised. The seller usually says, "We have sold out of these specials, but we have a large quantity of goods of a lower quality here. Of course, they are not 'specials'." People buy goods that they do not really want because they have gone along to buy the "specials". I think the Minister should look at that problem.

I do not wish to delay the House, but I think I should make a broad criticism of the Government and the employers in the field of safety. At a recent safety symposium of the Safety Engineering Society in Victoria these comments were made by a notable politician—

"The great majority of firms in Australia have so far devoted insufficient attention to accident prevention."

He went on to say—

"The most formidable task confronting us in preventing accidents is initiating safety measures in these organisations."

He then said that about 400 people each year lose their lives through industrial accidents. He added that some 200,000 persons suffer injuries that prevent them from working for one day or longer and that a total of 680,000 man-weeks are lost each year through industrial accidents. He went on—

"To make meaningful contact with the firms which have devoted no real attention to accident prevention, convince their managements of the need for accident prevention measures and assist in the initiation of safety programmes, may not require a highly sophisticated approach."

Later he said—

"If the compensation statistics are studied we see—and the picture is very similar in all States—that 20 per cent of all injuries are strains incurred in manual handling, and a further 20 per cent are caused by falling or moving objects or objects being handled.

"Also, 10 per cent are due to falls between levels; another 10 per cent to slipping, tripping or stumbling on the same level; and 6 per cent to stepping on or striking against stationary objects.

"These figures strongly suggest that if managements were to reorganise their housekeeping, review and improve their

materials handling and stacking arrangements, and give their employees some basic safety training they might well be astonished at the result."

In conclusion I say that that is an indictment of employers throughout Australia. Those statements were made by a very prominent politician in this country in the person of the Hon. Phillip Lynch, a member of the previous Federal Government in Australia.

Mr. NEWTON (Belmont) (8.57 p.m.): At the introductory stage of the Bill, certain matters were raised on behalf of the Opposition. Had the Minister replied in his second-reading speech to the matters raised at the introductory stage, it would have avoided the House being delayed tonight. I refer to the clauses covering provisions which evidently are to be written into the Factories and Shops Act to cover construction work, definitions of the persons involved and certain amenities. If the intention of those clauses had been clarified, it would probably have overcome most of the problems at either this or the Committee stage. We have previously advanced arguments about the "constructor". This is not something new. Reference is made in various clauses to "other contractors". The "other contractors" on the job are not referred to as "sub-constructors" but as "subcontractors". We have already made the point that anybody working for any employer, whether he be a constructor, a contractor or a subcontractor, is a constructor within his own rights. I hope we can have some clarification of this matter. Quite a deal has been added to the meaning of terms as prescribed in the Act. If we can be given the reasons for this, I think we can overcome many of our problems.

I should like the Minister to clarify the situation in relation to certificates of fitness. I am thinking not of a youth who enters industry but of a person who, in the opinion of an inspector who visits a factory, shop or construction project, should be medically examined. What rights does such a person have? As an example, I suggest that many workers in joinery shops would be found on medical examination to be suffering from partial deafness. The longer they work in those shops the worse their hearing becomes. What rights do they have if a medical practitioner claims that their hearing is defective?

Another problem that arises is the employment in factories and shops of minors in their early teens. In many instances this is discovered when a young lad of, perhaps, 15 years of age has committed an offence and is brought before a magistrate. At the hearing of the charge it is ascertained that he is in employment in some factory or shop. I commend the Minister for having given close attention to this matter, because from time to time it rears its head. The term "factories" can be extended to a large number of establishments, including abattoirs,

in which there seems to be a high incidence of the employment of teenagers who should still be at school. On some occasions it is difficult to have these children returned to school.

I notice that the Bill refers to rest rooms and tool lock-ups. My main reason for entering the debate at the introductory stage was to inquire how far the Factories and Shops Act, as it relates to the building industry, is intended to be implemented at this point of time. Reference is made in the Act to the provision of lockers, showers, dressing rooms, seating accommodation, meal rooms, washing facilities and first-aid facilities.

At the introductory stage I tried to get the Minister to explain what provisions are being extended to construction jobs under the Factories and Shops Act. It is true that I do not expect all these improvements to flow immediately, but a number of improvements could well be implemented on construction jobs. If that is what is intended under this legislation, it will receive the full support of all honourable members on this side of the House.

The honourable member for Rockhampton North referred to the various Acts mentioned in the amending legislation. They, of course, are vitally important to workers in Queensland. It seems that, wherever possible, the Minister is trying to ensure under this legislation that all safety measures are complied with.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (9.6 p.m.), in reply: Once again I thank honourable members for their contributions and the positive way in which they have approached this legislation. For the information of the honourable members for South Brisbane, Rockhampton North and Belmont, I point out that the term "constructor", which seems to puzzle honourable members, is used to identify the person or persons who will be held legally responsible for safety matters associated with a construction project. Whilst the term may be confused with contractor and subcontractor, under certain circumstances it could mean a different person. On any project, whether there be a single person or a firm doing the entire job, or 50 or 60 subcontractors, one person is to be identified as being legally responsible for all details appertaining to safety, welfare and other allied matters.

The honourable member for South Brisbane spoke of uppers and other items mentioned in the Bill. We are simply adopting a unanimous decision by all State Ministers relative to trade descriptions as a protection for purchasers of footwear. It is a sad commentary on human nature that such seemingly trivial matters have to be referred to at great length in legislation merely because there are a few unscrupulous manufacturers in the community.

The legislation does not relate in any way to conditions of work in shops and factories. The only reference to these conditions concerns the delegation of power to the Chief Inspector under the legislation. That is the only way the term comes into the legislation.

As I said earlier, the Bill prescribes the amenities to be provided for workmen on a construction site, as distinct from workmen in factories and shops. At a later stage I will refer further to the other points raised by the honourable member for Belmont.

While the elimination of the term "boots" may seem a little peculiar, it is now a practice in the trade to use the term "shoes" to embrace all types of footwear.

The Act at present provides for a pre-employment medical examination for young people, and the Bill will extend the requirement so that all persons working in such industries will have a pre-employment medical examination. This is known as "I.L.O. recommendation 144—protection from hazards arising from benzene." This has nothing to do with gasoline. Benzene is the aromatic hydrocarbon C₆H₆.

Mr. Davis: I knew that.

Mr. CAMPBELL: If the honourable member for South Brisbane needs further clarification, I am sure the honourable member for Brisbane is competent to advise him.

There is nothing in the legislation that deals with trading hours.

The honourable member for South Brisbane, apart from dealing with matters which were not pertinent, also referred to the provision that will allow art galleries to open, in season and out of season. I am sure that, as he has been persistent over the years, he must be grateful that patience is its own reward and that it is now possible for art galleries to open outside the previously restrictive hours.

Mr. Bromley: I gave you credit for this on Sunday afternoon.

Mr. CAMPBELL: I appreciate that.

I think I dealt at the introductory stage with most of the matters raised by the honourable member for Rockhampton North. I have referred to the construction rule. The honourable member raised certain matters that come within the ambit of the Bill. There is nothing in the Bill dealing with false advertising. That is controlled by the Consumer Affairs Act.

The honourable member for Belmont asked how far it is intended to go in the provision of amenities for workmen on construction sites. The regulations will provide for reasonable requirements on construction jobs. I am pleased he said that not everything would be expected immediately. I hope that is the spirit in which this matter is approached, as we are going from a situation where no rules are prescribed to one where various amenities on a job site will have to

be provided. I do not think I need elaborate more on that point. The honourable member and I see eye to eye on this matter. If it is approached in a reasonable way, there should be no trouble in prescribing regulations to meet a whole variety of circumstances that will arise on a variety of construction sites.

Motion (Mr. Campbell) agreed to.

COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Clauses 1 to 5, both inclusive, as read, agreed to.

Clause 6—Amendment of s. 15; Exemptions from Part III—

Mr. BROMLEY (South Brisbane) (9.16 p.m.): There are one or two things that I should speak about, particularly in answer to the Minister's remarks at the introductory stage. I ask, first of all, if a dentist who does not employ a technician is required to forward a nil return, or is he not required to forward any return?

Whilst I do not want to refer unduly to art galleries, they are perhaps covered by this clause. Do art galleries have to be registered? That is not specifically stated in the clause, which exempts only dentists who perform their own dental prosthetic work and do not employ dental technicians. The Minister said at the introductory stage that this was requested by the Queensland Branch of the Australian Dental Association. It was pointed out to him that when the Act was drafted it had not been envisaged that certain procedures involved in producing and maintaining dental prostheses fell within the meaning of "manufacturing process". It was felt, according to the Minister and the A.D.A., that these articles are not manufactured for sale but as an essential part of the professional services provided by dentists.

If the A.D.A. made that submission it certainly "conned" the Minister, because it is just not true. When dentures are made, a considerable amount of preliminary work takes place between dentist and patient, and the dentures, whether they be partial, full upper and lower, or other prosthetic work, are in fact manufactured. Whether they are made by a dentist as part of his work, or by a dental technician carrying out his calling, they are still manufactured. They are perhaps not manufactured in the sense that they are turned out by the dozen or the score, because close personalised attention goes into the taking of impressions and other work on the patient's mouth, and the specialised personal work of the dental technician. It cannot be said that it is a manufacturing process of the type that can produce a gross of this type of article, and a gross of that one. The Minister said that the Australian Dental Association

had told him that dentures are not manufactured. I do not know why, because they are manufactured for sale. I suggest that the Minister ask anyone who has had to pay the exorbitant charges for dentures of any kind whether or not those dentures were made to sell.

Mr. Lee: They tell me your "tats" don't fit very well.

Mr. BROMLEY: My dentures fit very well. If the honourable member had some attention given to his mouth—either prosthetic work or some other type of dental attention—his breath might not smell so bad.

I contend that dentures are made for sale. As the Minister and the Australian Dental Association have said, they should be part of a service provided. But they are not given away; in fact, the charges for any dental prostheses are far too high and are becoming a rort and a racket. Most dentists seem to charge like the Light Brigade, and members of the medical profession—I see there is one in the Chamber—are becoming almost as bad. The profits on dentures manufactured in a dental laboratory belonging to a dentist who may not employ a technician—I am talking about full upper or lower dentures and other orthodontic work—are a great "lurk", and those dentures certainly are manufactured for sale. I will go as far as saying that dentists make at least 300 per cent profit on the making of dentures.

Although I do not oppose the clause, I say that the explanation given by the Australian Dental Association (which, at times, does not seem to me to have any ethics), through the Minister, is ludicrous. The sooner legislation giving qualified dental technicians who manufacture dentures the right to trade with the public is introduced in this State, as it already has in three other Australian States and is soon to be in a fourth, the better it will be. The dentists will still be able to work on their own in the so-called dental factories—that is how they are classed under the Factories and Shops Act—and will then be able to perform the work on their patients that they ought to be performing now. The public will get far cheaper and far better dentures from qualified dental technicians. Dentists' charges are now so shockingly high that a family man or his wife thinks twice before getting new dentures when he or she should. In these circumstances people say, "We will go to the dentist next year, or the year after."

The Opposition does not oppose the clause, as I said earlier, but I thought I should make these comments so that, in future, people will not be "conned" into this sort of situation by organisations such as the Australian Dental Association.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (9.25 p.m.): I feel that the honourable member is playing with words. I am a fairly simple person but it did not need the A.D.A. to convince me of the reasonableness of this clause. Apparently the honourable member wants to split hairs on the difference between a dentist making an amalgam crown for a tooth and producing dentures. That is all he is doing. Being so experienced in that profession, the honourable member surely does not need any further explanation from me.

As to his other query, the proposed amendments do exempt from registering as a factory the dentist who does his own work. Therefore he will not need to file a nil return.

Mr. BROMLEY (South Brisbane) (9.26 p.m.): I said that I am not opposing the clause. The Minister clearly stated that the A.D.A. had said this. I do not see how any comparison can be drawn between making a crown for a tooth in a patient's mouth and making a set of dentures. The clause clearly states—

"Section 15 of the Principal Act is amended by adding at the end thereof the following symbol and words:—

'; or

(iv) to any dental surgery where no employee is engaged in dental technician's work."

The dental technician may manufacture crowns for teeth, as the Minister said. Of course, so may the dentist. The dental technician does not fit a crown into the patient's mouth. The manufacturing still goes on whether it is done by the dentist or the dental technician. There is no comparison, except in charges. What the Minister said bolstered up my argument that the dentist should be doing the rest of the work and leaving the real expert job of making dentures to dental technicians so that the patient's health and pocket would be better off in the long run.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (9.27 p.m.): Again the honourable member is playing with words. The manufacture of dentures by the dentist is regarded as part of his professional practice. I think that most reasonable people would agree with the A.D.A.

Clause 6, as read, agreed to.

Clauses 7 to 15, both inclusive, as read, agreed to.

Clause 16—Amendment of s. 60; Exempted shops—

Mr. BROMLEY (South Brisbane) (9.29 p.m.): I feel that at least by words I should oppose this clause. It gives the Governor in Council by Order in Council much wider

powers than he had under the principal Act. Although I will not quote the Act, I point out that that provision (xvi) reads—

“shops of a class of shop declared by the Governor in Council, by Order in Council, to be an exempted shop.”

The final words in provision (xvii), at line 20, are—

“ . . . wherein only goods that are prescribed to be exempted goods are stocked or sold.”

Frankly, this worries me. I hope that the Minister will give an assurance that the Bill will not extend the term “exempted goods”. In other words, by Order in Council the Governor in Council may say that, because it is wintertime, he will allow an exempted shop to sell blankets, which he declares exempted goods. We feel that this matter should be brought to the attention of the Committee, because the clause gives extremely wide powers to the Governor in Council.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (9.31 p.m.): The honourable member's assumption is correct; the Bill does not extend the term.

Clause 16, as read, agreed to.

Clauses 17 to 30, both inclusive, as read, agreed to.

Clause 31—Amendment of s. 97; Regulations and rules—

Mr. BROMLEY (South Brisbane) (9.32 p.m.): I am not very happy about the wording of this clause, which also gives the Governor in Council fairly wide powers of exemption. Why did the Crown Solicitor give the Minister certain advice as to section 97, which allows for exemption by rule but does not, in the Crown Solicitor's opinion, permit of the delegation of power of exemption to the Chief Inspector? As this clause provides “Without limiting the provisions of section 8”, I cannot understand why the Crown Solicitor should give the Minister that advice. Without any doubt it provides for the exemption of factories and shops either singly or by reference to a specified class of factory or shop according to kind, situation or “otherwise as prescribed”.

Paragraph (B) reads—

“authorizing a prescribed person to exempt, as that person specifies, factories and shops from all or any of the provisions of the regulations and rules either absolutely or subject to prescribed conditions, or where the exemption is granted by a prescribed person, as that person specifies.”

Perhaps this clause strengthens the legality of the Act—I do not know—but obviously the Crown Solicitor was somewhat worried about it.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (9.34 p.m.): Many of the provisions contained in the rules are not in conformity with the powers given to the Chief Inspector or an inspector under the Act. As the honourable member for South Brisbane has said, the Crown Solicitor gave me certain advice. So that there may be no future confusion, I think I should quote the Crown Solicitor's advice, which was in these terms—

“Section 97 (1) (viii) allows for exemption by Rule but does not, in my opinion, permit of the delegation of power of exemption to the Chief Inspector.”

That is the anomaly. He then said—

“The only wholly satisfactory answer is an amendment to paragraph (viii) to insert a provision similar to that in Section 55 (1) (xxiv) of the Weights and Measures Acts to delegate power of exemption to the Chief Inspector.”

As a consequence, the tripartite Factories and Shops Health Welfare and Safety Board has recommended unanimously that the Governor in Council be empowered to delegate to a specified person, usually the Chief Inspector, the power of exemption. I think that clears up the anomaly.

Clause 31, as read, agreed to.

Clause 32, as read, agreed to.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Mr. Campbell, by leave, read a third time.

LAND ACT AND OTHER ACTS AMENDMENT BILL

SECOND READING

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (9.37 p.m.): I move—

“That the Bill be now read a second time.”

By reason of the keen interest displayed by honourable members and their enthusiastic participation in debate during the introductory stage, I feel certain that the Bill will now have been studied in depth and that a lot of the queries that arose in the minds of honourable members will have thereby been answered.

I think that it will be agreed, too, that the amendments and new provisions incorporated in the Bill are quite explicit in themselves and need little amplification at this stage. However, there are some aspects of the principles that seemed to arouse a degree of concern, and these warrant some explanation. There is the question of the basic necessity to introduce special legislation to cater for environmental parks as distinct from other lands reserved and set apart, under the Land Act, for public purposes.

There are, indeed, essential differences. For instance, any ordinary reservation may be rescinded in whole or in part at any time by Order in Council. Trustees of such reserves also have wide powers of leasing of trust lands provided the purposes of such leasing is not contrary to the general purposes of the reservation. Environmental parks on the other hand will be specifically outside these provisions. Before any land is set apart as an environmental park, the whole question of land utilisation in the locality will be thoroughly examined including the existence or absence of mineral deposits therein.

Mr. Sherrington: Keep the Mines Minister out of it.

Mr. RAE: I understand the honourable member quite well.

The Bill provides that suitable references in respect of any proposal be submitted to the Minister for Mines in the first instance so that any possible application thereto of the Mining Act will be determined at that stage.

Once an area is set apart as an environmental park, the granting of mining tenements thereafter will be prohibited and the Mining Act, by virtue of Part IV of the Bill, is amended accordingly.

For analogous reasons the Forestry Act is amended (Part III of the Bill) to give environmental parks the same sort of immunity from commercial exploitation as applies to national parks.

The Bill provides the manner in which reservation of environmental parks may be revoked. Except for land that may be required for road purposes or for the purposes of another Act—for instance, the Forestry Act, the Clean Waters Act or the Soil Conservation Act—the reservation of an environmental park may only be extinguished by resolution of Parliament. This will ensure the permanence of reservation of environmental parks in that Parliament will have a say in whether a park is to be reduced or extinguished at some future time.

A particularly interesting point arises here in that, not uncommonly, public-spirited persons do desire to donate during their lifetime or make appropriate arrangements in terms of a will for surrender of freehold land to the Crown for a purpose like this but, understandably, their enthusiasm to so do could well be deflated by the thought that the land could subsequently be used for some purpose quite divorced from that envisaged by them. They would certainly be comforted in the knowledge that no single administrative action could negate the basic intention of any such commendable gesture.

Some honourable members hold the view—and not without good reason—that trustees of public lands could not always be relied upon to measure up fully to their responsibilities. Innocently, or perhaps sometimes deliberately, trustees overstep

their authorities by a misinterpretation of their powers and read into their charter some absolute authorities that factually do not exist.

Particular attention has been given to this aspect and I refer specifically to clause 9 of the Bill—

Mr. ACTING SPEAKER: Order! The Minister is not entitled to refer to clauses or to read from the Bill during the second-reading stage.

Mr. RAE: I am sorry if I am straying from the accepted procedure. I thought that my remarks were in accordance with the rules for the second-reading debate.

Mr. ACTING SPEAKER: Order! With all due respect to the Minister, I did not write the Standing Orders. At the second-reading stage of the Bill, the Minister is allowed to refer only to the principles of the Bill as printed.

Mr. RAE: Thank you, Mr. Acting Speaker.

Mr. Sherrington: Just state the principle.

Mr. ACTING SPEAKER: Order!

Mr. RAE: Particular attention has been given to this aspect and I refer specifically to the principle of the Bill which specifies that it shall be a condition of any trust affecting an environmental park that the trustees shall not perform or cause or permit to be performed within an environmental park any work that would reasonably be considered to be a defacement of the park except under prior approval in writing by the Minister. For example, a local authority would have no right to remove timber or quarry material from an environmental park for any purpose of local government except under the specific approval of the Minister.

The Bill prohibits the unauthorised removal of any vegetation or thing in an environmental park. I draw this to attention in response to an allegation by one honourable member that some people who espouse the cause of environmental protection on the one hand seem to have little scruples on the other about removal of wildflowers, etc., from public reserves for commercial purposes. It will be noted that a substantial penalty is prescribed, and I believe that this is necessary as a deterrent to would-be offenders.

A permit could be issued to scientific personnel who wished to be on a park for the purposes of scientific research, and associated therewith there may be a valid necessity to remove sample vegetation or geological materials, say, for laboratory processing. This sort of activity would well be within the confines of environmental concepts, and I do not think there would be any argument with this. Any application

for such a permit would, of course, be closely scrutinised to ensure the bona fides of the applicant and the merit of his purpose.

Reverting to the leasing of land in an environmental park, it is to be noted that there are certain aspects of the leasing of an environmental park by the trustees thereof. In no case shall tenure other than special lease be available. Where the circumstances of any particular case so warrant, a special lease for a term up to 75 years could be granted. This could be represented by the isolated situation where substantial capital expenditure, say, in the form of a high-density motel or lodging house, is involved. As perpetual lease or freehold tenure will not be available within an environmental park, a reasonably long-term special lease, as a compensating factor, would be appropriate in any such event.

The position is that if environmental parks are to fulfil their sociological functions, they must be accessible to the public, so long as such visitors stay within their legal rights to be there. There will be situations where such amenities as accommodation are essential, and such facilities are complementary to the environmental factor. It is unreasonable to expect that people should not be able to lengthen their stay and enjoy the wonders of nature in an environmental park if they so desire. I would envisage that travellers would welcome a stop-over at such spots, say, along our highways and main arterial roads.

It may be argued that trustees of environmental parks will be inhibited in their activity by lack of direct revenue-raising avenues, but this is not really so. A new section proposes the establishment of an Environmental Park Fund, and, whilst I do not think it necessary for me to deal at length with all the provisions of the section, I refer particularly to the "incomings" to the fund in the form of moneys paid to the Crown as rent under a lease of land within an environmental park, and a parliamentary appropriation to the fund.

In effect, the return to trustees for expenditure incurred by them for promoting works desired by them and authorised by the Minister will be determined by the buoyancy of the fund, but it reasonably follows that the most active trustees will earn a measure of priority in allocation of available funds.

Whilst trustees themselves will have no power of leasing, they will be able to play an important role in submitting propositions as to the degree of leasing which may be warranted in any particular area and will be quite free to submit what they consider as worth-while propositions for consideration in terms of the Act. I am hopeful, of course, that it will be possible, in time, to appropriate a substantial amount to the fund as the annual budgetary considerations are at hand.

Honourable members will no doubt have taken particular note of the provisions for dealing with offences or would-be offenders in respect of environmental parks. All this, I think, is necessary. If offenders cannot be dealt with promptly and effectively, there would develop a tendency on the part of some, at least, to have scant regard for environmental parks and the concept they represent.

So far as trusteeship is concerned, the provisions are very broad. Local authorities obviously will figure prominently in this connection, and will be able to call upon the physical resources of their organisational structure, and their authorities in law, to make a valuable contribution under a variety of headings. There are many people who are particularly concerned, as individuals and as groups, with matters of conservation, and who would be motivated by high principles to lend a hand in the whole situation. I would envisage that such august organisations as the Littoral Society, the Historical Society, the Wildlife Preservation Society and conservation organisations would come forward in offering their services as trustees of environmental parks. These people, too, would be in a very sound position to offer specialised technical advice on many matters, and their support and assistance will be sought and encouraged.

As I pointed out in my introductory speech, the resources of the Lands Department will be brought to bear in the selection of areas, the creation of environmental parks, and the supervision and control thereof.

In my travels I have encountered many people who would obviously welcome an opportunity to participate in the husbandry of our parks and public places, and for this reason special provision has been made for the appointment of honorary rangers for environmental parks.

Honourable members raised in the introductory debate the fact that absolute protection of environmental parks against vandalism would be beyond physical achievement, and I am bound to admit that, sadly, this could be so. Nevertheless, we can only prescribe penalties appropriate to the case and hope that participation by society as a whole will reduce wanton destruction and defacement of our parks to a minimum—if, indeed, such adverse behaviour cannot be completely eliminated.

I think, though, that we should look more to the positive. By that, I mean that if those of us in society who are keen enough and responsible enough in these matters make a special effort to educate the rest of society to adopt our attitudes in this vital issue, we will have gone a long way to achieving our objective.

I exhort all honourable members to promote the cause of environmental parks at any opportunity that presents itself on the public platform. The concept, surely, transgresses differing political philosophies, and we all

see a vital need to dot the landscape with areas truly representative of the natural state in the interests of all the citizens of the State. A very important point, as referred to in my introductory speech, is that it is not so much desecration of public reserves by vandals and irresponsibles but rather the setting apart exclusively of lands in such manner as they will be immune from the consequences of what normally passes under the heading of development.

Residential development, the establishment of industrial complexes and other such intensive land-use patterns inevitably swallow up the land on a face as activities move onward and outward. The real advantage in the environmental park concept is that prospective developers will be well and truly forewarned that selected areas set apart for environmental parks will at no time be available to be incorporated in their particular planning. In other words, our objective is to give these areas an exclusive status suitably labelled that they are to be retained in perpetuity for the purposes of rest and recreation, education and scientific observations in the way that nature formed them, and for no other purpose whatsoever.

Some little time ago I made public my desire that special legislative steps be taken as are now incorporated in the Bill, and I have been comforted by the response from many quarters to the suggestion. Various organisations, local authorities and individuals have made known their support for permanent reservation of areas in and around provincial cities and towns. Indeed, some local authorities with more than ordinary interest are watching the outcome of the legislative proposal in the hope that lands held for an estate in fee-simple by a local authority can be surrendered to the Crown and reserved, and set apart as environmental parks never to be available for estate subdivision by some future authority composed of men with ideals substantially different from their own.

The Department of Primary Industries, which is particularly interested in mounting a research-observation programme on a strip of coastal land on the Near North Coast, has already proposed that the area in question be set aside as an environmental park if and when the legislation proceeds to finality in this House.

I mention these matters as proof positive of the sort of attitudes that are standing with respect to the whole proposition, and I feel confident that this attitude will, in time, permeate public thinking generally.

I commend the Bill to the House.

Mr. BOUSEN (Toowoomba North) (9.54 p.m.): I said at the introductory stage that the members of the Opposition committee would examine the contents of the Bill and, if necessary, comment during the second-reading debate on its principles. After looking at the Bill I can say that we have no

real opposition to it. However, I and some other honourable members on this side wish to speak in a general way on its main provisions.

Before the Bill can be implemented, approaches will have to be made to the Minister for Mines because the Mining Act will have to be amended so that Crown land can be set aside as environmental parks. There could be an encroachment on some mining field. There is a need to keep mining away from environmental parks. It would be foolish to reserve land with mineral content as an environmental park because minerals are expendable, and, as world demand for our minerals rises, the environmental parks that contain minerals would have to be mined. I should like some assurance from the Minister that that will not happen. We have to protect environmental parks for the future. I do not think that that is exactly what the Minister had in mind when he introduced the Bill. That is why I emphasise that we need an assurance from the Minister that mining in environmental parks will not occur.

I believe that an environmental park should be a separate entity. The criteria for declaration of an area as an environmental park or reserve should receive first consideration. At the same time, I realise that access roads have to be taken into consideration. Some honourable members would know how difficult it is to get into the Aboriginal historical areas of the Carnarvon Range owing to the poor roads in that national park.

It is noted that notice boards are to be erected on suitable sites to indicate that the land in question is an environmental park. Would it not be advisable to have notices in various parts of the area surrounding the environmental park? Suitable signs along the roadways leading to the environmental park could give the distance to the park so that people travelling along a certain road would know the exact location of the park. That would be one way of publicising environmental parks.

It is noted that provision is made to prosecute and fine persons up to \$500 for defacing signboards or interfering with the flora or fauna in an environmental park. I hope that the penalty will be stipulated on all notice boards. I believe that such a heavy fine will be a deterrent to those who might otherwise interfere with the natural resources of an environmental park.

Another matter requiring close attention is the careful assessment of fire hazards prior to the hot summer months. There is no need for me to tell honourable members the damage and possible loss of life that could occur if a fire broke out in an environmental park and spread throughout the countryside. In summer dry timber and leaves are highly combustible, and only a spark or a live cigarette butt is needed to cause the outbreak of a disastrous fire.

At the introductory stage I said that the Opposition would not object to the holding of land in reserve for short periods. The Bill provides that the Minister will, under certain conditions, allow land held in reserve to be occupied for periods not exceeding one month in all. It is to be noted that the periods can be short ones, totalling one month. Nor do we oppose the granting of leases for kiosks or service amenities of that kind in environmental parks. The Bill also provides for the appointment by the Minister of honorary rangers. As the word "honorary" indicates, they will not receive any wages or salary.

Mr. N. T. E. Hewitt: We already have a full-time ranger looking after the Aboriginal relics in the Carnarvons.

Mr. BOUSEN: The Carnarvons are in a national park; this Bill deals with environmental parks, which have not yet been created. If these honorary rangers are expected to carry out all the duties required of them, surely they are entitled to some allowance for out-of-pocket expenses. I shall raise this matter again at the Committee stage.

I hope that the honorary rangers will not become merely public persecutors, like some public servants who, possessing 2 ounces of authority, can impose on-the-spot fines for the sole purpose of obtaining revenue for their departments.

At all costs the ecology, flora and fauna of our parks must be protected. It is a tragic fact that, in spite of what should be our natural desire to preserve all that is good and of many warnings, vandalism is very prevalent in the community. It afflicts some persons like a disease. Heavy penalties are necessary as both a deterrent and a clear indication of the great value that we place on our national heritage.

Certain young people have nothing better to do at week-ends than take rifles or shanghais into the parks and shoot at notice boards as well as anything that moves. They leave behind them a trail of papers, cans, bottles and cartons. Besides being destroyers, they are also litterbugs, and should be severely punished. The penalty that the Bill provides will, I hope, prevent this type of damage and destruction.

The Minister has not said how the project will be financed. All he has told us is that a fund will be established. Am I correct in assuming that the maintenance of the project will have to be borne by the Lands Department? I am quite sure that the Minister will agree that a long period will elapse before environmental parks can return any revenue to the State, so at this point of time the proposal does not seem to be a fund-raising one.

At the introductory stage the Minister said that 25,000,000 acres of land is available for declaration as environmental parks. As yet he has not said if any minimum or

maximum area of land is to be held in reserve for this purpose. I should like to hear the Minister's comments on that point. I believe the area of land should be determined. I am concerned about this in the light of the extensive use that will be made of such parks in the future, even though I may be foreshadowing what will take place 20 or 30 years hence.

It may be recalled that, in my introductory speech, I said increased population in the not too distant future would mean that people will want to use environmental parks for recreational purposes. In addition, the working week will be shorter. As honourable members know, some industries are now working a 35-hour week. We should cultivate an atmosphere which will influence young people to spend their leisure time in these parks. If we can achieve that result, the parks will serve the purpose for which they are created.

Opposition members feel that the principles of the Bill constitute an attempt to protect our forests and land reserves. I only hope that the creation of environmental parks will not be the thin edge of the wedge to fragment national parks. I ask the Minister to give some assurance on this point. If that is forthcoming, Opposition members will offer no opposition to the second reading of the Bill.

Mr. SHERRINGTON (Salisbury) (10.7 p.m.): I join with my colleague the shadow Minister for Lands (Mr. Bousen) in indicating that we have no objection to the principle of establishing environmental parks under this legislation. I am sure that every honourable member in the House welcomes the fact that, at long last, the Government is about to recognise what has been public thinking for many years.

I approached my examination of this Bill with a lot of hope and trepidation, but very little confidence. After studying it thoroughly, I believe that little has been done to alter my feelings.

Mr. Rae: I am surprised.

Mr. SHERRINGTON: I am not being critical of the Minister. Early in the piece I said that he is not responsible for the delay in introducing such legislation. Either his predecessors have failed to put a case to Cabinet or Cabinet has failed to recognise the merit in the case. Maybe the trouble can be traced to a general lack of interest by the Government in environmental matters. That is fair criticism on my part, because I have stuck to my guns for many years in this House without any indication that a Bill—even a Bill like this one—would eventually come before us. I think it was a Minister who said earlier this evening that if we wait long enough we will achieve results. I have always thought that if I waited long enough, I would die of old age before a Bill such as this came before us.

I welcome this measure, which is designed to establish environmental parks. I hope that in some small way I have been instrumental in having declared one of the first environmental parks under the legislation when it becomes law. I refer to R. 777 on the Gold Coast. This morning the Minister advised me that as soon as this Bill became law he will accept my submission on behalf of the Wild Life Preservation Society.

Mr. Rae: I will.

Mr. SHERRINGTON: The Minister indicated that R. 777 will become one of the first environmental parks in Queensland. I commend his action. A chalk mark should be put on the wall, as it is seldom that I commend a Minister.

Mr. R. E. Moore: You are trying to get on the Minister's committee.

Mr. SHERRINGTON: When I make submissions, I hope the Minister listens. I am certain that he did listen in this case, because my submission has produced results. No doubt many people on the Gold Coast are very pleased that R. 777 will become an environmental park. I shall make further comment on this subject later.

An Honourable Member interjected.

Mr. SHERRINGTON: I am not grovelling to the Minister. I am not one who grovels. I shall be critical at the Committee stage because, to me, several matters are not in line with my attitude on environmental parks.

One of the notable omissions from the legislation is an adequate definition of what will constitute an environmental park. My colleague the shadow Minister for Lands (Mr. Bousen) has already queried the lack of information on the size of these areas, which is important. The only definition in the legislation relates to land set aside for an environmental park, but there seem to be no guidelines on what an environmental park might be. An environmental park could cover a whole host of things. It could be an area of beauty, an outstanding geophysical feature or a geographical feature. I could not suggest a place such as Round Hill, because it has already been put into the hands of the subdividers. However, it was one of Captain Cook's first contacts with the Queensland coast. An environmental park could be an area of great historical interest such as that.

At a later stage I shall deal more fully with the funding of this legislation. At both the introductory and second-reading stages, the Minister referred to a fund being set up from rents, Consolidated Revenue, or grants. I am very interested in this aspect of the Bill. It is a vital point, because the legislation provides merely for environmental parks being created from Crown land. That is fair enough, because that is the only land that the Government has any real jurisdiction over and in respect of which there is a minimum change in the tenure of the land.

In his second-reading speech the Minister said that somewhere along the line land held in fee-simple will be transferred to environmental-park purposes. To me, this is very important. Unfortunately, too many of our areas which are prospective environmental parks are viewed in the light of how much somebody can make out of them by exploiting them commercially. I should like a definite answer as to what sort of fund is to be built up to enable the Minister, the Conservator of Forests or the responsible officer in charge of the legislation, to be able to prevent what is happening on the Gold Coast at this very moment. Today's "Gold Coast Bulletin" reports that plans are being made to develop private park land at Egg Rock, in the Gold Coast hinterland, by a company that would exploit this outstanding natural feature for commercial purposes. The article goes on to say that the company is seeking permission to establish a two-storey, 30-unit building and park land for the purpose of private enterprise—no doubt that will appeal to the Government—and environmental conservation.

A Government Member: That doesn't say it will be destroyed.

Mr. SHERRINGTON: Never before have I heard such "jazz" about environmental conservation being used for private commercial exploitation. There should be no exclusion of the public from areas such as this just because somebody wants to exploit them commercially. The Press article goes on to say that the owner was not available for comment, but he is known to have set a price of \$40,000 on the property. It further states that this area was known for some time past to have been the scene of Aboriginal history in the area. Indeed, it has great symbolic significance as a monolith in Aboriginal legends.

The area includes Egg Rock itself, which is 480 feet high, and 180 acres of surrounding bushland. It has been up for sale for the last eight months and is described as an unusual scenic landmark created by a huge rhyolite plug. It is reported to have once been part of a rich Aboriginal tribal and totemic area. The land is on the market for sale at the present time, the sole purpose being for commercial exploitation. I hope the Minister is listening to this.

Mr. Rae: I am.

Mr. SHERRINGTON: I want the Minister to follow very carefully what I am saying. I believe that \$40,000 is not too much for the State to spend in preserving this historic landmark. The Minister should intervene and indicate on behalf of the State that he is prepared to pay \$40,000 to ensure that this very historic area is preserved as an environmental park.

Mr. Rae: Have you written to me on this matter?

Mr. SHERRINGTON: No. I shall be quite honest with the Minister. I shall be making a submission to him tomorrow. Quite frankly, it only came to my notice late this evening.

Mr. Rae: We won't get all steamed up about it now. Take it up tomorrow. I am right in your corner.

Mr. SHERRINGTON: There is urgency in this matter. It is quite apparent that the owner is prepared to sell. When the Bill becomes law, the Minister will be looking to the setting up of a fund by means of which, in cases such as the one just referred to, he will be able to move in and obtain historic areas in the public interest. He should be able to ensure that such areas are retained as environmental parks. This is very important. We cannot hope that people will simply hand them over to the State Government. An amount of \$40,000 is a mere pittance to preserve this area for posterity.

Let me move on to some of the doubts I have about the Bill, particularly its lack of definition of an environmental park. Again I hark back to the fact that it contains one principle of which I have been critical over the years relative to its place in the Forestry Act. I have had previous discussions with the Minister and his officers, and they have given me certain assurances in relation to the powers of the Minister for Mines in this regard. Not for one moment would I doubt the veracity of any of these gentlemen, but I have always believed that in the years to come the only proof of what is intended by legislation will be found in the "Hansard" report of the debate on it.

I am always very disturbed by the attitude that before any area is reserved, whether as a reserve under the Forestry Act, a national park, or anything else, the matter must be referred to the Minister for Mines. In my opinion, our thinking is still conditioned in the year 1973 by the days of the Gympie gold rush. We have never reached the stage of recognising that mining should not be given No. 1 priority in land use in this State. I believe that there are many instances in which future generations should be making the decisions as to whether an area should be mined, and an outstanding example of this is Cooloolo. Even though there might be large quantities of minerals there, there is no scarcity of these minerals in this day and age. Because there is no compelling demand for their urgent use, a decision as to their use should be made by future generations.

Let us face it, Mr. Acting Speaker. Very few parts of this State could not be classed as having some minerals in them. The net result is that in 1973, even though there may not be any need to develop these areas, the Minister for Mines can, under the powers conferred on him by the Forestry Act and on the reference of the matter to him,

virtually veto the setting aside of these areas. It disturbs me to think that this State has many outstanding examples of bad usage of its lands simply because we still pattern our thinking on the days of the Gympie gold rush.

Mr. Row: What priority would you give mining as an avenue of employment?

Mr. SHERRINGTON: It depends on the type of mining that the honourable member is referring to. I have said time and time again that any country that plans its economy on mining is skating on thin ice. However, I do not wish to be diverted from my theme.

As I said, many outstanding examples of what I fear in this legislation are to be found in the application by the Minister for Mines of his powers under section 24 of the Forestry Act, which says that no area can be declared or set aside as a reservation without the consent of the Minister for Mines. Let us consider areas such as Mt. Etna, which has one of Queensland's rare cave formations. To my knowledge there are only four or possibly five areas with the Mingela cave system that was referred to by the honourable member for Townsville West the other day. Limestone caves are found only in limestone ridges. They have developed through a water-wearing process. Because all those caves contain mineral in the form of limestone, they naturally come under the close scrutiny of the Minister for Mines, who has the power to veto any application for the declaration of a national park. The same type of thinking could be applied in many other aspects of land usage.

One thing I applaud is the suggestion of the Department of Primary Industries that a strip of coastline on the Sunshine Coast should be declared an environmental park. Over the years I have complained that no part of our coastline has been given national park status. I believe that this is a start in the right direction. But I have a very sincere fear about this Bill. Our shadow Minister (Mr. Bousen) said that he hoped the legislation would not lead to the decimation of large national parks.

Mr. Rae: No.

Mr. Row: It wouldn't.

Mr. SHERRINGTON: I want to see it in black and white, because quite frankly, at this stage I am not convinced.

Mr. Rae: No.

Mr. Row: Why not?

Mr. SHERRINGTON: I will tell the House why. I should like a very definite assurance that the principles contained in this legislation will not be a lever for sand-mining companies to get their feet into Cooloolo. This legislation has all the elements of it. For the benefit of the interested member—I take it that his interest is a genuine one,

just as this is a genuine contribution on my part—I draw attention to the controversy that has raged over Cooloola. I know that you, Mr. Acting Speaker, will not rule that this matter is sub judice, because I am referring to something in the future. That controversy is still not resolved. I will not be satisfied until the Minister declares Cooloola a national park.

In this legislation I see the possibility of a somersault by the Government. Under the Bill the Blue Lake could be set aside as an environmental park, as could the remnants of the rain forest. The various sand middens also could be set aside as environmental parks. Many small environmental parks could be created out of the Cooloola sand mass, but the sand-miners could be allowed to run riot in the remaining areas. There is a very real danger of that happening. I want the Minister to be very definite in his attitude. I want an assurance that such a thing is not going to happen, and that this Bill was not designed to play into the hands of the unscrupulous politician—I make no personal accusations—who in future would do exactly what I am predicting. The elements are present for that type of action.

I do not accept the necessity to appoint trustees. Although there are many good local authorities, such as the Tara Shire Council, which, years ago, gave to the C.S.I.R.O. 300 acres of brigalow land as the first scientific study reference in Queensland, there are others that have attempted to put bulldozers through scenic areas in order to create caravan parks and barbecue areas, and could not be trusted with the control of an environmental park. Fortunately I was called upon to intervene and the Minister of the day saw the complete lack of wisdom in the use by local authorities of those scenic areas. I question the need to revert to trusteeship when the work can be adequately and admirably performed by the Lands Department.

I have absolute faith in all officers of the Forestry Department, just as I have in other public servants.

Mr. W. D. Hewitt interjected.

Mr. SHERRINGTON: Perhaps the honourable member for Chatsworth has found a public servant whom he does not like. I have yet to see the day when I quarrel violently with a public servant because he has not done his job.

Mr. W. D. Hewitt: I am always a little bit annoyed by your complete reluctance to criticise them.

Mr. SHERRINGTON: I have yet to find a public servant whom I should criticise. Possibly public servants treat the honourable

member in the way they do because his is a Liberal and does not approach them in the correct manner.

Mr. W. D. Hewitt: They are all good blokes, but they are not beyond criticism.

Mr. SHERRINGTON: I do not want to be side-tracked into a discussion on public servants.

Mr. ACTING SPEAKER: Order! The Chair certainly hopes that the honourable member will not be side-tracked.

Mr. W. D. Hewitt: This Parliament puts them beyond criticism, and I resent that.

Mr. SHERRINGTON: The honourable member for Chatsworth is entitled to resent it. Although I have disagreed with public servants on many occasions, I would not claim that they have not been doing their jobs efficiently. They are only human beings—in fact, they are probably more human than some honourable members. They would certainly have to be human to put with some members of this Parliament.

Mr. ACTING SPEAKER: I suggest that the honourable member now return to the Bill.

Mr. SHERRINGTON: I am happy to do that, Mr. Acting Speaker. As I say, some local authorities cannot be trusted. However, it is unfortunate that some societies, such as the Wildlife Preservation Society, the Littoral Society and the "Speleos", make submissions as to environmental parks that seem to fall on deaf ears. As an example, five years ago I put forward a submission on Limestone Ridge, and I am still awaiting the result. However, that is by the way.

I disagree with the principle of enabling local authorities to carry out work in environmental parks with the approval of the Minister. I do not think such a provision is necessary, because I believe that no local authority has within its ranks the expertise possessed by officers of the Forestry Department, who are responsible for the development of walking tracks as well as other amenities and facilities in national parks.

Queensland is very fortunate that the humble workers carrying out the construction of walking tracks, bridges and so on in our national parks have an uncanny knack of being able to make artificial creations blend in so that they appear to be natural features of a national park. The men responsible for this work are deserving of a high tribute. That is what leads me to say that no local authority could have this expertise. I would rather entrust such work to experienced men in the Forestry Department than allow any park to be defaced by an attempt by others to make it attractive and provide the various necessary amenities.

I imagine that in some instances environmental parks will be very limited in size. To return to my submissions on the subject of inexperienced people having authority, I am concerned about the introduction of new species into environmental parks in the belief that they will improve them. In North Queensland, certain people have attempted to introduce plants that are completely out of place in a rain forest. On one occasion I told a friend of mine that the sooner he removed certain plants the better it would be because they were complete pests.

I hope that local authorities who are charged with this responsibility will not be allowed to "jazz up" these places by introducing new species. It is true that plants in an area can be supplemented with species that are indigenous to the area. I hope that I never see the day when, in an attempt to make something of environmental parks, we allow the wholesale introduction of foreign plant species. The beauty of many of these areas lies in the fact that they are primitive areas in their natural state.

Mr. Row: You wouldn't be prejudiced against local authorities?

Mr. SHERRINGTON: Not at all. I am speaking with the background of a wealth of experience in this field.

Mr. Row: You wouldn't advocate a centralist policy?

Mr. SHERRINGTON: At first I thought the honourable member was making an intelligent interjection.

I have no desire to delay the House, but at the Committee stage I intend to seek further information about the matters I have raised. The figures I have quoted are very real, and distinct possibilities are involved. I am not now indulging in a flight of fancy.

I hope that the Minister for Local Government is interested in my next submission, because it concerns him. The Local Government Act provides that land subdividers will donate a certain area of land or pay certain sums of money. The present practices should be closely investigated. We can no longer permit a subdivider with an area of 200 or 300 acres to donate the worst of the land, for which he knows he will not get a cent. In the light of this measure, I believe a responsibility should devolve on the local authority to work in close co-operation with the Lands Department, the Forestry Department, or any other department, to ensure that land set aside from subdivisions is surveyed ecologically. If an area that is to be subdivided contains land suitable for an environmental park, that area should be handed over by the subdivider. It is not simply a matter of donating any of the land. The concept should emerge under this legislation.

I regret that the legislation does not also apply to the creation of educational nature reserves, which are becoming more necessary with the expansion of social study curriculums in schools. Some time ago the honourable members for Sandgate and Brisbane and I, with the assistance of the Brisbane City Council, requested the Forestry Department to investigate the establishment of the lagoon at Sandgate as an educational nature reserve. I do not think a final decision has been reached, and I ask the Minister, having steered this legislation through the House, not to sit back on his laurels. I want him to look closely at the question of introducing educational nature reserves so that we may save the few remaining pieces of bushland that exist near Brisbane and our provincial cities and towns.

Mr. W. D. Hewitt: Weren't there some Philistines who wanted to fill the lagoons in at one stage?

Mr. SHERRINGTON: I am not apologising to anyone, but I will be critical where I think criticism is called for. For some time I have seen the necessity for this sort of thing and I ask the Minister, during the parliamentary recess, to look into the establishment of educational nature reserves and to apply himself with the same industry as he has applied to this Bill.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (10.43 p.m.), in reply: Only two honourable members have spoken in the debate and they, like me, are quite pleased that steps are being taken to preserve certain areas in this State. We are proceeding in the right direction and will achieve greater things in the future.

Both honourable members expressed concern at the prospect of mining in environmental parks. I, too, am concerned, and so are my departmental officers. However, it would be improper at this stage, whilst the Minister for Mines is overseas, to make a statement on the concept of mining in national parks and environmental parks. I am not ducking for cover. I simply want to leave the matter until the return of the Minister for Mines. No decision will be made until the matter has been placed before Cabinet and fully discussed. Honourable members may rest assured that, the matter having gone through Cabinet, a fair and well-considered decision will be made. I have no qualms about the mining aspect, which seems to exercise the minds of some honourable members.

The Minister for Mines has been able to indicate on many occasions that mining today is not the monstrosity that it is accused of being. When one sees the ravages perpetrated by many developers in bulldozing all before them, one appreciates the real need to work quietly and effectively in determining who is mainly responsible for destruction. The Bill is one very positive means of

saving all the beautiful little parks, lakes and rivers, sandhills and other attractive areas wherever they may be.

There are people who have said that they do not like rangers, and the honourable members for Salisbury and Toowoomba North indicated that they were worried about shire councils and their acceptance of the Bill.

Mr. Sherrington: I did not say that.

Mr. RAE: I quite appreciate the honourable member's point. I assure the honourable members that their fears are unfounded because what the Bill proposes will be controlled, in the main, by land commissioners in the various areas, who will in turn be backed by their land rangers. Then other interested and knowledgeable organisation such as the Littoral Society, the Wildlife Preservation Society, and other conservation bodies will be brought into the field. The whole thing will be an example of teamwork, and I feel that all concerned will be able to act in accordance with the desires of many of the people of this State.

Questions were asked about who was going to pay for implementing the provisions of the Bill. This is our responsibility. The Lands Department will accept it, in the initial stages at least.

Mr. Sherrington: It is not their responsibility; it is yours.

Mr. RAE: It is kind of the honourable member to say that. We are a team, and the land commissioners and rangers will be doing this work.

There were not many things said by the honourable members for Salisbury and Toowoomba North with which I have any real quarrel. Mention was made of Cooloola. This is an issue on which the Minister for Mines and Main Roads and I have to confer. I have not yet been able to get my teeth into the Cooloola story, because I have been fully occupied with other matters, but I share the honourable member's concern. By the same token, it behoves all of us to look matters squarely in the face and ask ourselves, "Where are we going in conservation?" At times I feel that we are getting completely out of touch with reality.

Mr. Sherrington: You are spoiling a good speech now.

Mr. RAE: I am trying to be fair and reasonable in making an assessment of how far we can go this way and that. I am all in favour of preserving all things beautiful and wonderful. However, there has to be progress, and we must recognise that Queensland as a State is going somewhere in this nation.

I have well and truly noted the words of the honourable members for Salisbury and Toowoomba North. I go along with almost all, indeed all, that they said. However, I wish to alert the House to the fact

that it is not possible to do everything we desire, because there are other concepts to be considered and other avenues to be traversed.

I am happy that the honourable members agree that this is a good measure. This has been evidenced by R. 777 on the Gold Coast, which will prove to be of tremendous value. This is particularly good legislation. As a very junior Minister for Lands and Forestry. I say to the House that the State will be the richer if I can always be associated with legislation such as this.

Motion (Mr. Rae) agreed to.

COMMITTEE

(The Acting Chairman of Committees,
Mr. Wharton, Burnett, in the chair)

Clauses 1 to 5, both inclusive, as read, agreed to.

Clause 6—New s. 334A; Reservations for environmental parks—

Mr. BOUSEN (Toowoomba North) (10.52 p.m.): This clause provides that if a local authority refuses to accept responsibility for an environmental park, a trustee or trustees may be appointed to control it. I am aware also that the Minister said he was looking to the Historical Society, the Wildlife Preservation Society and other similar organisations to take control of these parks. However, a case in which a local authority refused to accept responsibility for the maintenance of a cemetery has recently come to my notice, and I wondered what would happen if a local authority adopted a similar attitude to an environmental park. I hope that the Government would not hand the control over to a Rotary Club, a Lions Club, an Apex Club or some similar body.

Mr. SHERRINGTON (Salisbury) (10.53 p.m.): I join with the shadow Minister (Mr. Bousen) in raising some queries relative to this clause, which provides, in essence, the conditions for the reservation of environmental parks.

Again I revert to the fact that only Crown land is involved. I was rather disappointed that, in replying to the debate on the second reading, the Minister did not mention whether he was prepared to consider the purchase of freehold property if he thought it was in the public interest to do so.

Mr. Rae: I will do it now.

Mr. SHERRINGTON: That is very good. I probably could have dealt with it under the clause relating to funding, but I wish to refer specifically to the fact that this clause says—

"Before the matter of the reservation and setting apart of land as environmental park is submitted to the Governor in Council the same shall be submitted to the Minister for Mines or other Minister

of the Crown for the time being charged with the administration of the Mining Act 1968-1973 and his approval of the proposal shall be sought.

"The recommendation of the Minister to whom the matter is so submitted (whether it be an approval of the proposal or not) shall be presented to the Governor in Council at the time when the matter of the reservation and setting apart of the land is submitted to him."

In other words, the Minister for Lands submits it to the Minister for Mines. Again I hark back to my reference to the thinking in the days of the Gympie gold rush.

I wish to take the Minister up on the question of how far we should go with conservation. I thought in the last few days that the Minister had redeemed himself to some extent; but in my opinion he slipped considerably when he made statements such as, "Where do we end?" The Minister himself knows that such a statement is quite crazy.

Let me refresh the Minister's mind. A few years ago a person named Forbes made application to mine Ellison Reef for limestone. It was only because the Queensland Littoral Society spent a great deal of time investigating the area and went to the trouble of approaching the Mining Warden's Court and objecting, that today Mr. Forbes is not taking coral from the Barrier Reef for the production of cement when we have limestone deposits on the mainland sufficient for at least the next 200 years. It is not just a matter of asking how far we should go with conservation or that conservationists want to bring a halt to progress. That is just not so.

I have always been proud to associate myself with what conservationists have said about the wilful misuse of resources when there is no need to use them. Indeed, there is no need for this generation to make decisions about mining limestone, rutile or any other mineral in certain areas when we already have sufficient minerals elsewhere at a time when there is no crisis in the world that would create a bigger demand for them. Therefore, is it right that there should be a veto on the declaration of an area as a national park merely because it contains minerals?

We have to weigh other factors of land usage against mineral production. We have to evaluate how best to use an area's resources. Our beautiful cave complexes occur only in limestone ridges. Because limestone is used for the production of cement, should we say, "The area containing those caves cannot be declared a national park because at some time in the future the Minister for Mines is going to allow it to be mined for cement production?"

We should not be making such decisions. They are decisions for future generations when they are faced with diminishing

resources and therefore have to make the decision. I know that the declaration of one national park was held up by the Minister for Mines because there was coal 350 feet underground. The national park could have been declared and then burrowed under to get the coal out. The Minister should not fall into the trap set by the anti-conservationists who say, "How far do we go? We have to set a balance."

I am very disturbed when I read the powers of the Minister for Mines under section 24 of the Forestry Act, which provides—

"No recommendation for the setting apart of any such lands situated on a goldfield or mineral field shall be made without the approval of the Minister for Mines or other Minister of the Crown for the time being charged with the administration of the Mining Acts."

The report of the Minister for Mines will go to the Governor in Council. Under the power conferred on him by section 24 of the Forestry Act, no decision will be made without the Minister's consent. That is what disturbs me about the Bill.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (11 p.m.): Two important points have been raised. The honourable member for Toowoomba North registered a measure of concern about controls. We have never had any specific problem in this regard. It has always been a matter that the local authority has been able to handle extremely well.

Apparently the honourable member for Salisbury has some cause for believing that the control of any type of park by local authorities is not exercised properly. We feel, however, that this matter can be left to land commissioners and land rangers.

I do not think the problem of cost is insurmountable. We feel that we can overcome it quite easily. The creation of environmental parks is a new concept and one that I would like to get off the ground.

The honourable member for Salisbury has asked me to comment on the purchase of a particularly attractive parcel of land. I go along with this and think it is very good. The honourable member will find that the funds of the Lands Department are sufficient to enable it to make such a purchase, and for that reason alone I think he can rid himself of any personal concern.

Mr. Sherrington interjected.

Mr. RAE: I would be quite happy to hear the story that the honourable member for Salisbury wishes to tell us, but I hope that he will not try in one bulldozing effort to push it through the Committee.

Mr. Sherrington: Fair go! You know that I always endeavour to make worth-while submissions. This matter only came up about an hour before this debate.

Mr. RAE: I will be happy to receive the honourable member's submissions on the matter to which he is referring. I do not think I need comment further on this clause.

Mr. O'DONNELL (Belyando) (11.2 p.m.): This clause refers to local authorities, which tonight have had certain criticisms levelled at them. I rise to defend rural local authorities, which, I am sure, will participate in this project with complete enthusiasm. I do not intend to criticise those people who live in the cities. All I want to do is defend those who have spent a lifetime in the rural areas, particularly the small communities in the shire centres. They are cognisant of, and have a deep respect for, all the natural resources of their areas, whether flora or fauna. I do not think we need even contemplate a lack of enthusiasm on their part in this project.

I suggest that the despoliation of rural areas is caused mainly by vandals from the concentrated areas of population. The workers on the land are fully cognisant of their environment and resent any interference with it. I admit that certain country people have over-cleared or over-stocked their land, but generally they have a deep love for their bush country. They will lend their fullest support to the creation of environmental parks. Shire councils generally comprise men who have had experience on the land and in rural matters, as have their employees.

An honourable member asked about the size of the environmental parks. Rural people know the local environment and what should be preserved. When dealing with areas away from the coast, the Government will not be able to establish environmental parks of a prescribed 10, 15 or 20 acres. It will have to fix the size according to what is available and can be maintained as a first-class example of the environment of the area. There would be no justification for reducing the size of an environmental park so that a council would be required to look after only 10 or 15 acres. In some instances it is likely that 1,000, 2,000, or 3,000 acres will have to be set aside. In a sense, as I stressed at the introductory stage, these areas will be more of a scientific and educational nature than tourist attractions.

As a representative of the Central West I want these areas preserved. The Minister knows the position in the gidgee, brigalow and mulga areas. In the main, we do not want fires, but how can mulga scrub be regenerated without fire? The Minister knows that fire is a natural regenerating force in mulga growth. We can depend on the rural people to look after these areas. The major difficulties will arise when we try to preserve natural areas close to large centres of population. We could well run into problems with vandalism.

I appreciate the intention of the Bill. Much of our land has been overcleared. In previous speeches I have also said that

much of it has been overploughed. In saying that, I am referring not to tree country, but to grassland, which we must also preserve.

I have full confidence in the ability of local authorities in my electorate to look after the rural areas, just as I have full confidence in the land commissioners, and the land rangers, as they have been incorrectly referred to. They are very interested in this work.

Mistakes have been made in the past. When we put up blocks for ballot, we did not allow for additional areas that should have been preserved as a natural park on each property so that we would have an over-all conservation programme in hand. We cannot put back the clock, but we can still encourage people on the land to allow some of their country to return to its natural state. When I was in New Zealand, I saw an experiment which probably was not thought of till a few years ago. As an example to people with properties, an attempt is being made to grow trees on the Canterbury Plains and so encourage those owners to provide shade for stock and, in the field of conservation, preserve the country.

The whole principle behind the Bill is a very good one. Certain difficulties will be experienced with historical areas and areas along the coast because a great deal of argument will arise as to what use they should be put to. Mention has been made tonight of town subdivisions. I point out that we will run into many problems if we try to keep natural areas in a residential zone. I know the accusations that have been levelled against certain prominent members of the Brisbane City Council regarding land in the centre of a residential area being allowed to remain covered with weeds and grass. It would be better to establish an artificial park in the centre of a residential area, because many complaints will be lodged if an area is allowed to remain in its natural state. Outside the residential area, a fringe of natural area could be maintained. If a part of a residential area is maintained in its natural state, people will complain about long grass, mosquitoes and particularly snakes. This is very important where children are concerned.

Rural local authorities will do the job. Perhaps the greatest problems will be experienced along the coast where the larger local authorities are expanding and playing an active part in many spheres. They will perhaps not do what is expected of them. This is where the greatest caution must be exercised.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (11.12 p.m.): The honourable member for Belyando expressed the desire that we retain many of the very beautiful areas of natural timber in the South-west. I agree. He has had a lifetime of

experience in that area, as I have. He can be assured that we will be careful not to become too enthusiastic with the bulldozer and wipe out thousands of acres of attractive country. In the long term, it is not very beneficial to bulldoze with the ferocity exhibited by many people. In any case, it is really up to the individual. I share the honourable member's outlook. We should be looking to the future with a positive and well-laid plan to preserve many of our natural and wonderful timbers. I thank him for his contribution because he indicated, as he invariably does, a good knowledge of that part of Queensland which is so important.

Clause 6, as read, agreed to.

Clause 7—New s. 334B; Revocation of reservation of environmental park—

Mr. BOUSEN (Toowoomba North) (11.14 p.m.): I refer to proposed section 334B (3) and ask the Minister what he has in mind. Does this proposed section apply after the park has been declared and resumed, and is ready to be cultivated? Is it at that stage that the Minister will come in and take some of the land away?

Mr. SHERRINGTON (Salisbury) (11.15 p.m.): I join with the honourable member for Toowoomba North in raising a query on this clause. I return to what I said about the possibility that this legislation may preclude the declaration of the Cooloola area as a national park. The same remarks could apply to other areas, too. I want to have it quite clear in my mind that sand-mining would not be considered as consistent with improvement in the area concerned.

This is quite a valid argument. The Minister gave me no assurance that this legislation could not be used to allow sand-mining to be carried out at Cooloola. If there were a whole series of environmental parks spread throughout the Cooloola sand mass, under this clause, if it was considered to be in the public interest, sand-mining could be classified as making a contribution to improving the area. Sand-miners will argue that their restoration measures in fact improve natural areas. They have argued that way for years.

It then becomes important to note that the clause also contains a provision that if the Governor in Council approves of the revocation or excision of portion of an environmental park, and if the Legislative Assembly approves of the proposal by resolution on a motion of which not less than 14 days' notice has been given the Governor in Council may, by Order in Council, revoke the reservation and setting apart of an environmental park.

What that means is that the Government is required to give only 14 days' notice of intention to revoke any portion of an environmental park. Any organisations wishing to

protest against this revocation then have only 14 days in which to object to it. If the area concerned was Cooloola, I suggest that 14 days would be an unreasonably short period for the public to be acquainted with the proposal, and to prepare and lodge objections to it. I think 14 days is an unreasonably short time. This is one of the disappointing features of the Bill. I think there may have been some mention of the necessity to advertise such an intention in one newspaper. I recall recent cases in which mining applications were advertised in an obscure newspaper in the relevant district at Christmas-time, when almost everybody was away on holidays.

Whilst the Opposition does not propose to move an amendment to the clause, I ask the Minister to give serious consideration to this provision. I think the period is unreasonably short and, unless the newspapers highlighted the fact that notice was being given of intention to resume portion of an environmental park, in many instances the public would probably be completely unaware of that intention. There would be inadequate publicity, and in many cases, even if it were known to the public, I doubt if there would be time to prepare a case. My experience over the years has been that it is not enough simply to race in and object. Objectors have to give scientifically based reasons for their objection, just as scientific reasons have to be given for land to be set apart for certain usage. I ask the Minister to look closely at this question of 14 days' notice, because it is too short a period.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (11.20 p.m.): This is an inquiry with quite a degree of validity about it. In the main, land from an environmental park would be resumed only to provide a road. Alternatively, if an environmental park had an area adjacent to it that it was considered could be incorporated in the park, the two areas might be made into a national park. Those would be about the only circumstances in which land would be resumed.

Clause 7, as read, agreed to.

Clauses 8 to 12, both inclusive, as read, agreed to.

Clause 13—New Division IIA; Land reserved as environmental park—

Mr. BOUSEN (Toowoomba North) (11.21 p.m.): Again I wish to direct a question to the Minister. This clause refers to the granting of a special lease. Would that include the leasing of ground for the building of a motel, a kiosk, or other service amenities that would be required on a large acreage frequented by the public, or would it be for some other purpose?

I noticed that in his second-reading speech the Minister made particular reference to a special lease of 75 years. I hope he was not referring there to a lease of grazing

properties or land for similar purposes. If he was, I suggest that serious consideration be given to revoking that part of the clause.

I referred earlier to the funding of reserves, and the Minister dealt in his reply with some of the methods of financing the project. Subsection 3 of the new section 351B sets out where the finance will come from. It will, of course, be some years before any revenue comes into a fund such as is envisaged by the Minister. I should say that the Land Administration Commission would have to accept financial responsibility in the early stages, until finance becomes available as a result of the building of a motel or kiosk or from the renting of a recreation reserve for sporting activities, and so on. It will be quite some time before environmental parks produce any revenue.

Mr. SHERRINGTON (Salisbury) (11.23 p.m.): Again I wish to raise one or two points. Firstly, I notice that a lessee may be permitted to occupy the area for only one month. I take it this could apply to camping and water reserves, on which a certain amount of grazing could be permitted. I do not quarrel with that idea in some cases as mention has been made of the possibility of fires occurring, particularly in the brigalow areas and areas of a similar type in which clearing has taken place and there has been heavy growth of grass in the summer-time. A big accumulation of litter is highly combustible, and unfortunately that became very obvious in Victoria some years ago. When a fire occurs in these circumstances, it becomes an inferno rather than merely what is referred to as a "cool burn".

The honourable member for Belyando mentioned that many plant species require heat for propagation. The banksia does not propagate unless a fire has been through the area to split open the seed pods. It is far preferable to permit limited grazing in these areas than to have an accumulation of rubbish build up which could be turned into an inferno and play havoc with the brigalow scrub. I can see the sense of it but, like my colleague, I am a little concerned about the lease. I could see the sense of a 75-year lease if a lodge-type building was being constructed to accommodate people so that they could enjoy the park. I hope the provision will apply only to that type of facility.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (11.26 p.m.): The Bill permits borrowing by the individual who is desirous of putting up a motel type of structure. The 75-year concept is to give him some equity in the eyes of the lending authority. That is the whole reason for the provision.

As to the interest of the honourable member for Salisbury in our control of areas, we share his views. Nobody wants to see

an outbreak of fire. It is much better to have an area under some positive control than to have it covered with heavy undergrowth. Therefore, we lease the area. We are doing what is best for the protection and betterment of the area concerned.

Clause 13, as read, agreed to.

Clause 14, as read, agreed to.

Clause 15—New ss. 351F, 351G, 351H—

Mr. BOUSEN (Toowoomba North) (11.28 p.m.): Again I pose a question to the Minister and again we come back to mining, which seems to be the main subject under discussion in the debate on this Bill. This clause provides for the issue of a permit to carry out work in an environmental park, but it does not specify the kind of work. Again this could include mining. I should like to have some assurance from the Minister that the clause will not be used for that purpose.

Mr. SHERRINGTON (Salisbury) (11.29 p.m.): I, too, am a little concerned about this clause. I revert to my remarks at the second-reading stage. The trustees, local authorities and others may not have the necessary expertise to carry out the type of work involved. When environmental parks have to be disturbed by the construction of walking tracks, it is very necessary that anything that is done should blend in with the surroundings.

One of the most scandalous things this Government permitted was to allow the Widgee Shire Council to build a road into Cooloola. I am very serious about this. Apparently the Government gave the Widgee Shire Council authority to construct a road which finishes in the vicinity of Freshwater Lake. Probably that road-construction work would be done without any expertise at all. It would be carried out merely as a road-construction job. I have some suspicions about the construction of that road, anyway, but I will not deal with that matter now. If there was a necessity for a road to be built into that area, which possibly some day—the Lord only knows when—will become a national park, surely the work should have been performed either by officers of the Forestry Department who have expertise or under their supervision.

It is very important to prevent a person without the necessary expertise from constructing a road through an ecological area. The construction or upgrading—call it what you will—of this road was a scandal. If it was found that the road was needed in order to promote tourism, its construction should have been carried out by the Forestry Department, for whom I have nothing but the highest praise.

I am greatly concerned at the possible ruination of our ecological areas by necessary disturbance that is implemented in other than an expert manner. In making these

comments I do not level criticism at any local authority; I simply claim that many of them lack the necessary expertise.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (11.31 p.m.): The honourable member for Toowoomba North asked what sort of work would be undertaken under this clause. In reply, I inform him that the department will undertake the protection of flora and fauna, which will enable zoologists and ecologists to add to the beauty of the particular area and preserve it.

I would not like to enter into the matters raised by the honourable member for Salisbury. However, I can assure him that I will be watching all future activities, such as roadworks, very carefully.

Clause 15, as read, agreed to.

Clause 16, as read, agreed to.

Clause 17—New ss. 351K, 351L, 351M, 351N—

Mr. BOUSEN (Toowoomba North) (11.32 p.m.): This clause inserts a new section 351K, which deals with honorary rangers. The powers given to an honorary ranger appear to me to be very wide. For instance, he can eject any person from a park, arrest any person, or search a person's property or motor vehicle without a warrant.

In the debate on the Tow-truck Bill the Opposition took exception to the conferring of power upon the police to search premises without a warrant. I have no doubt that the honorary rangers will be very decent fellows; nevertheless I believe that they are to be clothed with excessive power. For example, if they are involved in an altercation in an environmental park they can call for assistance from somebody else who is clothed with exactly the same authority. I suggest that this clause may destroy the image of honorary rangers.

Mr. SHERRINGTON (Salisbury) (11.34 p.m.): I am concerned at the use of honorary rangers. Over the years there has been evidence of an increase in violence in this State. I am sure all honourable members are concerned about kangaroo-shooting. Like the honourable member for Toowoomba North, I feel that we are placing too great a responsibility upon a person who serves in an honorary capacity. This clause gives him the power of arrest. I am an honorary ranger, but if I met a man with a shotgun in an environmental park I would think twice about arresting him.

A Government Member: You haven't any guts.

Mr. SHERRINGTON: Somebody said I have no guts. I vehemently dispute that claim. I have more than enough evidence to show that I have sufficient.

It is asking too much of an honorary ranger to give him, and ask him to exercise, the power of arrest. We should be very cognisant of the fact that these incidents will occur not in Queen Street but in isolated scrub areas and similar places. I fear for the safety of many of these people. A person in a uniform probably is a little better equipped to influence a law-breaker than one in civilian clothes who pulls out a little warrant and says, "I am an honorary ranger. You are under arrest because I saw you shoot game in this park." I think the legislation confers too much responsibility on these people.

Later on, the provisions become somewhat ludicrous. To get out of trouble, a ranger may call on any member of the Police Force to assist him. He would have to be able to whistle very loudly to get a message to the nearest police station if he was in the middle of a thousand-acre park with someone kicking him in the ribs. In many instances a zealous type of person who wants to do the proper thing will be placed in a dangerous position.

This provision highlights how far we are behind other States in policing our fauna laws. I have frequently referred to the fact that about three years ago Victoria, which is a small State, employed 18 full-time faunal officers. That number could well have increased since then. Victoria is divided into 18 faunal districts, and in addition to the 18 faunal officers there is an administrative staff of 13, so that 31 people administer the game and fauna laws in that State on a full-time basis.

Laudable as our legislation may be, we are not doing justice to it by including this provision relating to honorary rangers and then virtually adding the ridiculous provision that, in the middle of a thousand-acre paddock with somebody kicking hell out of him, a ranger can call on the nearest policeman to help him. That provision does no credit to the Bill.

Mr. O'DONNELL (Belyando) (11.39 p.m.): I do not know if the department has conducted adequate research into the matter of searching vehicles, but honourable members who have been in the Chamber for six to eight years may recall that when Mr. Dewar was Minister in charge of police he introduced legislation to allow policemen in charge of one-man stations to search vehicles. Honourable members can well imagine the frustration of a policeman in Jericho or Rolleston when right in front of the police station there could be parked a vehicle which, although he may suspect that it contained stolen property, he could not touch without getting the sergeant from a town 30 or 40 miles away because no man below the rank of second-class sergeant then had the authority to search a vehicle. I supported Mr. Dewar at that time in his endeavours to give some

power and authority to a constable in charge of a one-man police station. That is not very long ago.

The ACTING CHAIRMAN: Order! The honourable member will please address his remarks to clause 17.

Mr. O'DONNELL: I am, because the ranger will in fact be an environmental park policeman if he is to be given power to arrest and to search a vehicle, vessel or anything else in which he suspects examples of flora or fauna are encased. I do not see how the powers of this man, working in an honorary capacity, can be aligned with those of a professional lawman, to wit, a policeman.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (11.41 p.m.): Quite frankly, I believe that everybody is on the wrong tram. It is as plain as the nose on my face that this is a matter of co-operation and understanding in a genuine desire to achieve something in a good common-sense way. Let us get away from all this nonsense of who has a gun and who has not a gun. It is quite simple. We are desirous of doing something that Queensland wants. I am certain that this provision can be policed effectively and in a very acceptable way, as I have indicated to the Committee.

Clause 17, as read, agreed to.

Clauses 18 and 19, as read, agreed to.

Clause 20—Amendment of s. 5; Meaning of terms—

Mr. SHERRINGTON (Salisbury) (11.43 p.m.): This clause contains the only definition of "environmental park" in the Bill. I believe it is very necessary that some attempt be made to spell it out more definitely because many clauses depend on the definition, particularly in the matter of defacement. If the type of area or feature is not spelt out by way of definition, there are certain circumstances when action taken in an area may not be regarded as defacement. There are many instances throughout the Bill where a lot would depend on the definition of "environmental park". Possibly the Minister has a reason for including such a scant description; if he has, I ask him to give it. I see a very definite need to include a definition of what actually constitutes an environmental park, otherwise it could be open to serious challenge.

Hon. W. A. R. RAE (Gregory—Minister for Lands and Forestry) (11.45 p.m.): I do not think so. This clause is intended to give recognition to an environmental park under the Forestry Act, which is the whole concept of the Bill. That is the only reason for its presence. I do not think the honourable member need have any worry at all about the legality of this clause. My officers have assured me on that point.

Mr. Sherrington: If you are proved wrong, you will lament it.

Mr. RAE: For sure!

Clause 20, as read, agreed to.

Clauses 21 to 27, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Mr. Rae, by leave, read a third time.

CLEAN WATERS ACT

DISALLOWANCE OF REGULATIONS

Mr. BALDWIN (Redlands) (11.47 p.m.): I move—

"That Regulations 25 and 26 of the Clean Waters Regulations 1973 under the Clean Waters Act 1971, as made on 22 February 1973, and tabled in the House on 9 March 1973, be disallowed."

It will no doubt have occurred to the more discerning Government members that the Opposition has chosen to move against the two most important regulations so far made to the Clean Waters Act, and that the whole structure and continued existence of the Act depend on the setting of standards, and the effective policing of those standards. If satisfactory standards cannot be set, then the Act and all the effort arising from it, and all the moneys spent, are a waste. If standards, good or bad, cannot be effectively policed, then, as before, the Act, and all that arises from it, have failed.

In effect, if these regulations are disallowed—and both must be disallowed if there is to be consistency in our thinking and actions—any other regulations made in their stead, and promoting the principles contained in the original Act, must also be opposed. By opposing these two regulations, the Opposition is in effect moving a vote of no confidence in the whole Act as an instrument effectual in achieving the retention of clean water in streams that are now clean, and a return to clean waters in streams that now bear man-deposited pollutants. I say that despite the Minister's statement in today's "Courier-Mail". I am sure that he was sincere when he set out the objectives of the Act and the standards under discussion tonight. It is significant that his remarks applied to the Brisbane River.

Even if Labor did accept the basic philosophy of the Act—that is, that all streams can, sooner or later, be expected to bear some portion of pollution to levels set by the standards laid down in the two regulations (and there is little, if anything, in the shamefully short debates on this important

matter to suggest that Labor did, let alone does, accept the principle of allowable pollution to any level)—we could have found plenty in other regulations to oppose. The matters of permits, fees, fines, secret monitoring and reporting, and accidental pollution, all have disputable elements. But to change any of these would merely admit acceptance of the basic principle of the Act, which is that it is all right to pollute provided the offenders have a licence to; that it is all right to pollute provided that they do not pollute past a level which the council will set and the public will pay for; and that it is all right to pollute provided that the pollutant can be diluted enough or cannot be detected as harmful to another use, and so on. Labor maintains that, for the present and the future good of our people and our nation, we must not pollute at all.

Anti-pollution is a vital part of conservation, and here, Mr. Acting Speaker, I draw attention to the newspaper article in today's "Telegraph" in which His Royal Highness the Duke of Edinburgh reported on the part that anti-pollution plays in conservation and the important considerations arising therefrom. I also bring to the notice of honourable members the report appearing in the magazine "Operculum" of March-April 1972 by Dr. Walter Westman on the situation in America, where anti-pollution of this kind has been abandoned and where standards have been set permitting pollution to certain levels have failed.

The whole philosophy of accepting standards of pollution is that it is all right to deliberately pollute—at least a little bit. But who is the infallible arbiter of what is a little bit of pollution along the whole length of a given stream such as the Brisbane River, let alone the whole watershed of the Brisbane, Bremer and Stanley Rivers?

We reject as wishful thinking, if not foolish fancy, the claim implied within the levels set as standards in the two regulations under discussion that all possible parameters are known by the Water Quality Council, let alone even assessable as estimates with the equipment—its volume, its distribution, its sophistication, and the length of time of its operation—that apparently has been at the disposal of the council and its embryo forerunners that have been gestating spasmodically for more than a decade. We maintain that insufficient data is presently available to substantiate the standards set by the Government.

This criticism does not say, nor is it intended to say, that the present council and its forerunners have not done anything which would allow them to arrive with some degree of belief at the conclusion that what they have proposed as standards have no quantitative validity, or that they and their predecessors in this important research and

inquiry have not achieved anything. I have no doubt from what I have heard at second hand and read in reports of the work of the forerunners, one of whom, Mr. L. Henry, is widely and highly acclaimed, that the members of the various teams concerned have worked hard.

Mr. Porter: Why do you want to disallow these two regulations in particular?

Mr. BALDWIN: As usual, the honourable member for Toowong is trying to truncate by anticipation, and I crave his patience.

I express regret on behalf of honourable members on this side of the House that the work of the Water Quality Council has so far gone unreported, when the parent Act passed through this House more than 15 months ago. That Act made provision for an annual report to be made to Parliament, and I cannot see any reason why such a report could not have been given some time during the first year of operation of the Act, and certainly before the tabling in the House of such far-reaching and important regulations as these. I feel sure that such a report, even though moving 180° opposite to what Labor holds as the only road to survival (that is, a complete ban on deliberate polluting of any kind), would have been interesting, informative and useful to us as a basis on which to make our criticism and perhaps to re-evaluate our own policy on pollution.

If we then appear to be overcritical of the standards set, the methods of setting them and the inbuilt difficulty in effectively policing them, and others set out explicitly elsewhere in the regulations and the parent Act, the Minister and his Government must bear some blame for their remissness or lack of regard for the feelings, interest and good will of the Opposition in such an important matter.

Mr. Hartwig: Stop putting that in at Luggage Point.

Mr. ACTING SPEAKER: Order! An outburst like that from the honourable member for Callide is most unwarranted.

Mr. BALDWIN: That will be answered to some degree in the limited time available.

This we hold is bad enough, but it becomes worse when, as our then acting spokesman the honourable member for Salisbury pointed out (I refer to page 2812 of the parliamentary debates of 1971), the preliminary reports were not published either. When there is secrecy in important matters of public concern, unhappily there is always suspicion.

Our suspicions are that the standards initially set, as stated in the relevant regulations, were motivated more towards abatement of pollution that will suit the needs of industries concerned than towards the restoration of the waters to a state as near

as possible to what they would have been without the presence of riverside and city industries. Speaking to the Bill, the Minister at that time said—and I refer to page 2691 of the parliamentary debates of 1971—that the desire was to adopt measures leading to abatement.

We hold that abatement is not enough. Almost absolute restoration to clean-water condition under natural conditions is what we aim at. The standards set down also indicate that abatement is the immediate objective, but we cannot accept that there are any grounds for believing that progressive abatement towards near-clean water is even intended.

Mr. Porter interjected.

Mr. BALDWIN: Time forces me to move on. It is the right of the honourable member for Toowong to criticise. He can do that in his own time. He will have to prove that I do not know what I am talking about. I will not accept that bald statement from him.

The emphasis in many cases is on dilution rather than on diversion of pollutants. If anyone doubts that, I refer them to the regulations under discussion and to the Act.

How much abatement can be accepted under a cloak of secrecy? In the secrecy that surrounds the circumstances of permission of large polluters such as A.P.M. at Pine River and the seven others who hold exemptions governed by secret agreement of unknown standards and unknown limitations, how can we accept that the standards set out in the regulations are comparatively fair and just, even if they were aimed at solving the problem of pollution? At the very best, even with the highest possible standards against dumping pollutants, which would aim at the lowest possible level of pollution commensurate with the continuation of the industrial activities, transport and waste elimination—and these are stated in the debate and in the Act as being the limiting positions of abatement—the attainment of a level even remote from natural conditions could be approached only asymptotically and very slowly.

The details of my submission have been taken from numerous reports issued by persons of high qualifications. Many of these persons, such as Drs. Westman, Stocker and Hergel and others too numerous to mention, are members of organisations such as the Queensland Littoral Society, Wildlife Preservation Society and the Queensland Conservation Council, and have, with others in those organisations, carried out research extending over many years. I note with regret, as expressed on 10 December 1971 by the acting spokesman for the A.L.P., the honourable member for Salisbury, in the absence owing to illness of the honourable member for Sandgate, that none of these organisations as a group or as an entity, or

even one of their highly qualified members as an individual, has been appointed as a member of the Water Quality Council.

I mention this regrettable omission particularly because it has a great bearing on the debate. I venture to suggest that, if such organisations and persons had been on the Council, the standards set down in regulations 25 and 26 might have been much more stringent and designed to follow more closely a path that could and would finally lead to the attainment of clean water as a natural product of a water-supplying environment shielded at least 99 per cent from the effect of man-made pollution.

If more stringent standards had been set and if there had even been the least hint of a forward-looking opportunity to change from abatement to the phasing-in progressively of lower levels of pollution, we may not have been moving this motion tonight.

I note that the parent Act does give some kind of provision to progressively move towards achieving clean water as its name implies but little of this appears in the regulations, and the standards are set for continued pollution.

I note that in speaking to the Bill the then Minister (Mr. Rae) said that it was the intention of the Government then to try to achieve clean water as a final goal, and so it sounds from the intention of the Act. If this is still so, why set up a Water Quality Council instead of a clean water council as intended by the Act?

I suggest that under the proposed regulations 25 and 26 it is impossible to achieve clean water; that it is not the intention of the Government, and never was the intention of the Government, to achieve clean water. The intention as carried in these regulations is to abate pollution, to slightly increase the quality of the water according to the standards that are set, just so as to tell the people of Queensland that the Government has done something. In the meantime industries that are being established in other areas can, under the Act and regulations, wilfully and deliberately proceed to discharge pollutants into other streams, provided the pollution discharged is at a specific level and provided no person outside the Government department and outside the financial control of the polluter can prove that the pollution level at the receiving waterway is raised appreciably, and even if it is raised appreciably that the new level is not harmful to other use. I ask: to whose use and what use? Is it to the use of fish and fishermen? Is it to the use of cattle and graziers or to uses that can be fixed by the Government at the behest of the big polluters, such as Thiess Peabody Mitsui, Greenvale Nickel and A.P.M.? These bodies now have Acts and regulations as well as secret standards, secret monitoring, and secret reports, which allow

them to continue to pollute. The Regional Development and Environmental Control Act can and probably will be used to determine the use of water in conjunction with the Clean Waters Act, and these standards that are set from time to time will be set to suit the uses.

(Time expired.)

[Wednesday, 11 April 1973]

Mr. HARVEY (Stafford) (12.1 a.m.): In seconding the motion, I consider that regulations 25 and 26 should be redesigned to lead to a cleaner water flow and treatment of the sources of discharge from industries. I consider that up to this stage the cleaning-up of our environment has been such as to require a more determined and sustained effort in aiming at the targets and deadlines provided for in the Act. Above all, a concentration of effort is required. So far there has been almost a complete diffusion in which a little bit of everything has been tried.

It is interesting to note the comment attributed to the Minister for Local Government in "The Australian", which reported him as saying that he hoped that purity of the water in the Brisbane River would be achieved in 20 years. It is also interesting to read a statement made on 11 August 1970 and attributed to the previous Minister for Local Government to the effect that the State Government planned to reduce Brisbane River pollution to the 1930 level in a huge clean-up programme over the following five years. One Minister said that it would take five years, from 11 August 1970, to reduce pollution in the Brisbane River to the 1930 standard. Another Minister has said that it will take 20 years to bring it back to the standard of 100 years ago.

Mr. Campbell: It was not particularly clean in 1930. The abattoirs were functioning then.

Mr. HARVEY: Fair enough. It was not particularly clean in 1930, but at that time we could catch fish in Breakfast Creek, perch at Mowbray Park and bream off the Pinkenba and Hamilton wharves. But we could not do that today.

Mr. W. D. Hewitt: In 1930 you were a glint in your father's eye.

Mr. HARVEY: And a little later than 1938 I was at Lytton, on the old camp site.

Reference has been made to the discharge of sewage effluent at the mouth of the Brisbane River. In 1964 the Minister for Health made an interesting comment when he said, after a joint investigation by his department and the Brisbane City Council, that the discharge from Luggage

Point into the river was not a hazard or did not have a polluting effect. Honourable members can see the Minister's reference to that effect if they consult the "Telegraph" of 23 January 1970.

It is very interesting to note that an overall exercise should involve more than the treatment of effluent discharged into streams. Most industries are being established close to streams and rivers, and they are permitted to discharge effluent direct into the streams. Whether that is right or not, I noted a recent publication concerning Hamilton industrial land. As I was assured by a departmental officer that the story appearing in the article was not fair or just to the department, I will not refer to it.

The Act must be capable of enforcement to ensure the treatment of waste material to the required standard. At the present time we have no over-all uniform standard applicable to various industries in the treatment of effluent. Although most of Brisbane has now been sewered, in the past household wastes and sillage were permitted to flow down concrete channelling into open streams. This created a problem in every open-cut or stream in Brisbane. Today the problem is more concentrated as the waste is confined to a particular point.

Recently the Minister advised me that the Irrigation and Water Supply Commission had permitted certain industries to discharge waste matter into open watercourses during flood periods, to the detriment of people living in the various areas. I consider that the provisions of the Bill are inadequate. The former Minister for Local Government said he hoped that the penalties would be in line with those in force in America, where they are particularly high and act as a greater deterrent. Today, many industries are quite prepared to pay the fines involved rather than incur the capital cost of providing the necessary plant and equipment to treat effluent before it is discharged into an open watercourse or a sewer.

We should follow the example set in Britain, which probably has done more in this field than any other country. It adopted a progressive approach to the whole problem. Many streams that were purely cesspools in years gone by are now quite clear. This has been achieved only through heavy capital expenditure. But it has been achieved and the country has been brought back to a civilised level of environment commensurate with what we should have in this country. Let us learn from the example set by Great Britain and the law applicable in America at the present time. If we are to obtain a result, we must ensure that our legislation is backed up by very heavy penalties which provide a very definite deterrent to industries which, if they can, will pay the fines willy-nilly and continue their operations as they have done in the past, thumbing their noses at authority.

Mr. W. D. HEWITT (Chatsworth) (12.11 a.m.): The initiators of this motion have made great play upon the fact that they are ardent anti-pollutionists. I wonder if they would join with me in condemning the greatest visual obscenity that has ever been inflicted upon the city of Brisbane, namely, the attachment of advertising signs to parking meters. If those honourable members are enthusiastic in condemning water pollution as they see it, they should at least be consistent and say that that advertising is a form of pollution, and an obscenity that has been inflicted upon us. I refuse to believe that a civic authority could be so bankrupt that it would want to inflict such ugliness upon its citizens.

We talk tonight not of clean cities, although I think we should. We talk rather about clean waters.

Mr. Burns interjected.

Mr. W. D. HEWITT: I do not need to be reminded. I shall return to it readily enough. The initiators of the motion said it is their clear intention to express a want of confidence not merely in the regulations but in the Act itself. The honourable member for Redlands spelt that out quite specifically. Therefore, it is not sufficient to talk about regulations 25 and 26. In the context he has laid down, we should also talk about the Act itself, the intention of which was to clean up the waterways of Queensland. To this end, we promulgated the Act and set up a Water Quality Council. We gave it the authority to license premises and set the degree to which they could discharge solvents and other liquids into our waterways.

It is important to look at the specific authorities that this Act vested in the Minister. Section 34 empowered him to take action in the Supreme Court to restrain occupiers of any premises from causing water pollution. Section 35 gave him power, in an emergency, to prohibit an authorised person from discharging waste into the waterways. In effect, it gave the Minister great power to intercede.

Notwithstanding the flexibility of regulation 26, which I shall touch upon in a moment, the principal Act gave to the Governor in Council the right to override these decisions and at all times to insist that the sentiment of the principal Act should be adhered to. This is the simple principle that we, as the governing parties, have adhered to.

What are we looking for? We are looking for clean waters and a return to a situation that we enjoyed 20, 30, or 50 years ago. The example we constantly hold up to ourselves is the Thames River. We have read in recent days that people are now fishing for salmon in the Thames. That is the example held up before the world.

In the exhaustive studies made of the Thames, it was significant that the vital statistic that emerged was that its greatest single pollutant was sewage. It accounted

for 79 per cent of the pollution in that river. We should look for a comparable situation here. What is the greatest single factor contributing to pollution of the Brisbane River today? Every member of this House knows the answer—Luggage Point. It is at the mouth of the river, and the incoming tide brings upstream the pollution discharged at Luggage Point. If sewage accounted for 79 per cent of pollutants in the Thames, it would probably account for a higher percentage of the pollutants in the Brisbane River. If there was insistence on a complete application of the very letter of the Act forthwith, those who would suffer immediately would be the running partners of those members who moved this motion tonight, because they are the greatest offenders. They are the polluters—the people who pour sewage into the river in a raw state at Luggage Point. This is extremely important, and let it be established as a first principle.

Mr. Houston: Are you recommending that we do away with sewerage in Brisbane?

Mr. W. D. HEWITT: I am recommending that we accept the challenge and do something about it. I say to honourable members opposite that if they want this Act promulgated and made effective to the letter immediately, the ones who will be embarrassed are those of their political ilk.

Mr. Houston: Why?

Mr. W. D. HEWITT: If the Leader of the Opposition is so lacking in perception that he cannot see why, I feel very sorry for him.

Regulations 25 and 26 are under discussion tonight. Regulation 25 lays down certain standards whereby pollutants of a defined measure may be discharged into a stream. If industry is allowed to function along a river bank and it is accepted that they must discharge certain wastes into the river, it is important to determine the allowable content of the pollution permitted to be discharged. If pollution of a certain content is to be permitted, the allowable level should be spelt out in precise terms and the allowable proportion must be the proportion that can be absorbed without inflicting continuing pollution upon the water. Regulation 25 spells out in highly technical terms what that level should be.

Regulation 26 gives to the Water Quality Council a discretion to determine whether there should be any movement away from this defined standard. I concede that there could be some problems here. One might say, "Under what circumstances should this council be allowed to exercise its discretion?" That, of course, is for the council itself to justify. I think it is important to look at the structure of the council. It includes, with other members, the chief engineer of the Department of Local Government, who should be competent to make a judgment in such a matter. The safeguard is the Act

itself, under which the Governor in Council has a built-in right to disallow any of the regulations.

Of course, the Minister is responsible for all these things. I make the point that if there is to be any movement away from the defined standard, the Minister must be accountable. I think he accepts this singular responsibility. He should be accountable to Parliament if there is an unacceptable degree of pollution in waterways. The important thing to establish here is that the greatest factor in pollution of the Brisbane River is sewage, and when this type of pollution can be controlled, and then eliminated, there can be a return to clean water in the river.

The Minister said today that he hopes to see the Brisbane River clean in 20 years. I submit to him with great respect that his goal is not ambitious enough, that we should hope to see the Brisbane River cleaner in a shorter time than that. I believe that if the provisions of the Act are applied rigidly, if the licensing is controlled, and if we are serious in what we are about, we should in fact see the cleaning up of the Brisbane River in less than 20 years.

I have long believed that the control of the Brisbane River should in fact be spelt out in a separate Act of Parliament. We have here a great watercourse comparable to the River Seine, certainly the greatest watercourse in any capital city in Australia, and I believe that the protection of its banks and its development and better use should all be spelt out in a separate Act of Parliament.

(Time expired.)

Mr. BURNS (Lytton) (12.21 a.m.): Under these Clean Water Regulations of 1973, the polluter has been given the legal right to appeal against and so weaken the conditions imposed upon him by the Water Quality Council. But, in typical Government fashion, no right of appeal is granted under the Act to local residents.

Not only has the Country-Liberal Government refused the citizens the right of appeal; it has also used the well-known Liberal Party policy of secrecy in Government to refuse a polluted community to be informed of the details and conditions of permits granted to major polluting interests and industries. If a citizen is concerned about pollutants discharged from a particular industry, he will not be able to ask the Water Quality Council to allow him to check the results of the council's monitoring of that source of pollution. Cabinet decided that Queenslanders are not entitled to know what effluent an industry was discharging into our streams or what concessions the Country-Liberal Government had granted its business friends when issuing permits. What a shocking state of affairs that is!

Another startling example of political patronage is the regulation that requires a Government inspector to notify the suspected

polluter of his intention to check its discharge. That provision is spelt out in these regulations. An extension of such a policy would be for the police to ring up a crook and tell him that they are on their way to arrest him or check on him.

In a day and age in which the Ford Motor Company has been caught, convicted and fined \$7,000,000 for illegally tampering with and modifying automobile emissions, can we really say that some of our polluters—for example, the industry that murdered tens of thousands of fish in the Hemmant area a couple of weeks ago—would not take advantage of the warning and reduce or modify the composition of its discharges? That is what is spelt out in these regulations.

I call on the Minister to please explain why we should notify polluters that inspectors are to call before we check a discharge; to please advise why citizens should not be told of the readings taken by the Water Quality Council from an industry's discharge; to please advise why polluters have the right of appeal but citizens do not; and to please advise why citizens are refused details of permits granted to industry to discharge polluted water into our streams.

The specific levels laid down in regulation 25 for b.o.d. suspended solids and dissolved oxygen can be accepted only as the minimum. The Opposition would have liked to see some uniform standards applied to the discharge of toxic materials—heavy metals such as mercury, cadmium, zinc and lead; pesticides such as DDT, 2,4-D, 2,4,5-T and dieldrin; and other toxic materials such as PCB's. There is no reason why we cannot set a general standard for them, and call for a complete ban on their entry into waterways or, failing that, a very low level indeed.

But can the standards in the regulations be guaranteed? The big problem with the enforcement of the standards set under regulation 25 (a) will be the tremendous amount of data and knowledge required before we can hope to understand the combined effect of all the different discharges into a particular creek or river. Honourable members saw an example of that in the Lytton area recently, where we cannot ascertain what killed the fish and, as a result, must suspect that all the polluters were involved. We must have this information so that we can readily ascertain what the effect will be of additional discharge of effluent allowed by the issue of a new permit to pollute to a new industry.

The Water Quality Council is required under regulation 25 (a) to know that such wastes are unlikely to reduce the dissolved oxygen level of the receiving water below five milligrams per litre. I asked Dr. Walt Westman, lecturer in plant ecology at the Queensland University's botany department, how this could be done. He said—

"In order to know this, the Water Quality Council would have had to have a computer simulation model to integrate

the effects of the multiple discharges on stream levels, under the most adverse conditions of low temperature, low flow, tidal neap, etc. If the Council plans to do this, I will feel better about their ability to carry out this provision."

That was what was said by Dr. Walt Westman, a water-quality adviser to the United States Senate when the American regulations were being drawn up. He is a man of whom we should take some notice.

Have we such a computer simulation model here or are we laying down a set of standards that we will not be able to enforce, just as we have done in respect of air pollution? As to taking into account the "quality of receiving waters", does this mean that an already polluted stream can have more pollutants dumped into it than a relatively clean one? That is a fair question. There is no guarantee here, as there is in the American legislation, that waters will not be degraded below their present water quality. That regulation should be clarified, and if it means what it looks like to me, that is, that the polluted get worse while the clean stay clean, then I do not like it. If the Government is thinking of looking after some of its business friends, let it remember that if a tannery is being established on a clean stream and the Government says to it, "You can discharge only a certain level of pollutant into that stream because we want to keep it clean", and there is another tannery on a dirty stream which is allowed to discharge more effluent into that stream because it is mixing its effluent with water that is already dirty, one industry will be given an advantage over the other because it will not have to clean up its discharge to the same degree.

Underlying the whole philosophy of the Act is the fact that water can be as dirty as we please so long as it can still be used for a particular purpose where a portion of the stream has been set aside for that use. We cannot very well set aside the upper reaches of a stream for industrial use and confidently fish out of the lower reaches. Some of the pollutants are "assimilated", but many are not. Apparently too much reliance is being placed on the diluting properties of the streams. In the end, much of the pollutants collect in the estuaries and wet lands, only to be further concentrated in the tissues of shellfish. I have previously asked the Minister whether the Water Quality Council is checking shellfish, birds, fish and other life in streams to determine the effect of pollution upon them. I am sure it is not. It is flat out doing anything about the dead fish that we deliver to it.

The provisions of regulation 25 (b) and (c) covering general standards basically are that anything that cannot be diluted to an acceptable level, or that in some unstated way affects water quality, shall not be dumped into water.

Nearly every article I have read, including recent articles by Dr. Westman, have established the dangers of relying on dilution as the answer to pollution. For one thing, some materials are not diluted at all. Rather are materials like DDT and mercury concentrated by organisms up the food chain, no matter how fast the water is flowing past them. Mercury has been found in fish in Port Phillip Bay.

We are assuming here that whatever is poured into a stream will be diluted by the water. It does not work that way at all. My view is that we have licensed polluters under the Act. The effect of the Act is to say to people, "Give us a couple of thousand dollars and you can pour your polluted matter into the stream." We have no idea of the end result when the pollutants are all mixed together. Look at what is happening with Bulimba Creek. Two bacon factories, a chicken-plucking works, a tannery, a fertiliser works and a couple of other industrial concerns all pour their pollutants into that creek, where the various pollutants combine to destroy the creek and its fish, animal and bird life. If a new industry was established in the area, no-one could tell what the effect of its discharge into the creek would be. All we are doing at the present time is sending a fellow down there in a motor boat with a bottle to collect water samples.

The honourable member for Toowoong asked a question about biochemical oxygen demand. That is the only type of reading we are taking in creeks that are completely and utterly polluted. It is not the only way to carry out tests in a stream. We must be more stringent. We cannot wait for another 20 years. When the Minister is 77 years of age and I am about 62 we will be able to go swimming in a clean Brisbane River. That is not good enough for me.

Mr. JENSEN (Bundaberg) (12.29 a.m.): I support honourable members on this side in what they have said about water standards. Over the years, no stream in Queensland has been polluted as much as the Burnett River. The pollution of that river at one time was caused by the sugar mills, but today that has gone by the board. It is not only sludge and other similar material that pollutes. Heat, too, can pollute rivers. If thousands of gallons of hot water are discharged into a stream, the heat can kill the fish as surely as chemical pollutants.

Mr. Alison: What about the rum in the Burnett River?

Mr. JENSEN: There certainly was rum in the river. As a matter of fact in the 1930's the rum in the river burst into flame. Since that time it has been the discharge not only of caustics and acids but also of thousands of gallons of hot water into the river that has killed the fish.

Tonight, however, I wish to deal with the discharge of pesticides and other chemicals into rivers not from industrial sources but from the land. At present a disease is killing off large numbers of fish in the Burnett River, and nobody is aware of the nature of the disease. Many people believe that it is caused by the discharge into the river of pesticides, to which no standards are applied. The honourable member for Lytton has referred to DDT and Dieldrin, as well as other chemicals. Defoliant, too, are widely used. I am sure that all honourable members will remember the recent leakage of fumes from drums of defoliant on board a ship in Auckland Harbour. Defoliant and other chemicals are washed into our streams and rivers during prolonged periods of rain.

The Minister has told me that the prolonged wet season was the cause of a fungus disease in fish, but he omitted to say that during the wet season pesticides and other chemicals could have been washed into the streams and caused this disease.

A matter of grave concern is the future use of river water for drinking, cooking and other household purposes. No standards are laid down to govern the quantity of pesticides allowed in water used for household purposes. I have no doubt that the Minister will tell me that this matter is one for the Health Department, and it certainly is a matter for that department. I do not think anyone can tell us the maximum safe proportion of pesticides in water used for household purposes.

The honourable member for Toowong, in interjecting, referred to the b.o.d. standard. It is either increased or reduced to suit the occasion. In my opinion, the discharge of pesticides into water that will later be purified for household purposes is a major problem. While \$1,500,000 is being spent on the purification of river water, at the same time millions of gallons of water are allowed to lie underground. That water could be tapped for household purposes and the surface water could be used for irrigation. At the moment my contention is beside the point because the Minister in charge of irrigation has said that we must use the surface water. I bring this matter to the notice of the House because I believe that, in a few years' time, we will be using surface water for household purposes.

Hon. H. A. McKECHNIE (Carnarvon—Minister for Local Government and Electricity) (12.36 a.m.), in reply: Spokesmen against regulations 25 and 26 have claimed that the standards cannot be policed. The whole of their reasoning was based on false premises. Regulations 25 and 26 are in broad terms, but the licences issued thereunder will be specific, even to the parts per million of oxygen and the percentage of solids. The regulations are such that licences

can be written in great detail, consequently, as I have said, the reasoning of Opposition spokesmen is based entirely on false premises.

The honourable member for Redlands said that a business with a licence has a right to pollute. That is not the case at all. The fact is that licences will be issued progressively. We cannot improve the Brisbane River overnight. I did not say lightly that it would take 20 years to clean up the river. It took 20 years to bring the Thames to its reasonable present-day condition. Today, there are two great sewers, one on either side of the Thames. The water will not be discharged into the Thames, but will be carried by the huge sewers down to marshes at the estuary of the Thames where it will be treated before discharge into the ocean. These great pipes cost about \$1,000,000 a mile, which means that a lot of money is involved.

Mr. Burns interjected.

Mr. McKECHNIE: I intend to make the best use of my quarter of an hour. It should be noted that I did not object when honourable members were speaking because they, too, were limited in time.

We must face the problem with rationalism and realism. We envisage a progressive development, and that is why I calculatedly spoke of 20 years. I will be very happy for two reasons if the honourable member for Lytton and I are swimming in the Brisbane River in 20 years' time. Firstly, because the river will be clean and, secondly, we will still be here.

Within six months from 9 March, when the regulations were gazetted, applications must be lodged for licences, by existing industries. When the Water Quality Council sets the conditions for licences, I feel that those from the smaller industries will be settled very quickly. The initial licences will be settled quickly in the first year. The larger industries will come into compliance progressively over the four years that the Water Quality Council has the right to grant. If it is necessary to extend the period beyond four years, the Governor in Council has the right to extend it to seven years. That will be necessary in quite a few instances, and it will be necessary in the case of the Brisbane City Council. As the honourable member for Chatsworth said the main pollutant at present is the sewage from Luggage Point.

It is intended that the primary sewage plant will be installed first, which could take place over four years. The secondary treatment plant could take a further three years to install, which means that the seven years would be gone. In the long term, a tertiary plant may be needed to make the final effluent acceptable.

Mr. Burns interjected.

Mr. McKECHNIE: When the honourable member for Lytton says that I will be helping my friends, I am indeed thankful that he is including the people of the City of Brisbane, because they are the people about whom I am mainly concerned so far as the Brisbane River is concerned. They are the friends I will be helping by extending the time to seven years, and I make no apology for doing so.

The honourable member for Stafford said that penalties were too low. At the end of 12 months after a licence has been issued, when an industry has had a chance to comply, it can be fined a maximum of \$10,000 on the first occasion it is found to be contravening the conditions of the licence, and \$1,000 a day for every day thereafter. Should a subsequent offence be committed, it can be fined \$20,000 and \$2,000 a day. In addition, 12 months' gaol can be imposed. If that is not savage enough and has not enough teeth, I do not know what has.

The honourable member for Redlands said that it was not the intention of this Government to ensure clean water. I refute that statement absolutely. He said that we are favouring Greenvale Nickel, Mitsui and other firms. The Clean Waters Act overrides the Mining Act but, where agreements exist, and these have been made with clean waters in mind, in some ways they are more strict. In many other ways they may not be. I have not studied the full ramifications. But provision is made and, as these agreements expire, the Clean Waters Act will take over.

The honourable member for Stafford said that more determined effort is required. We are giving it that. We have 600 monitoring stations. We increased the staff recently. We intend to increase it again. Only last Monday Cabinet gave approval for the appointment of a secretary and another inspector. All departmental engineers and scientists are temporary inspectors. We are progressively going to have full-time inspectors so that we can overcome some of the problems mentioned by the honourable member for Lytton. He said they will not be on the job. We have not had men constantly on the job. We have depended on the public to advise us in many instances up to the present time. But we will have full-time inspectors.

The honourable member for Lytton brought to my notice the dead fish in Bulimba Creek. I wish he had done so more quickly. I know that he is co-operative and I am not condemning him. But if we can be advised more quickly in future, it will assist us. We are appointing other inspectors full time to look into the matter.

Honourable members have been speaking mainly of the Brisbane River. I was happy to hear the honourable member for Bundaberg deal with the problems of the Burnett

River where fish have died from an unknown cause. There are problems wherever we go in Queensland. It is not just the Brisbane River, although it is one of the major problems. The honourable member for Wolston mentioned the Bremer River and I agree with what he said. The problem at the South Coast is Tallebudgera Creek. In Townsville, the problem is Greenvale Nickel. What will be discharged at Yabulu?

While we have good teeth in this legislation, we are receiving a lot of assistance and co-operation from many companies. Greenvale Nickel is prepared to co-operate with us and the James Cook University is conducting experiments to find out the problems that we will face at Yabulu. The paper mill at Petrie is co-operating and assisting us. Mining in the Herbert River district is creating a big problem. Sugar mills have their particular problems. The power alcohol plant is another problem, as the honourable member for Mirani would know. But we have 600 monitoring stations to collate the information and we are working on it for all we are worth. Nobody seems to have thought about our inland rivers which have long, sluggish flows.

Mr. Knox interjected.

Mr. McKECHNIE: As the Minister for Justice said, we are the first in Australia in this field and we are pushing it for all we are worth.

The honourable member for Chatsworth raised the biggest problem, which is sewage. I have already explained that. The Government will give consideration to assisting with up to 40 per cent of the cost.

The honourable member for Lytton said that it was unfair to have different standards. Our aim is to eventually have the same standard. Where we clean up a small problem quickly, we hope to be 100 per cent effective. Where we have a big problem, we must progressively work at it over the years. This is the way to attack it. We cannot go in, starry-eyed, and say tomorrow morning that we will have a clean river. We cannot afford it financially. The Consolidated Revenue Fund is bearing most of the cost of this action. Local authorities and industries generally have their licensing fees to pay.

The honourable member for Lytton asked how we can guarantee standards. We cannot, but we are doing our best as quickly as possible to bring them up to date. He spoke of DDT, toxins and mercury. We are chasing these all the time. Our aim is the final clearing of our waters. I again say that if we can accomplish this in 20 years, we will have done a very good job.

All engineers and scientists under the Act are inspectors, and they are under the control of the Director of Water Quality.

At the moment he has a staff of 20-odd, and I believe that it will be progressively increased. It is necessary that they continue monitoring streams and give consideration to long-term problems.

It is not only what is in the river but what is being planned upstream. It is also necessary to look at the problem of dredging in the Brisbane River, including the extent to which it should be controlled and how it should be handled. Mining is being carried on in the upper reaches of the river. There is soil conservation, and with it animal manure and feed lots. All these things have to be taken into consideration, and we are examining, and finding ways to improve, the situation in the watersheds. This has to be done throughout the entire length of the river basin.

Industrial wastes must be controlled at their source. I should like to see wastes treated progressively away from rivers, and before they reach them. I should also like to see consideration given to town planning. It must be so organised that open spaces are left where wastes can be treated long before they approach the rivers. Many members would agree that consideration must be given to the siting of industries. It has been my responsibility to authorise the carrying out of environmental studies in connection with new power-house sites. It is necessary to plan for the long term as well as the short term.

This is not a matter for Government departments alone; it is a matter for organisations and private citizens also. I have heard some members mention boats on the river, and the rubbish thrown overboard from them. Also rubbish that is dumped along the banks. All these matters are important for the Government and the citizens of Queensland. I believe that by a concentrated effort we could, in 20 years, have a reasonably clean river in Brisbane, and also clean up many of the problems that exist elsewhere in this State.

We are working towards that objective. We are not idealists. If we can do as well with the Brisbane River in the next 20 years as the United Kingdom, with its far greater financial resources, has done with the Thames, we will have done a good job. We must not forget the rest of Queensland. We must look for co-operation from all firms and industries in the State. This must be a united effort by all.

I refute the claim that there is weakness in the two regulations, and I look forward to co-operation throughout the State to achieve the aims set out in the Bill and the regulations thereunder.

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

AYES, 27

Blake	Marginson
Bousen	Newton
Bromley	O'Donnell
D'Arcy	Sherrington
Davis	Tucker
Dean	Wallis-Smith
Hanlon	Wood, B.
Hanson	Wood, P.
Harvey	Wright
Hooper, K. J.	Yewdale
Houston	
Inch	
Jensen	<i>Tellers:</i>
Jones, N. F.	Baldwin
Jones, R.	Burns

NOES, 35

Ahern	Lane
Alison	Lee
Bird	Low
Bjelke-Petersen	McKechnie
Campbell	Miller
Chalk	Moore, R. E.
Chinchen	Müller
Cory	Murray
Crawford	Neal
Edwards	Porter
Fletcher	Rae
Frawley	Row
Gunn	Sullivan
Hartwig	Wharton
Hewitt, N. T. E.	
Hewitt, W. D.	<i>Tellers:</i>
Hinze	Kaus
Hooper, K. W.	Newbery
Knox	

PAIRS:

Melloy	Tomkins
Jordan	Hodges
Leese	Armstrong

Resolved in the negative.

SPECIAL ADJOURNMENT

Hon. J. BJELKE-PETERSEN (Barambah—Premier): I move—

“That this House, at its rising, do adjourn until 11 o'clock a.m. on a date to be fixed by Mr. Speaker, in consultation with the Government of this State. Mr. Speaker shall, not less than seven days prior to the meeting date so fixed, give notification of such meeting date to each member of the House.”

Motion agreed to.

ADJOURNMENT

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (12.57 a.m.): I move—

“That the House do now adjourn.”

This has been a very busy session, with 42 Bills being introduced during the current period. Some 82 pieces of legislation have been debated since His Excellency the Governor, Air Marshal Sir Colin Hannah, opened this first session of the Fortieth Parliament. As a point of interest, 38 of those Bills were introduced by the Minister for Justice.

I wish all honourable members a safe return to their respective electorates, and hope that they will be back in this Chamber towards the end of July next.

Motion agreed to.

The House adjourned at 12.58 a.m. (Wednesday).

BILLS ASSENTED TO AT CLOSE OF SESSION

The following Bills, having been passed by the Legislative Assembly and presented for the Royal Assent, were assented to in the name of Her Majesty on the dates indicated:—

(11 April 1973)—

New South Wales Acts (Termination of Application) Bill;
Medical Act and Other Acts (Administration) Act Amendment Bill;
Children's Services Act Amendment Bill;
Construction Safety Act Amendment Bill;
Wages Attachment Act Amendment Bill;
Anzac Day Act Amendment Bill;
Holiday (Twenty-fourth day of April) Bill;
Elections Act and The Criminal Code Amendment Bill;
Mock Auctions Bill;
Sugar Experiment Stations Act Amendment Bill;
Water Act and Another Act Amendment Bill;
Rice Industry Stabilization Bill.

(13 April 1973)—

Workers' Compensation Act Amendment Bill;
Hen Quotas Bill;
Builders' Registration Act Amendment Bill;
Meat Industry Act Amendment Bill;
Judges' Salaries and Pensions Act Amendment Bill;
Justices Act Amendment Bill;
Unordered Goods and Services Bill;
Door to Door (Sales) Act Amendment Bill;

(13 April 1973)—continued

Warehousemen's Liens Bill;
Primary Producers' Organisation and Marketing Act Amendment Bill.

(19 April 1973)—

Small Claims Tribunals Bill;
Trusts Bill;
Consumer Affairs Act Amendment Bill;
State and Regional Planning and Development, Public Works Organization and Environmental Control Act Amendment Bill;
Nambour Library Bill;
Margarine Act Amendment Bill;
Health Act Amendment Bill;
Medical Act Amendment Bill;
Education Act Amendment Bill;
Stock Act and Other Acts Amendment Bill.

(26 April 1973)—

Pollution of Waters by Oil Bill;
Arbitration Bill (1973);
Trust Accounts Bill;
Industrial Development Act Amendment Bill;
Sporting Bodies' Loans Guarantee Bill;
Local Government Act Amendment Bill;
Tow-truck Bill;
Factories and Shops Act Amendment Bill;
Land Act and Other Acts Amendment Bill.

RESERVATION OF BILL

On 13 April 1973, the Governor's Salary Act Amendment Bill was reserved for the Royal Assent.

PROROGATION

On 21 June 1973 the following Proclamation was issued by His Excellency the Administrator of the Government:—

A PROCLAMATION by His Excellency the Honourable Sir MOSTYN HANGER, Knight Commander of the Most Excellent Order of the British Empire, Chief Justice of the State of Queensland and Administrator of the Government of the said State and its Dependencies in the Commonwealth of Australia.

[L.S.]

MOSTYN HANGER,
Administrator.

In pursuance of the power and authority vested in me, I, Sir MOSTYN HANGER, the Administrator of the Government aforesaid, do, by this my Proclamation, Prorogue the Parliament of Queensland to Thursday, the Second day of August, 1973.

Given under my Hand and Seal, at Government House, Brisbane, this twenty-first day of June, in the year of Our Lord one thousand nine hundred and seventy-three, and in the twenty-second year of Her Majesty's reign.

By Command, GORDON CHALK.

GOD SAVE THE QUEEN!