Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 19 MARCH 1985

Electronic reproduction of original hardcopy

TUESDAY, 19 MARCH 1985

Mr SPEAKER (Hon. J. H. Warner, Toowoomba South) read prayers and took the chair at 11 a.m.

ASSENT TO BILLS

Assent to the following Bills reported by Mr Speaker—

Electricity (Continuity of Supply) Bill;

Property Law Act Amendment Bill;

Hen Quotas Act Amendment Bill.

PAPERS

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

Reports—

Queensland Housing Commission for the year ended 30 June 1984

Operations of Stock Routes and Rural Lands Protection Act 1944-1984 and Barrier Fences Act 1954-1984 for the year ended 30 June 1984

Rockhampton Harbour Board for the year ended 30 June 1984.

The following papers were laid on the table—

Orders in Council under—

Governor's Salary Act 1872-1984

Queensland Transport and Technology Centre Act and the Statutory Bodies Financial Arrangements Act 1982-1984

State Development and Public Works Organization Act 1971-1981 and the Statutory Bodies Financial Arrangements Act 1982-1984

Electricity Act 1976-1984 and the Statutory Bodies Financial Arrangements Act 1982-1984

Irrigation Act 1922-1983 and the Statutory Bodies Financial Arrangements Act 1982-1984

Water Act 1926-1983

Harbours Act 1955-1982.

Regulations under—

Public Service Act 1922-1978

Canals Act 1958-1984

Fire Brigades Act 1964-1984.

MINISTERIAL STATEMENTS

Derailments on Goonyella Railway Line

Hon. D. F. LANE (Merthyr—Minister for Transport) (11.6 a.m.), by leave: I have to report to Parliament that during the month of March 1985, three derailments occurred on the Goonyella railway line as a result of wheel fracture. These were—

Mindi-Coppabella section—3 March 1985, 1 wagon derailed;

Black Mountain—5 March 1985, 15 wagons derailed; and

Mindi-Waitara section—7 March 1985, 2 wagons derailed.

As a result of these unprecedented derailments caused by defective wheels, arrangements were made to send specialists from Brisbane with ultrasonic equipment to

undertake a crash program of testing all coal wagon wheels in operation over the Goonyella railway line. As at 8 a.m. today, a total of 2 347 wagons had been examined. Resulting from this, 146 wagons were marked off for attention. A summary of the defects detected is as follows—

Confirmed cracked wheels	5
Suspected cracked wheels	9
Rolled edges	78
Thermal or surface cracks	46
Tread damage	5
Flange damage	2
Shelled tread	1.

Only 74 wagons remain to be inspected, and that work will be completed this morning.

Some years ago, a system of visual inspection of wagons had been implemented in the Jilalan depot as a routine procedure. Those inspections did not achieve the desired result of detecting cracked wheels, and during the years of the implementation of that procedure, although instances of cracked wheels continued, not one cracked wheel was detected by visual means.

The ultrasonic testing of Jilalan wheels is now carried out in Rockhampton, where all wheels are tested prior to being forwarded to Jilalan. All coal wagons sent to Rockhampton for repairs and lifting have their wheels ultrasonically tested at that time. This ultrasonic testing at Rockhampton provides a better system than is capable of being provided at Jilalan. In addition, routine examinations in the wagon repair section at Jilalan are conducted as wagons pass through for normal routine maintenance.

There has been no reduction in maintenance of locomotives or wagons in Jilalan. Indeed, staff numbers have been increased from 90 to 120. The problem appears to result from the age of the wheel, excessive heating and perhaps inherent defects in the wheel itself. In an endeavour to overcome the heating problem, wheels are painted with a special paint which blisters off if excessive heating occurs. This enables the wagons with the blistered paint to be marked off for attention.

I assure Parliament that all efforts are being directed at pin-pointing the exact cause of the cracking and, in the meantime, a systematic and more sophisticated method of surveillance of wheels is being implemented.

Alleged Coercion of Teachers by Queensland Teachers Union

Hon. L. W. POWELL (Isis—Minister for Education) (11.9 a.m.), by leave: The honourable member for Fassifern (Mr Lingard), on 27 February 1985, raised in this House recent attempts by the Queensland Teachers Union to coerce teachers to join the union against their will. I would like to clarify and expand on a number of points raised by my colleague in regard to this serious matter.

The Queensland Teachers Union is indeed pressuring teachers to join the union, and the letter referred to by my colleague is one example of that pressure. Honourable members will recall that the letter sent to non-members of the QTU by an industrial officer of that union contained the threat that the QTU could arrange for the transfer of non-union members. I find these bully-boy tactics utterly repugnant. I can assure Queensland teachers that Queensland Teachers Union representatives do not influence, nor are they involved in, the transfer of ordinary teachers. This function is rightly and properly the responsibility of regional staffing inspectors in the region. In this process, the needs of children in schools are the primary concern and all efforts are made to achieve the best fit between those needs and the teachers' preferences.

In no case is any transfer arranged because a person does or does not belong to the Queensland Teachers Union, although the union would like this to be the case and has, in fact, suggested it to at least one regional director.

I assure the House that the management of my department rests firmly in the hands of the Director-General of Education and his senior officers. Under no circumstances will I allow the good management of my department and the interests of Queensland children to be endangered by the irresponsible threats of the QTU.

I also take this opportunity to draw the attention of honourable members to a form circulated recently by the QTU in its role as the State branch of an organisation that is currently seeking federal registration as the Australian Teachers Union. This form asks teachers to seek membership of the ATU in addition to their present membership of the QTU, and to authorise the payment on their behalf from their QTU dues of membership fees of the ATU. Queensland teachers should realise that they are under no compulsion to join the ATU or to allow a proportion of their union fees to be redirected for that purpose.

Queensland teachers are already adequately covered by the provisions of their State-registered award and have no need of Federal involvement.

LEAVE TO MOVE MOTION WITHOUT NOTICE

Mr MACKENROTH (Chatsworth): I seek leave to move that the Minister for Health table the Price Waterhouse report into the efficiency of Queensland hospitals.

Question—That leave be granted—put; and the House divided—

AYES, 36	
Braddy	Price
Burns	Scott
Campbell	Shaw
Casey	Smith
Comben	Underwood
D'Arcy	Vaughan
De Lacy	Veivers
Eaton	Warburton
Fouras	Warner, A. M.
Gibbs, R. J.	White
Gygar	Yewdale
Hamill	
Innes	
Knox	
Kruger	
Lee	
Lickiss	
Mackenroth	
McElligott	
McLean	
Milliner	*Tellers:*
Palaszczuk	Davis
Prest	Goss

NOES, 44	
Ahern	Lane
Alison	Lester
Austin	Lingard
Bailey	Littleproud
Bjelke-Petersen	McKechnie
Booth	McPhie
Borbidge	Menzel
Cahill	Miller
Chapman	Muntz
Cooper	Newton
Elliott	Powell
FitzGerald	Randell
Gibbs, I. J.	Row
Glasson	Simpson
Goleby	Stephan
Gunn	Stoneman
Harper	Tenni
Hartwig	Turner
Harvey	Wharton
Henderson	
Hinze	*Tellers:*
Jennings	Kaus
Katter	Neal

Resolved in the negative.

PERSONAL EXPLANATION

Mr CASEY (Mackay) (11.20 a.m.), by leave: Earlier, in this Chamber, in answer to my criticism publicly and in this House, the Minister for Transport (Mr Lane) made a ministerial statement about the reason for the derailment of coal trains in central Queensland and about maintenance problems. I draw to the attention of honourable members that the information given to the House this morning by the Minister was deliberately misleading.

Mr LANE: I rise to a point of order. Would the honourable member indicate the personal nature of his explanation?

Mr CASEY: The personal point I indicated initially——

Mr SPEAKER: Order! I remind the honourable member that he should rise to make a personal explanation only if he feels that he has been misrepresented. I ask him to point out how he has been misrepresented.

Mr CASEY: I indicated that the Minister deliberately deceived the House in the information that he gave this morning. In Mackay I have personally inspected more than 146 railway wagons that he indicated were all that had to be repaired.

Mr SPEAKER: Order! I do not consider that to be a personal explanation.

QUESTIONS UPON NOTICE

Questions submitted on notice were answered as follows—

1. Burdekin Falls Dam

Mr STONEMAN asked the Minister for Water Resources and Maritime Services—

With reference to construction of the Burdekin Falls Dam—

(1) Are the contractors on schedule?

(2) Has time been lost because of the electricity strike?

(3) Are sufficient funds available to guarantee continuation of work?

(4) When will the access road to the dam be completed?

Answer—

(1) Placing of concrete by the major contractors, Leighton Contractors, is ahead of schedule for completion in 1988.

(2) Although rock haulage to the saddle dam was not affected by the power restrictions, no concrete could be batched and placed in the main wall for the duration of the period of power restrictions. Such delays can be absorbed in the program without delays in the planned completion date.

(3) The funding of $19m provided by the Commonwealth in 1984-85 will be adequate. However, the Commonwealth Government has given no indication of availability of funds in future years. The matter is presently under discussion between Commonwealth and State officers. Some indications have been given that funding in 1985-86 and subsequent years could be limited, but how this might affect progress on the dam is still unclear.

(4) Construction of the access road from Mingela to the dam site is on target and should be completed by Christmas 1985.

2. Occupational Health and Safety Legislation

Mr KAUS asked the Minister for Employment and Industrial Affairs—

Is he monitoring legislation proposed in Victoria, South Australia and Western Australia concerning occupational health and safety which, if enacted, will result in significantly greater controls by unions of events on the factory floor?

Answer—

Yes. Note has been and is being taken of the legislation proposed in certain other States, and more particularly in Victoria, where the Victorian Government had to withdraw the Bill and redraft it because of objections to the clause that required that worker representatives must come from union ranks rather than from all workers at a work-place, whether union members or not. Such representatives were to be empowered to cause cessations of work on their judgment of safety conditions. Now that the Cain socialist Left Government has control over both Houses in Victoria, that situation will

need to be further examined. There is no doubt that it will try to squeeze more out of the employer and that the employer will be unable to employ more people.

For the information of all honourable members, I point out that an examination of the desirability of unifying legislative and administrative control on occupational safety and health matters in Queensland is under way.

Honourable members may rest assured that, in any Queensland legislation, although the safety of employees will be paramount, this Government will not be placing control of working operations solely in the hands of union representatives.

3. Proposed Johnstone College of Technical and Further Education, Innisfail

Mr EATON asked the Minister for Education—

(1) At what stage are plans for the TAFE college in Innisfail?

(2) Has land for the college been purchased?

(3) What priority has the State Government given to this project?

(4) When is it anticipated that work will be commenced on this project?

Answer—

(1 to 4) The plans for the Johnstone College of Technical and Further Education at Innisfail are at the developed sketch plan stage.

Action is in hand to finalise the acquisition of land in Innisfail as the site for the Johnstone College of Technical and Further Education.

Construction work will commence subject to funding being available from the Commonwealth Government under the Tertiary Education Assistance (State Grants) Act.

4. Clearing of Government Land

Mr EATON asked the Minister for Lands, Forestry and Police—

(1) Does the Government undertake to keep Crown land, or departmentally owned land such as that held by the Queensland Housing Commission, free of rubbish, regrowth and long grass, as required by the by-laws of various local authorities?

(2) If not, will he initiate action either to ensure the clearing of such land once each year, or to have the relevant local authority carry out such clearing on behalf of the Government or the relevant department?

Answer—

(1) The Government does not undertake to keep Crown land free of rubbish, regrowth and long grass as required by the by-laws of various local authorities. Land held by the Queensland Housing Commission or by other departments does not come under my immediate control. Where possible, the Government endeavours to lease, grant occupancy rights over, reserve or otherwise deal with vacant Crown land to ensure that there is an occupant of such land to control rubbish and long grass as required by local authority by-laws.

(2) I am not prepared to undertake that I will initiate action to ensure the clearing of any such land once each year, or to have the relevant local authority carry out such clearing on behalf of the Government or the relevant departments.

5. Ronald Charles Fry

Mr ELLIOTT asked the Minister for Lands, Forestry and Police—

(1) What progress has been made in police investigations into the alleged $1m fraud against Queensland farmers by Ronald Charles Fry, formerly operating as the principal of Agmark Industries Pty Ltd, registered on the Gold Coast?

(2) Is it correct that Fry milked his company's bank accounts dry before flying to Britain?

(3) Have the police frozen all his assets and accounts in Australia?

Answer—

(1 to 3) Fraud Squad police have seized company and banking records of Agmark Industries Pty Ltd, and any police action to be taken will be considered when an examination of these records has been completed about mid-May 1985.

At this stage, it would appear that approximately $700,000 has passed through bank accounts, and these accounts now have nil balances.

6. Capital Gains Tax

Mr ELLIOTT asked the Minister for Works and Housing—

Is he aware of a statement made by the president of the Real Estate Institute of Australia, in which he indicated that the introduction of a capital gains tax would hurt low-income-earners, owing to a drop in housing investment which would cause a shortage of rental accommodation and subsequent higher rental rates?

Answer—

Yes. I agree with the statement by the president of the Real Estate Institute of Australia that low-income-earners will be affected by the introduction of a capital gains tax. Of Course, they will not be the only ones. The tax will have a retarding impact on many sections of our society. Irrespective of how the tax is applied, rents, rental investment, home-ownership and the building and associated industries will be affected.

The prospect of introduction of the tax has influenced, and is influencing, investment decisions in capital-gain ventures such as housing. The majority of money that flows into these investments is aimed at low income returns with capital growth. Under capital gains, tax is paid on income and on the capital gain through sale. Investment in housing will be discouraged and the private rental housing market is tightened. That will result in higher rents. Lower-income people will be the most affected, and they are the most vulnerable.

Shrinking housing investment creates increased need for public housing. The additional cost for such housing will have to be met by the Australian tax-payer.

A considerable portion of rental housing is owned by small investors. They purchase for the same reasons as large investors. Capital gains tax will drive them out of the market. Eventually the large slice of the private rental market they provide will be lost.

There will be lengthening wait-lists for housing authorities thoughout Australia. In Queensland, the downward trend in wait-lists will be reversed. During the past year, wait-lists reduced significantly by 11 per cent. In other States, it will make a grave and deteriorating situation even worse. New South Wales, which has twice the population of Queensland, has a wait-list for public housing seven times that of Queensland. The wait-list in Victoria is three times that of Queensland.

With a capital gains tax, home-ownership may no longer be attractive, particularly for those who continually upgrade their housing and for the many who move for job opportunities. This could further compound the housing problem.

The building and associated industries must suffer. Because they are employment generators, this would be disastrous in the present economic climate.

Capital gains tax stifles initiatives and growth, and I am totally opposed to its introduction.

7. Credit Cards, Ministerial Press Secretaries

Mr MILLINER asked the Premier and Treasurer—

(1) Have press officers employed by Ministers been issued with credit cards?

(2) If so, are these accounts paid by the Premier's Department or by the individual Minister's department?

(3) If the cards have been issued, what is (a) the name of each press officer in receipt of a credit card where the account is paid by the Government, (b) the name of the credit company and date of issue of each card and (c) for each card what is the amount paid to date and for what services?

Answer—

(1 to 3) The Treasurer's Instructions made pursuant to the provisions of the Financial Administration and Audit Act allows the issue of credit cards to departmental officers.

Although it is true that press secretaries are appointed to the Public Relations Branch, Government News and Information Services, Premier's Department, the position is that each officer is attached to a Minister of the Crown, and the payment of salary and other expenses is the responsibility of each ministerial department.

Insofar as the Premier's Department is concerned, credit cards have been issued to the Director, Government News and Information Services, who is also my press secretary, to enable that officer to meet travelling and other approved official expenses. As required by Treasurer's Instructions, full particulars of all expenditure authorised by him must be furnished to the department.

8. Sunshine Coast Schools Painted Under Community Employment Program

Mr MILLINER asked the Minister for Works and Housing—

(1) How many schools on the Sunshine Coast have been, or are now in the process of being, painted from funds supplied from the Federal Labor Government Community Employment Program?

(2) Which are the schools to be painted under this scheme?

(3) Why does the Government feel the need to apply for these funds to complete this basic work?

Answer—

(1) 16.

(2) State schools—

Bli Bli
Buddina
Buderim
Burnside
Caloundra
Conondale
Currumundi
Eudlo
Eumundi
Kenilworth
Maleny
Mapleton
Maroochydore
Palmwoods

High school—

Nambour

Pre-school— Maroochydore

(3) Painting of educational buildings was selected by my Department of Works as the most suitable activity to meet the criteria of the Community Employment Program. It should be noted that the department is required to provide 30 per cent of the cost of each project. The program has the effect of providing employment in particular areas in which certain tradesmen are listed with the local CES as unemployed and enables the priority of maintenance of buildings to be maintained.

9. Railway Bridge, Arundel Avenue, Nambour

Mr SIMPSON asked the Minister for Transport—

As he is aware that the railway bridge over Arundel Avenue, Nambour, restricts school buses travelling to St John's College, Burnside, pre-school, primary school and high school, and the new Sunshine Coast TAFE college and restricts tourist coaches travelling to places west of Nambour and the Maroochy Horticultural Research Station, when will the limitations imposed by the railway bridge over Arundel Avenue be removed?

Answer—

The Railway Department and the Maroochy Shire Council have agreed to reconstruct a new rail bridge over Arundel Terrace on a new alignment. This bridge and associated works are estimated to cost $870,000, which will be shared between the two organisations. This bridge will give a road height clearance of 4.6 metres and allow construction of a two-lane road. Following representations made to me by the honourable member some months ago, the work is expected to be completed towards the end of June 1985.

10. Tourism Industry

Mr SIMPSON asked the Minister for Tourism, National Parks, Sport and The Arts—

(1) What is the present position of the Queensland tourism industry relative to other States of Australia and what major developments are under construction and being planned?

(2) What share of the tourist industry is attributed to (a) overseas tourists, (b) interstate tourists, (c) intrastate tourists and (d) day trippers?

(3) What significance does the growth of the tourist industry have on employment?

Answer—

I thank the honourable member for his interest in Queensland's tourist industry. Its growth in recent years is definitely greater than that in any other Australian State, and that obviously reflects the policies of this Government.

The Association of British Travel Agents 1986 convention probably will be held in Queensland. The executive recommended Queensland ahead of Greece, Spain, Israel, Hungary and Bulgaria. It will involve two and a half thousand travel agents. The final decision by the association will be made in April. The Premier and Treasurer (Sir Joh Bjelke-Petersen) launched our bid last year. A delegation from the Queensland Tourist and Travel Corporation, led by Mr Alan Callaghan, a director of the QTTC, travelled to Britain recently and made further personal representations. It will be the first time a convention of that association has ever been held in the southern hemisphere.

Recently, I was invited to Sydney to launch the Harbourside Village complex in Cairns. The launching was held in Sydney because the complex is owned by a Sydney company, Village Inns, headed by Leslie Corne. In front of leading businessmen and leading journalists, Mr Corne made the statement that anyone intending to invest in tourism should do so in Queensland, "because the Government up there understands tourism" That is a strong recommendation for the Queensland tourist industry given

by a leading Sydney businessman in front of his peers and the Sydney press. I might add that his company already has a development on the Gold Coast, so it knows what it is doing.

In a recent "Courier-Mail" article, a man criticised the Queensland Government for devoting too much effort to developing tourism in our State. In my opinion, the Government can never make too much effort to promote tourism. The tourist industry in this State is in good shape.

The question requires a detailed answer. I seek leave of the House to have incorporated in "Hansard" a document outlining the exceptional growth in the Queensland tourist industry.

Leave granted.

(1) Despite the world-wide economic recession in 1983/84, Queensland's tourism industry continues its strong growth. In 1983/84 a total of 50,330,000 nights were spent in Queensland, well ahead of Victoria and gaining on New South Wales.

With respect to intrastate tourism, Queensland had the highest rate of growth of all Australian States at +7.5%, and this continues to strengthen.

Interstate tourism in Queensland experienced a boom in 1982 due to the Commonwealth Games, with an additional 2.7 million visitor nights for the State compared to 1981/82 period. Queensland has been able to maintain this higher level of visitor activity since the Games.

During the 1978/79 to 1983/84 period, tourism growth in Queensland according to the Domestic Tourism Monitor, recorded the highest rate of growth when compared to other Australian States.

Queensland's growth in visitor nights over the 6 year time span recorded at +33.4%, which is almost twice the National rate at 18.2%.

Major Developments currently under construction in Queensland

GOLD COAST	
Jupiter's Gold Coast Casino	$175m
Paradise Centre Hotel Complex	$50m
Holiday Inn, Surfers Paradise	$70m
Chevron Paradise	$80m
Daikyo Kenko	$60m
BRISBANE	
Hilton, Brisbane	$102.5m
TOWNSVILLE	
Townsville Casino	$40.6m
CAIRNS	
Motel/Convention Centre	$7m
BARRIER REEF ISLANDS	
Hamilton Island	$130m (overall)

Major Developments Planned for Queensland

GOLD COAST	
Carrara Country Club	$130m
The Lagoons, Main Beach	$35m
Hope Island	$100m
BRISBANE	
Regent, Brisbane	$30m
SUNSHINE COAST	
Maroochydore Hotel	$16m
Caloundra Hotel	$25m
Mooloolaba (Paradise Park)	$11m
Noosa Valley Country Club	$11m
Pine Trees Noosa	$30m
South Coolum Beach Cascades International	$25m

NORTH QUEENSLAND	
Port Douglas	$75m
Farnborough Resort, Yeppoon	$66m
Wild Duck Island (Mackay)	$40m
Clifton Beach	$20m
Cairns Holiday Complex	$12m
Kurrimine Beach	$7m
Rockhampton Hotel	$5m
Reef World	$21m
OUTBACK REGION	
Stockman's Hall of Fame	$11m

(2) International Tourists

The State's role in international tourism to Australia is growing even faster than its rate in domestic Australia tourism. International visitors who listed Queensland as the State in which they made their main stay while in Australia rose by 52% between 1979 and 1983. This growth rate is twice the rate of the number of inbound travellers to Australia over the same four year period. The Queensland growth rate of 16.5% and over two and a half times the Victorian growth rate of 19.7%. This clearly puts Queensland well ahead of all other Australian States in capturing the international market.

Interstate and Intrastate Growth

Queensland's increasing attraction to Australians from other States is a feature of statistics from the Domestic Tourism Monitor over the five years from 1978/79 to 1983/84.

Over this five year period, the number of interstate visitors to Queensland increased by 24.7%.

Queenslanders themselves have also been active travelling in their own State. Over the same five year period, the number of trips taken by Queenslanders within the State grew by 32.2%.

All the activity by people excited by travelling in our State is reflected in the growth in the number of nights spent within the State. Between 1978/79 and 1983/84 there was a 33.4% increase (an average increase of 5.9% annually) in the number of domestic visitor nights spent in Queensland.

This means Queensland's tourism growth is occurring at a rate much superior to the national average. Over the same five year period, domestic visitor nights spent throughout Australia increased by 18.7%—an average annual increase of 3.4%.

Day Trippers

According to the results of the first quarter (September Quarter 1984) of the Day Tripper Survey, 11,402,000 visitor days were spent by Queenslanders on 3,354,000 day trips. This implies an average of 3.4 people involved in each day trip and represents $256,500,000 in expenditure for that Quarter.

This expenditure for the September Quarter 1984 comprised of the following categories—

Vehicle Expenses	$82,400,000	
Food/Meals/Snacks	$49,100,000	
Pleasure Shopping	$34,300,000	
All-in Excursion Package	$14,300,000	
Drinks	$22,200,000	
Entrance Fees	$10,900,000	
Bus/Train/Taxi Fares	$2,100,000	
Souvenirs/Cigarettes/Camera Films	$2,700,000	
Other Expenditure	$38,500,000	
VISITORS		
Overseas Visitors	$323,000	(2.7%)
Intrastate Visitors	$8,968,000	(75.3%)
Interstate Visitors	$2,622,000	
	$11,913,000	

NIGHTS		
Overseas Nights	$7,525,000	(13%)
Intrastate Nights	$31,949,000	(55%)
Interstate Nights	$18,381,000	(32%)
	$57,855,000	

Source—"Domestic Travel in Queensland" 1983/84
"International Travel in Queensland" 1983

(3) The A.B.S. "Labour Force Industry" reported that during the 1978/79 and 1983/84 period, Queensland experienced a 14.3% (or 2.7% per annum) increase in employment. The related growth figure for the tourist industry, however, was a remarkable 26.1% (or 4.8% per annum)—being represented by an additional 15,240 jobs.

The impact on the Queensland economy is expected to be affected by a multiplier of 2.5 producing a total employment impact of 38,100.

Based on information supplied by the Australian Bureau of Industry Economics latest report on the Economic Significance of Tourism in Australia ("Tourist Expenditure in Australia", B.I.E. Research Report 16, A.G.P.S. 1984), the Queensland Tourist and Travel Corporation estimates that the economic significance of tourism in Queensland in terms of employment generation potential is as follows—

26 International Visitors	=	1 job
98 Interstate Visitors	=	1 job
303 Intrastate Visitors	=	1 job.

11. Blood and Urine Samples Taken from Gallopers and Trotters

Mr LEE asked the Minister for Local Government, Main Roads and Racing—

(1) In the last 12 months how many blood and urine samples taken from gallopers and trotters in Queensland have shown a positive sign of the presence of prohibited substances?

(2) In each case above what was (a) the date of the sample and type of sample, (b) the event and race track, (c) the substance found, (d) the name of the horse and (e) the action taken?

Answer—

(1 & 2) The information required to answer the honourable member's question is not readily available from records held by the department. To ascertain the information would require substantial time and effort, utilising resources already fully committed to furthering the Government's inquiry in relation to the doping of racehorses. Furthermore, as a number of these matters are currently subject to police investigations, I do not consider it would be appropriate to release at this time any information that might be available and that may prove to be detrimental to those investigations.

I propose to introduce amending legislation this session, during the debate on which the honourable member will have ample time to raise the matters referred to in his question.

12. Fairfield Road Railway Crossing

Mr LEE asked the Minister for Transport—

With reference to my several questions to him regarding the construction of a fly-over on Fairfield Road, Yeerongpilly, railway crossing, and his answer that design and construction would start before the end of 1984-85—

What progress has been made on this project to date?

Answer—

I thank the honourable member for his question, which gives me the opportunity to provide a report on the Government's progress to date in eliminating this level crossing which causes a great deal of delay and frustration to motorists.

Preliminary investigation work on the layout of the proposed overpass has now been completed. This has included a detailed study of traffic movements in the area, as a result of which the original proposal has been modified.

The modified scheme, in addition to allowing an estimated saving of $1.2m, provides a number of additional benefits including—

Fewer elevated structures and reinforced embankments will be required.

Local businesses will be affected to a lesser extent.

Land owned by the Brisbane Golf Club will not now be required.

Memorial trees in Tennyson Memorial Avenue will be retained.

Land required to extend Varley Street to the north is zoned future road, and some part is already owned by the Brisbane City Council.

The scheme caters adequately for local access and local traffic circulation.

The principal modification to achieve these benefits is the extension of Varley Street southward from Pulle Street to Palomar Street and northwards from Ethel Street to Tennyson Memorial Avenue.

Detailed design is expected to be completed by the end of this year. This will allow tenders to be called early in 1986. Construction is expected to be completed early in 1987, thus removing this most annoying traffic bottleneck.

QUESTIONS WITHOUT NOTICE

Statements on Queensland Manufacturing Industry

Mr WARBURTON: In directing a question to the Deputy Premier and Minister Assisting the Treasurer, I refer to a statement made by him last week, which reads—

" little national economic gain would be derived from further major expansions of Queensland's general manufacturing base "

In contrast to that, the Minister for Industry, Small Business and Technology (Mr Ahern) stated at the week-end that the Queensland Government will be using all its taxation and regulation advantages to expand manufacturing industry. As that was not the first occasion on which deep conflict on major issues has occurred between the Deputy Premier and the Minister, I ask: Will the Deputy Premier and Minister Assisting the Treasurer inform the House of the Government's official position in respect of this very important issue? Is it the position as put forward by him, or is it as outlined by the Minister for Industry, Small Business and Technology?

Mr GUNN: Anticipating that the Leader of the Opposition would put forward this question, I had officers of my department prepare a detailed summary. What my colleague Mr Ahern said about the sugar industry and other industries is correct, and has been well known for a long time. I point out how the Queensland Government is geared to accept that particular proposition.

Firstly, the expansion of the infrastructure associated with the coal industry has been completed, and that is also a well-known fact.

Mr Warburton: What about the manuacturing industry?

Mr GUNN: Wait just one moment. The world economic situation, especially as it affects the sugar industry and the base metals industry, is also well known. In an attempt to soften the effects of the expected decline, the Government undertook to electrify the central Queensland coal railway lines at an estimated cost of $800m. In addition to that, the Government introduced a special $600m capital works program. Both of those moves indicate that the Government was aware of what had happened and of what was likely to happen. Those steps were taken to cushion the effect of the economic decline. To date, very little expenditure has been incurred on that strategy. Planning, etc., has been necessary.

I turn now to the impact that the capital works program is likely to have. In excess of 12 000 man-years of additional employment will be directly created, and approximately 40 000 man-years' employment will be created in total.

Mr WARBURTON: I rise to a point of order. The question I asked was about Queensland's manufacturing industry. I refer to Standing Order No. 70, which clearly indicates that an answer shall be relevant to the question. Mr Speaker, I put it to you that the Deputy Premier and Minister Assisting the Treasurer is not answering the question that I asked him. In my opinion, a heavy obligation rests upon the Deputy Premier and Minister Assisting the Treasurer to do so.

Mr SPEAKER: I rule that there is no point of order. I remind the Leader of the Opposition that the manner in which a Minister answers a question is his prerogative, as long as the answer is related to the Minister's portfolio. I deem that the answer given by the Deputy Premier and Minister Assisting the Treasurer is within his ministerial portfolio.

Mr WARBURTON: I pursue the point that I have made. Standing Order No. 70 (ii) states as follows—

"An answer shall be relevant to the Question."

It is incumbent upon you, Mr Speaker, to ensure that the Minister answers the question appropriately.

Mr SPEAKER: Order! I have made my ruling. I rule that there is no point of order.

Mr GUNN: What the Leader of the Opposition has tried to do is indicate that the Minister for Industry, Small Business and Technology (Mr Ahern) is at variance with me over this issue. He is not.

If the Leader of the Opposition were to read the article prepared by the Minister, he would see that the Government is trying to cushion the effect of the downturn that occurred throughout Australia. Queensland was in a very fortunate position because it was on a higher plane than the other States—well above them—when the downturn came. Queensland is now well and truly up. Opposition members should fully realise that we are miles ahead of the other States. If Opposition members examine Queensland's taxation structure, they will find that Queensland is miles ahead.

Opposition members should be looking at the contribution that Queensland makes to Australia. They should keep in mind that Queensland has 16 per cent of the population of Australia. For the 12 months to September, private capital in Queensland represented 17.4 per cent of the total. In housing—in the June quarter, Queensland built 20 per cent of the housing in Australia; in the September quarter, the figure stood at 23 per cent; and for the next quarter, 21 per cent. Building approvals in Queensland ran at 20 per cent, with commencements standing at 24 per cent. All that happened although Queensland had only 16 per cent of the Australian population.

Exports are in important item. For the six months to 6 December, Queensland exports represented 24 per cent of the total Australian exports. That indicates the extent of the contribution made by Queensland.

Outside this House the Leader of the Opposition is known as "Doom", and his deputy is known as "Gloom". Opposition members talk only about doom and gloom; that is all we hear from them. The Queensland Government is acting positively. My ministerial colleague and I are not at variance; we are doing our utmost to help Queensland.

North Queensland Fertilizers Pty Ltd

Mr WARBURTON: In directing another question to the Deputy Premier and Minister Assisting the Treasurer, I refer to the so-called rescue bid by the Queensland Government and CSR Limited of the company owned by the Queensland Cane Growers

Council, namely, North Queensland Fertilizers Pty Ltd. The Minister is no doubt aware that cane-growers purchased 51 per cent of the company last year for $3m. I now ask the Minister: Why is $3.65m being lent by the Queensland Government and CSR Limited, supposedly for the remaining 49 per cent? Will Queensland cane-growers, who are already hit hardest by the depressed sugar prices, be called on to contribute more than the 6c per tonne committed for the 1984 and 1985 seasons to repay the further loans or the losses of North Queensland Fertilizers?

Mr GUNN: The Queensland Cane Growers Council convinced the Government that the company can be a very viable proposition for cane-growers. I should like the Leader of the Opposition to state where he stands on this matter, because on all occasions the Commonwealth has failed to assist the cane industry. It failed to assist the proposed ethanol project. It ducked and weaved when the Premier got in touch with it and asked for a dollar-for-dollar contribution. The Queensland Government has always come to the assistance of the cane-growers. The action taken by the Government was in response to a request by the Queensland Cane Growers Council.

Mr Warburton: When was the request made?

Mr GUNN: The request came to the attention of the Government a couple of months ago. The Government knew that the company was in trouble.

Mr Kruger interjected.

Mr GUNN: The honourable member for Murrumba, supposedly, speaks for primary production, but he is laughing. This matter is nothing to laugh at.

The company would have gone into liquidation. It would have been lost to the cane industry. The Government decided to support it by a loan guarantee given to the Cane Prices Board. Many thanks are due to CSR, which also gave assistance. In the circumstances, I believe the company will be viable, thanks to the Queensland Government and CSR.

Committee on Unemployment

Mr NEAL: I ask the Deputy Premier and Minister Assisting the Treasurer: Has a report been completed by the senior-level committee that was established to analyse unemployment in Queensland?

Mr GUNN: That senior-level committee has met on a number of occasions. The Government expects a positive response, in the form of a report, some time next week.

North Queensland Fertilizers Pty Ltd

Mr BURNS: In directing a question to the Minister for Primary Industries, I refer to the financial situation of North Queensland Fertilizers Pty Ltd, which has caused questions to be asked at almost every mill suppliers committee meeting throughout Queensland. Because those questions were brushed aside, because the recent Queensland Cane Growers Council conference was kept in the dark about the company's financial state and because the Deputy Premier and Minister Assisting the Treasurer admitted today that the Government was aware of the problems two months ago, I now ask: Will the Minister declare null and void the present mill suppliers and cane-growers executive triennial elections? Will he order fresh elections to be held after cane-growers have been fully informed of the situation regarding their fertiliser company, its position at the time of purchase and the future of their Brisbane headquarters building now under mortgage to their traditional enemy, CSR Limited?

Mr TURNER: No, I will not be declaring the elections null and void. Previously, the Deputy Premier and Minister Assisting the Treasurer answered a question about the assistance that the Government has given to North Queensland Fertilizers Pty Ltd and the position in which the company finds itself. It is pertinent to point out that, last year,

that company was responsible for saving Queensland cane-growers $6m. The sugar industry is of vital importance.

Mr Burns: The cane-growers were not told the position.

Mr TURNER: The cane-growers will have to take up that matter with the Queensland Cane Growers Council.

The Queensland Government is responding positively to a request from the Queensland Cane Growers Council. CSR Limited also has offered assistance and expertise in that area.

Mr Kruger: It is a cover-up.

Mr TURNER: There is no cover-up. Further assistance is being provided to help an already depressed sugar industry.

Mr Casey interjected.

Mr SPEAKER: Order! I warn the honourable member for Mackay.

Mr TURNER: The shoes of the honourable member for Mackay must be pinching; let him sing out if he wishes.

The Government has given tremendous assistance to the sugar industry. In this instance it has responded to a request from the Queensland Cane Growers Council in an endeavour to give further assistance to an industry that is already depressed. One would expect that Opposition members, who purport to represent sugar areas, would be lending support to the assistance that the Government is giving to the sugar industry.

Purchase of New Government Aircraft

Mr STEPHAN: In directing a question to the Minister for Health, I refer to some criticism that has been levelled at the purchase of the new Government aircraft, and I ask: Since its purchase, has that Government plane been used for any emergency or retrieval purposes?

Mr AUSTIN: Perhaps I, as Minister for Health, have a biased view about the purchase of the new Government aircraft. I personally believe that it was a splendid decision by the Government to purchase that aircraft. In fact, last night an emergency arose. A liver became available for a patient at the Princess Alexandra Hospital, To that end, last night the Government jet flew to Sydney, retrieved a liver and returned to Brisbane. I am advised that, at present, a liver transplant operation is under way at the PA Hospital. If the Government aircraft can be used for such a purpose, I am absolutely delighted about it.

New Teachers Union

Mr STEPHAN: In directing a question to the Minister for Education, I refer to the atmosphere within the union movement and the ground swell of concern shown by many union members. I ask: Is he aware of disquiet within the Queensland Teachers Union over the reported statement that an alternative union will be formed among teachers? Does the Minister believe that only one organisation may represent teachers? If so, what status will the new organisation have?

Mr POWELL: I am aware that an individual teacher wishes to set up an organisation, to which he hopes to attract——

Mr Fouras: You are being paid to organise that union.

Mr POWELL: The rabbit from South Brisbane, who is jumping up and down, is giving me credit when I am not entitled to it. However, I thank him for it.

Mr Guest, who is organising the new group, has arranged for teachers who are dissatisfied with the Queensland Teachers Union to join a professional organisation. That has thrown the people at Spring Hill into an orbit; they are very concerned about this move.

As I understand it, a professional organisation will be set up to protect the rights of teachers legally and will represent teachers in industrial affairs. The QTU has continued with its bullying tactics by telling teachers that they will not be protected legally if they are not members of the QTU. That is nonsense. The QTU has also claimed that, unless teachers are members of the union, they will be transferred. That is also nonsense. It has also claimed that teachers will not receive pay increments unless they are members of the QTU. That is nonsense, too.

It is not correct to say that I listen to only one group of people representing teachers. I receive deputations from the Queensland Teachers Union, the Queensland Primary Principals Association, the Queensland Secondary Principals Association and the Queensland Association of School Administrators. If this proposed organisation is formed, and if it wishes to wait upon me in deputation, it will receive the same courtesy as any other organisation representing teachers.

Industrial Relations Advisory Unit

Mr McLEAN: In directing a question to the Minister for Employment and Industrial Affairs, I refer to his announcement in 1984 that he had formed an industrial relations advisory unit to handle and assist with industrial problems in Queensland. I ask: Who is on this committee? When has it met and which disputes or problems has it handled? Was the committee consulted during the power dispute and, if it was, how was it consulted? If it was not consulted, why not? Did the committee have any input into the Industrial Conciliation and Arbitration Act Amendment Bill that is before the House?

Mr LESTER: I make it very clear that, from time to time, I seek advice from all people in Queensland concerning industrial relations matters. The industrial relations advice given to me is the best advice available and has the support of most people in Australia.

Blue Nursing Service

Mr BOOTH: I ask the Minister for Health: Is he aware of statements by the Federal member for Rankin that, although the Federal Government has $4m available to assist the Blue Nursing Service, that money has not been claimed by the Queensland Government? Is this a fact, or is the Federal member for Rankin just mischief-making?

Mr AUSTIN: Prior to the last Federal election I recall that a photograph appeared in the paper featuring the Federal Minister for Health (Dr Neal Blewett) with a cheque for $4m over his head. Dr Blewett was reported as saying that, because the Queensland Government could not match the Federal contribution, he could not give the money to the Blue Nursing Service. After coming up here and doing that, Dr Blewett got exactly what he deserved. Any Federal Minister who tries to blackmail the people in that way must get into trouble. Because the Federal Government has robbed Queensland over Medicare, the State Government cannot match that $4m.

The Federal Government should give that money to the Blue Nursing Service direct. The Federal Government has consistently maintained that it is unable to do that. What utter nonsense! In the past it has had no difficulty in amending legislation to enable it to give money to all and sundry left-wing groups throughout the country. The Federal Government can give money to all of those groups, but it will not give it to the Blue Nursing Service. The Federal Government has already stated publicly that it has the $4m to spare, but it will not give it to the Blue Nursing Service.

I will take this opportunity to say once again that, under Medicare, Queensland was allocated only $73 per head and the other States were allocated $176 per head. That is an example of the sort of treatment Queensland receives from the Federal Government.

As well as that, most honourable members will be aware of the Home and Community Care Program, which we have all heard so much about in recent times. Wonderful things were to be done. That relates to the Blue Nursing Service. Two years ago the Federal Government claimed that it would put an extra $300m into home and community care. Prior to the last Federal election, it made that claim again. After that $300m was announced and the figures were assessed, in the last Federal Budget—surprise, surprise—only $10m was allocated for home and community care. When one does the calculations, one finds that the $300m has already been spent. The Federal Government has been trying to pull the wool over the eyes of the people of Australia; it has announced the expenditure of $300 time after time, but it has already been spent.

I say again that, if the Federal Government has $4m to spare and if the Federal Minister for Health can walk round this State prior to the last election with a great big cheque being held above his head, let him put his money where his mouth is.

Child Pornography and Male Prostitution

Mr GOSS: In asking a question of the Minister for Lands, Forestry and Police, I refer to the following statement made by the chairman of the Police Complaints Tribunal, His Honour Judge Pratt, as reported in the "Telegraph" of 21 December 1984—

> "Organised child pornography and male prostitution existed in Queensland, chairman of the Police Complaints Tribunal, Judge Pratt, said today.
>
> Judge Pratt said he had been shocked by matters so far revealed by his investigation."

I now ask: Will the Minister advise the House, firstly, of the current state of progress of the tribunal's inquiry; and, secondly, will he give an undertaking to table the findings of that tribunal and direct the Commissioner of Police to charge any person in respect of whom charges are recommended by the tribunal?

Mr GLASSON: Judge Pratt, indeed, made that statement as reported in the media. The results of the inquiries certainly have not been made known to me. When the inquiries that are currently taking place are concluded, I will receive a report. I will give no guarantee that the Government will table the report because, firstly, I will have to see what is in the report.

Mr Goss: What about if he recommends charges?

Mr GLASSON: I will give no guarantee that the report will be tabled in this House. I will assess the report when it comes to me and make any further statement at that time.

Child Pornography

Mr GOSS: I ask the Minister for Justice and Attorney-General: In relation to the first report of the inquiry being carried out by the Director of Prosecutions into Opposition allegations of child pornography in Queensland, will he advise the House, firstly, of the explanation that Mr Sturgess gave as to why senior police took about two years to act on reports of the ring; secondly, whether Mr Sturgess has recommended that charges be laid against any person; and, thirdly, whether Mr Sturgess has recommended an investigation of any person and, if so, who will carry out the investigation?

Mr HARPER: I am not aware of any inquiry being carried out by the Director of Prosecutions as a result of allegations brought by the Opposition. I am aware that the Bjelke-Petersen Government directed the newly appointed Director of Prosections to look into the matter of abuse of children—particularly sexual abuse of children—and that has been carried out. Mr Sturgess, QC, is continuing his inquiries. In accordance with an undertaking given by the Director of Prosecutions, an interim report has been given to me. In fact, it was handed to me on the morning of 1 March. His inquiries are continuing and I expect that there could well be further interim reports. Mr Sturgess is continually in contact with me and we have regular discussions on these matters.

The press has published a report of a raid by police yesterday morning relating to child pornography and associated matters. To answer, in further detail, those segments of the question posed by the honourable member would be detrimental to the undertaking given by the Queensland Government and the sincere purposes of the Director of Prosecutions. I give an assurance to the honourable member that any action that is appropriate will be taken, irrespective of the persons involved and irrespective of anything else that may occur. I give that unequivocal undertaking. Neither the Director of Prosecutions nor I will be waylaid in any manner from carrying through the intentions of the Queensland Government in this matter.

Proposed Prison, Lotus Glen

Mr MENZEL: I ask the Minister for Welfare Services, Youth and Ethnic Affairs: In view of the concern expressed by the residents of Walkamin about the announcement of the construction of a prison at Lotus Glen in the Mareeba shire, will he reconsider the decision with a view to locating the prison in a more isolated area?

Mr MUNTZ: I am well aware of the concern expressed and the representations made by the honourable member for Mulgrave and the Minister for Environment, Valuation and Administrative Services (Mr Tenni) that the first priority is the protection of the interests of residents in Mareeba and Atherton. Those interests have been considered. The need for a new prison complex in far north Queensland was indicated in a report that I released late last year. During the last three months a number of properties have been inspected. I have considered in detail the concern expressed by a number of persons. There has been a great deal of competition from shire councils to have such a complex located within their shires so that they may derive the benefit that would result from that type of capital investment, which is a continuing program, and the availability of community service programs emanating from such a complex.

The Works Department is at present negotiating the purchase of a 2 500-acre or 900-ha property. A modern prison complex will be sited somewhere in the centre of that property, which is bounded on one side by a high mountain peak and on the other by a creek. It is an isolated area. If a prison complex were located at Burketown, the same problem would exist. Some neighbours would object to its location there. I am not sure whether the people who are making the objections realise what is involved in a modern prison complex. If anyone has any concerns, he need only write to me or to my department and his concerns will be considered. If an objector had the opportunity to look at the Woodford Prison complex and the benefits that have flowed to the Woodford and Caboolture townships, he would realise the benefits that have resulted from the establishment of that complex.

I have decided to ask the Works Department to proceed with acquisition of the Lotus Glen property, which is approximately 20 km west of Mareeba and approximately 80 km from the Cairns court complex that it would serve. If the property is acquired, consideration will be given to the construction of an internal road system so that access may be gained through the northern end of the property, with direct access to Mareeba.

The record of the prison system in Queensland is undoubtedly the best in Australia. The complex that will be established at Mareeba will be the best in Australia and probably the best in the world.

As to security—the number of escapes from the Queensland prison system has been minimal.

Parole of Mr J. Magro

Mr UNDERWOOD: I refer the Minister for Environment, Valuation and Administrative Services to his often professed hatred for drug-dealing and suggestions of drastic penalties for offenders, such as locking them up and throwing away the key. I ask: How does he relate that so-called abhorrence for drug-offenders to his admissions before the Williams royal commission that he supported the parole application several

years ago by the criminal and drug boss John Magro, who was convicted of some of the most violent drug-related crimes committed in far-north Queensland?

Mr TENNI: I am very pleased to answer the honourable member's question. It is a pity that Opposition members do not realise the potential danger to the lives of the youth of this nation resulting from the policies being pushed forward by the socialists not only in Queensland but also in other States.

Quite frankly, I do not know why I should even bother to answer the question. Many of the statements that the honourable member makes are shocking statements. This morning I received a telephone call from the father of a girl who has drug problems. The story that that gentleman told me would shock many honourable members. However, it would not shock supporters of the Labor Party, because they seem to be of a mind to decriminalise the use of marijuana. They would decriminalise everything. That is a shocking state of affairs. Mr Magro——

Mr Underwood: You are running scared.

Mr TENNI: I never run scared. Who would be afraid of the honourable member for Ipswich West? He is an unknown identity in this State and in this country. The Minister for Employment and Industrial Affairs (Mr Lester) says that the honourable member for Ipswich West is a lightweight. In my opinion, he is not even a featherweight. He does not worry me.

The last information that I received about Mr Magro revealed that he was a financial member of the Mareeba branch of the ALP. If Mr Magro is still in Mareeba, the honourable member for Ipswich West can establish that from the books of the Mareeba branch of the ALP.

Mr Lester interjected.

Mr TENNI: As the Minister for Employment and Industrial Affairs has said, members of the Mareeba branch would not divulge that information, because the honourable member for Ipswich West belongs to another faction. He belongs to the left-wing faction of the ALP.

To the best of my ability, I have answered the honourable member's question. I will continue to oppose drug abuse in this State. I do not agree with the philosophies of ALP supporters who believe in decriminalisation of marijuana. If they want to run the risk of growing their own marijuana in this State, let them. However, if I have anything to do with it, they will serve the same sentence as anyone who deals in marijuana and feeds the youth of this nation with drugs.

Housing for Railway Employees

Mr RANDELL: I ask the Minister for Transport: Notwithstanding the tremendous strides made in providing improved housing and amenities for railway personnel, can he advise me of what new initiatives are intended to provide improved housing for railway employees in this State?

Mr LANE: Honourable members are aware of the special allocation in the Budget of $20m for Government housing, of which $6m has been set aside for housing for railway employees. A State-wide inspection of railway houses considered for replacement has been completed, and documents are being prepared with a view to calling the first tenders early in May 1985. The program of construction will continue. Approximately 85 new houses will be built using the money allocated to meet either additional requirements or to build replacements.

Included in the above is a subdevelopment of railway land at Bowen to enable the construction of 17 additional houses in that centre. A need for additional housing in that area has arisen following further mining development. All work will be completed

by September 1986. I know that honourable members opposite will be disappointed to hear that the construction of those 85 houses and the subdivisional development at Bowen will create new jobs, new industry and activity in the State of Queensland. There will be a great deal of disappointment in Opposition ranks, because Opposition members will have nothing to complain about.

High School Staffing Levels

Mr SMITH: I ask the Minister for Education: In view of the increased work-load on high school administrative and clerical staff, along with effective reductions in teacher-aide hours, announced in a directive dated 8 March, and reductions in teacher relief hours, will he take immediate steps to increase the level of full-time support staff and services?

On present departmental clerical staffing scales, a high school with a population of 2 000 is only entitled to the same number of administrative and clerical staff as a school with half the population. Will the Minister take steps to ensure that this anomaly is removed and will he increase the level of teacher-aide hours from the present ceiling of 145 for schools with 1 100 students to a larger allocation for schools with a bigger student population?

Mr POWELL: I am happy to answer that question. The honourable member for Townsville West has written me a letter in a similar vein, which will be answered in due course.

In his question, he mentions a reduction in teacher-aide hours. During my term of office there has been no such reduction. I completely refute his allegation. He also implies a reduction in other ancillary staff and teacher staff. That is nonsense, too. If he cared to peruse the figures carefully and honestly, he would ascertain that there has been no reduction in teacher-aide hours, no reduction in support staff and an increase in the number of teachers employed in our schools. The Government's policy is correct. We are doing all we can to use our resources to employ more trained teachers to assist children. That is where our direction ought to be. It is where it will continue to be while I am Minister.

Small Business Representation on Economic Planning Advisory Council

Mr ALISON: In directing a question to the Minister for Industry, Small Business and Technology, I refer to the Economic Planning Advisory Council, which was established in July last year by the Hawke Labor Government to advise the Federal Government on economic matters and which is made up of 18 members, comprising five Federal Labor parliamentarians and ALP Premiers, four ACTU representatives, three representatives of big business, five from the Australian Council of Social Services, the Local Government Association and others, and only one from small business. Taking into account that small businesses provide something like 75 per cent of employment in the private sector in Australia, I now ask: Does he agree that having only one representative on the advisory council is a gross insult to the small-business community of Australia and shows what the Hawke Government thinks of small business?

Mr AHERN: The honourable member for Maryborough is completely right. Small business is not being given the status that it ought to have on such an important decision-making body. The Federal Government does not have in proper perspective the importance of small business in the economic future of Australia. There is no doubt that Australia's economic recovery depends very substantially on the health of the small-business sector. I am advised that, at a recent meeting of the Australian Small Business Council, the Prime Minister stormed into the place, gave all the members a lecture on how good the Federal Government was, and immediately removed himself without listening at all to the voice of small business. Extreme disappointment was expressed around the table at the Prime Minister's attitude. The Federal Treasurer's attitude is no better. In Brisbane, he described the small-business community as a "mob of whingers"

The plain facts are that, if there is to be an economic recovery in this country, it will depend on small business. Over the last five years in America, 20 million new jobs have been created in the small-business sector, which is made up of businesses employing 50 or fewer. During that five-year period, in the "Fortune" 500 companies, which are the big companies in the United States, four million jobs were lost. In other words, big business is employing fewer people. The future of that country is tied up with small business and the programs of small business. The strength of the American dollar today—the fact that American dollars are now worth more than gold—depends very much on the success of small-business programs in that country. That must happen here.

In his question, the honourable member for Maryborough said that 75 per cent of new jobs will be created in the small-business sector. I would say that the net increase in the small-business part of the private enterprise sector will be more like 100 per cent.

The future of Australia is tied up very much with the success of small-business ventures. The Queensland Government has placed a high priority on the development of small business and will continue to do so, but that cannot be done without the co-operation of the Federal Government. To date, the Federal Government has not given small business the priority that it deserves, and needs, to properly contribute to the economic future of Australia.

Apprenticeships

Mr ALISON: I ask the Minister for Employment and Industrial Affairs: Will he indicate whether apprenticeship numbers in Queensland have improved?

Mr LESTER: In answer to the honourable member for Maryborough, I state that the news is very good. Up till the end of February this year, a total of 5 428 new apprenticeships were commenced. That compares with 4 335 for the previous year, and represents an increase of 25.2 per cent.

I make it clear to all honourable members, especially those knockers on the Opposition side, that that is a far better performance than that of any other State. A further examination of the statistical record shows that, for the year ended 1984, the net increase in the number of apprenticeships in Queensland was 29.6 per cent.

Mr De Lacy: How does that compare with national figures?

Mr LESTER: The national average was 26.9 per cent. That increase was brought about as a result of the strong policies implemented by the Queensland Government. I take this opportunity to thank all of the employers who have made the increase possible and have provided a better life for young Queenslanders.

Establishment of Prison at Mareeba

Mr McELLIGOTT: In directing a question to the Minister for Welfare Services, Youth and Ethnic Affairs, I refer to the Cabinet decision yesterday that approved the purchase of land at Mareeba for the establishment of a prison. I ask: Is it true that the land in question was bought three years ago for $400,000 by a Mr Joe Goicaechea, who is a well-known supporter of the National Party, and that an offer has been made by the Government to purchase the land from Mr Goicacchea for a sum of $650,000?

Mr MUNTZ: I am not aware of the details that surrounded the purchase of property by the existing owner at any previous time. I understand that the property was acquired by him in the past, but I am not aware of the details relating to the purchase.

The decision made by the Government was to negotiate for the purchase of that property. I understand that the property had been offered to the Queensland Government through the Prisons Department for a price in the vicinity of $650,000, as was stated by the honourable member for Townsville. The purchase price was for 900 ha of good quality land, and I understand that the property was a good buy in that area.

However, I point out that at the same time five properties in the vicinity were also inspected with a view to avoiding the purchase of a property that was located in close proximity to the urban areas of Mareeba. The decision was made after objections had been received, and I believe that the property at Lotus Glen represents the best possible buy for the site of a future prison in the shire of Mareeba to serve the Cairns court complex.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

Time Allotted for Remaining Stages

Hon. C. A. WHARTON (Burnett—Leader of the House), by leave, without notice: I move—

"That notwithstanding anything contained in the Standing Orders and the Sessional Orders, if the remaining stages of the Industrial Conciliation and Arbitration Act Amendment Bill have not been concluded by 4.45 p.m. on this day's sitting, Mr Speaker, or the Chairman, as the case may be, shall forthwith put the questions for all of the remaining stages on that Bill without any further amendment or debate."

Question put; and the House divided—

AYES, 43	
Ahern	Lane
Alison	Lester
Austin	Lingard
Bailey	Littleproud
Bjelke-Petersen	McKechnie
Booth	McPhie
Borbidge	Menzel
Cahill	Miller
Chapman	Muntz
Cooper	Newton
Elliott	Powell
FitzGerald	Randell
Gibbs, I. J.	Row
Glasson	Simpson
Goleby	Stephan
Gunn	Stoneman
Harper	Tenni
Harvey	Turner
Henderson	Wharton
Hinze	*Tellers:*
Jennings	Kaus
Katter	Neal

NOES, 37	
Braddy	Milliner
Burns	Palaszczuk
Campbell	Price
Casey	Scott
Comben	Shaw
D'Arcy	Smith
De Lacy	Underwood
Eaton	Vaughan
Fouras	Veivers
Gibbs, R. J.	Warburton
Goss	Warner, A. M.
Gygar	White
Hamill	Yewdale
Hartwig	
Innes	
Knox	
Kruger	
Lee	
Lickiss	
Mackenroth	*Tellers:*
McElligott	Davis
McLean	Prest

Resolved in the affirmative.

Second Reading—Resumption of Debate

Debate resumed from 5 March (see p. 3732) on Mr Lester's motion—

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

Mr McLEAN (Bulimba) (12.30 p.m.): At the outset, I must comment on the way in which this Government handles industrial relations legislation. It is obvious to Opposition members that the Government is not prepared to allow a full debate on this issue because it has something to hide. This is not the first time that a piece of industrial legislation has been pushed through in this manner. To push this Bill through all stages in three hours is a slur on the Parliament of this State; it is a disgrace. It is a piece of Nazi-type legislation that most certainly deserves——

Mr LESTER: I rise to a point of order. I find the honourable member's comment personally offensive because what this Government does is only what the Federal Government does. I ask him to withdraw those words.

Mr SPEAKER: Order! The Minister for Employment and Industrial Affairs finds offensive certain words expressed by the honourable member for Bulimba. I ask the honourable member to withdraw them.

Mr McLEAN: Mr Speaker, could you point out which words are offensive?

Mr SPEAKER: Order! The Chair does not have to point out which words are to be withdrawn. The Minister for Employment and Industrial Affairs finds certain words offensive and I ask the honourable member to withdraw them.

Opposition Members interjected.

Mr SPEAKER: Order! If the honourable member for Bulimba does not withdraw those words, I will take appropriate action. The Minister has asked the honourable member to withdraw them.

Mr R. J. GIBBS: I rise to a point of order.

Mr WARBURTON: I rise to a point of order.

Mr SPEAKER: Order! I will deal with one point of order at a time.

Mr WARBURTON: My point of order is that at no stage has the Minister for Employment and Industrial Affairs indicated which words he finds offensive.

Mr SPEAKER: Order! I ask the Minister for Employment and Industrial Affairs to state the words that he finds offensive.

Mr LESTER: For those honourable members who have hearing problems, I make it very clear that I found offensive the word "Nazi".

Mr McLEAN: Mr Speaker, I withdraw the word "Nazi" and replace it——

Mr SPEAKER: Order! The word has been withdrawn.

Mr McLEAN: Because the word "Nazi" is offensive to the Minister, I have withdrawn it, but I will replace it by saying that it is fascist legislation.

This Bill is further proof of the inability of the Government and, particularly, the Minister for Employment and Industrial Affairs to come to grips with industrial relations in this State. The Government stumbles from one crisis or conflict to another. This particular example of right-wing extremism will add further problems in an area that is already overcrowded with incompetent legislation.

At a time when stability is needed so badly, additional burdens to industry will flow from this legislation. Industry in this State is suffering from the effects of the Government's management of the economy over the last few years. The lunacy of this legislation will only create further problems.

The southern States will be laughing all the way to the bank because of the result of the Government's handling of industrial legislation. Because of the uncertainties and the explosive atmosphere in industrial relations in this State at present, industry will not be attracted here. The work-force is simmering with discontent and thousands of Queenslanders are suffering because of the Government's handling of industrial relations. Queensland's unemployment rate is more than 11.3 per cent and one in three young people is out of work. What is the Government doing? It is creating further problems for the work-force.

This Bill is typical of the arrogance that the Opposition has come to expect from the Government; it is typical of the contempt shown by the Premier and Treasurer (Sir Joh Bjelke-Petersen) for accepted industrial relations principles. The proposals within this Bill come as no surprise to Opposition members.

The Opposition opposes the Bill in the strongest possible terms. Every aspect of it is repugnant and an insult to common sense and decency. The Bill and its intent are by far the worst in a chain of fascist legislation that has emerged recently. It is a true example of the extreme right-wing mentality that has come to be expected from the Premier, who is backed by a Cabinet of yes-men and an ineffectual back bench. The Premier and Treasurer's extreme hatred is seen in this type of nineteenth century legislation.

That is expected; but what is not expected is the blind yes-men support from the Cabinet, including the Minister for Employment and Industrial Affairs.

Mr LESTER: I rise to a point of order. I find that expression very offensive. I ask that the words "yes-men" be withdrawn.

Opposition Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! Because of the noise on my left, I was unable to hear what it was that the Minister objected to. Will he again state his point of order?

Mr LESTER: I object to the words "yes-men" I find them offensive and I ask that they be withdrawn.

Mr DEPUTY SPEAKER: Order! I suggest to the the member for Bulimba that he withdraw the words that are objected to by the Minister. At the same time, however, I suggest to the Minister that he might refer in his reply to comments made by the Opposition during the debate.

Mr McLEAN: For the sake of the debate and because there are much more important things to speak about, I withdraw that comment.

My point is that it is obvious to everyone in Queensland that at all times the Minister does what he is told. At no stage has he had the opportunity to state his opinion. Later in my speech I will give some of my reasons for making that statement.

The first example of the right-wing extremism of the last months was the legislation dealing with a superannuation scheme for members of the Building Workers Industrial Union. That Bill was pushed through in a three-hour debate in exactly the same way as this legislation is being dealt with. The next example is the Industrial (Commercial Practices) Bill, which was rammed through with only a limited debate. Only seven of the 32 clauses of that very important Bill were debated. The Government is now involved in a court case over the provisions of that Bill. Only a couple of weeks ago, the Electricity (Continuity of Supply) Bill was passed with only a limited debate. If that is the way in which the Government interprets the workings of the Westminster system, it has a lot to learn.

Sound industrial relations, fair and equitable to both employers and employees, must have a foundation of independent guide-lines and machinery. Quite obviously, the Government does not realise that. A safety valve must be available. Governments cannot provide that by legislation and direct involvement. The legislation before the House is a recipe for disaster.

The foundations for industrial relations in this country were laid at the beginning of this century. The system has been tried and proven over many difficult years, with only slight modifications to suit changing times. Over the years, registered organisations on both sides—employers and employees—have had the right, when necessary, to approach an independent arbiter removed from Government interference. The intent of the Bill is to remove that facility. The Government will be in a position to interfere in just about any industrial disputation in the State. The legislation has the intent and the capacity to turn industrial relations in Queensland back 100 years.

Because of the uncertainty, conflict and disputes that will arise, the legislation will place an enormous strain on industry. If the legislation is passed—and it will be— it will prove to be a long-term set-back to industry in the State, a set-back that industry obviously cannot afford.

What I find hard to grasp is the fact that this concerted attack by the Premier and Treasurer and the Minister, who nods his head every time the Premier opens his mouth, comes at a time when the rest of Australia is benefiting from the results of the very responsible approach to industrial relations by the Hawke Government. I am referring to the prices and incomes accord. I am sure that all honourable members remember the industrial turmoil in Australia during the Fraser years, those disastrous years of a Liberal-National Party Federal Government. Because of the accord, the rest of Australia is now enjoying the benefits of the positive approach by the Labor Government in Canberra to the serious problem of industrial relations.

The Premier and Treasurer of Queensland attended the conference in Canberra. He opposed every principle and every suggestion put forward by speakers from the other States of Australia. Since then, he has also opposed or been non-co-operative with every suggestion made by other States of Australia. Those suggestions would better the lot of industry in this country.

I wish to make a comparison of the figures for industrial disputation. In 1981, in New South Wales, 1 028 working days were lost per 1 000 employees compared with 307 in 1984. In anyone's language, that is a considerable decline. In Victoria, 865 working days were lost per 1 000 employees in 1981 compared with 142 days in the 12 months ended October 1984. In Queensland, the number of working days lost fell from 624 in 1981 to 278 in 1984. In South Australia, the number fell from 320 to 43; in Western Australia, from 552 to 393.

Despite Government agitation and the extreme disadvantage of a confrontationist Government, Queensland was going quite well. The private sector in Queensland had never been better. During that period, there was very little industrial disputation. The only major industrial relations problems occurred in the public sector. The Government constantly stirred the railway workers, the electricity workers, public servants, teachers and others. Even taking into account the confrontationist attitude of the Queensland Government, the number of working days lost in Queensland fell from 624 per 1 000 employees to 278 per 1 000 employees during that period.

Why is this legislation necessary? Why is it being rushed through? The people of Queensland should be told why a run of provocative and irresponsible legislation has been introduced when the rest of Australia realises that the time has come when everyone must work together. If Australia is to get out of the mire that it is in, all sections of the work-force must assist. Because of the policies adopted by southern States, their economic recession is not as bad as the economic recession in Queensland.

The people of Queensland should be given a few answers. If the National Party's policy was to introduce such provocative legislation, why were the people of Queensland not told about it before the last election? Why was it not included in the National Party's policy document? Is it just to satisfy the fetish of the Premier and Treasurer and his life-long ambition to smash the trade union movement in Queensland?

Mr Vaughan: He wants to be the fuehrer of Queensland.

Mr McLEAN: He is certainly a dictator.

Another possibility is that the legislation is being introduced to create a smoke-screen to cover up the true economic situation in this State. The Minister, in his reply, may like to tell the people of Queensland why the Government has gone out of its way to create a run of problems that will be felt in this State for many years.

Earlier, the Minister rose to a point of order. In his reply, I would like the Minister to tell me why he has not stood up for the Industrial Conciliation and Arbitration

Commission and its jurisdiction. Why has the Minister not come out publicly and supported the commission and made a statement on the provocative and irresponsible statements by the Premier and Treasurer, who has attacked the commission over a long period? Why has the Minister not publicly defended the commission overall? The people of Queensland are entitled to an answer. I asked those questions during a debate on a previous Bill and received no reply. Today I hope that I will get an answer.

The implications of the Bill are frightening. It is probably the worst piece of legislation that has ever been introduced in this Chamber, and that is quite a sweeping statement. The legislation is ill-conceived, incompetent and unworkable. I repeat that it is one of the worst pieces of legislation that has ever been introduced in this Chamber.

The Bill proves the inability of the Minister and the Government to come to terms with the true meaning of industrial relations. That was clearly demonstrated by the way in which the Bill was presented. Twice the Government has attempted to bring these proposed amendments before the House. Late last year the Minister for Employment and Industrial Affairs introduced the Bill in somewhat different terms. In his second-reading speech he said—

> "A major review was conducted of the industrial legislation of this State in 1982, culminating in major amendments to the Industrial Conciliation and Arbitration Act in 1983. Events since that time have necessitated a further examination of the legislation, particularly in regard to union membership issues and matters relating to indiscriminate strike action by employees."

It must be borne in mind that the Bill was only introduced late last year. In the short period since then, and prior to today's debate, it has been amended. Only three hours will be allowed in which to debate the proposed amendments and there will be no chance of debating the clauses.

The Minister went on to say—

> "Demands, often accompanied by threats and intimidation, made on individual employees to become members of an industrial union;
>
> Direct and indirect demands and harassment of employers for refusal to foster union membership or to introduce closed shops;
>
> Bans on building construction sites over union membership issues;
>
> Demands for union membership on persons who are not employees, such as truck owner-drivers, bona fide subcontractors in the building industry and electrical contractors; and
>
> Secondary boycotts on business to force union membership."

The Minister said also—and this is a gem—

> "That belief accords with the principles set out in the Universal Declaration of Human Rights, which states in part that—'Everyone has the right to form and to join trade unions for the protection of his interests'."

That portion of his speech is one of the most hypocritical statements that I have ever read. The Minister and the Government are the last people entitled to quote from the Universal Declaration of Human Rights.

The Minister continued—

> "The Bill contains important amendments relating to termination of membership of an industrial union.
>
> The Bill proposes—
>
> To abolish the three months' notice of resignation from membership of an industrial union and allow an employee to resign by a simple notification in writing;
>
> That dues payable be limited to those due at the date of resignation; and

That the provisions of the section prevail where there is any inconsistency with existing union rules."

The Minister then touched on a few other points which he did not seem to think were very important. Later I will point out just how important those matters are.

The Minister continued—

"The Bill will limit the recovery of fines, fees, levies and dues payable to an industrial union to a period of 12 months from the date on which the liability to pay the fines, fees, levies or dues arose.

New provisions will be introduced to protect an employee refusing or failing to participate in a strike from action by any other person such as an officer, member or employee of an industrial union. At present, action lies only against a union.

The Government proposes to extend the circumstances in which employees may ask the Industrial Conciliation and Arbitration Commission to direct that a secret ballot be conducted by the Industrial Registrar or an industrial magistrate in relation to strike action.

Penalties for various breaches of the Act have been increased to amounts considered more in keeping with the seriousness of the offences."

The Minister said also—and this is another gem—

"The Government is committed to the system of conciliation and arbitration. It believes that the system is sound and works exceedingly well provided that the parties within the system are committed to it and act responsibly."

The Premier and Treasurer attacked the principles of the Industrial Commission. He attacked the commissioners. He has attacked the whole arbitration system not on one occasion, but on dozens of occasions. On two occasions he has refused to accept the recommendations of the Industrial Commission.

Two months later, further amendments were proposed. It is quite obvious to anyone reading the Minister's two second-reading speeches that different people wrote them. The second Bill contains a number of draconian clauses.

I will deal now with the Minister's speech on the second Bill, in which he said—

"The events of the last month provide ample justification for all the legislation contained in the Bill now before the House.

Clauses 3 and 4 cover the necessary amendments so as not to disturb the existing jurisdictions of the Industrial Court and industrial magistrates following on increases to various penalties throughout the Act."

He did not say that the intention of the Bill was to disembowel the commission. I repeat his expression: "so as not to disturb the existing jurisdictions"

He further stated—

" the Bill abolishes the requirement of three months' notice of resignation from membership of a union. . creates an offence against persons inciting or threatening an employee who has failed to participate in a strike. extends the secret ballots legislation "

and makes provision for the number of employees required to request a secret ballot.

The Bill also—

" .makes it an offence for a person to engage or threaten to engage in conduct prejudicial to an employee in his employment by reason of his membership of a union.

contains the penalty provisions in relation to discriminatory action taken against employees."

The Bill contains a provision relating to the recovery of fines, fees, levies and dues, and increases most penalties by 150 per cent.

The Minister repeated his statement made on the first occasion that—

"A system of industrial conciliation and arbitration will only operate satisfactorily while the parties who operate within the system have a commitment to it."

Once again, I refer to the Premier's statements. They were irresponsible. The Minister has failed in his duties as Minister for Industrial Affairs by not publicly defending the Commission.

The Minister's second-reading speech continues—

"The Bill will make available an additional process to facilitate the deregistration of an industrial union when it has failed to comply with an order or direction of the commission."

That provision probably upsets the Opposition more than any other, if there is to be any differentiation, because all the provisions are extremely bad.

The speech continues—

". . . the Governor in Council may, at any time within a period of six months, by Order in Council order the registration of the industrial union to be suspended or cancelled "

The Minister then detailed his interpretation of that provision.

Later, he said—

"To facilitate prosecutions for contravention of orders or directions of the Commission in relation to strikes and lock-outs to compel compliance with an award "

That brings to mind the Government's interference in the recent dispute, when the Premier and Treasurer won out.

The Minister's speech pointed out that—

"There will be a presumption that failure of a person to obey an order of the Industrial Court or the commission is due to his wilful neglect unless he proves otherwise."

I will touch on that later in my speech.

The Minister concluded by saying—

"It will be conclusive evidence, in the absence of evidence to the contrary, that proof of publication of any speech or statement attributed to any person on behalf of an industrial union in a newspaper or broadcast by radio or television is evidence that the speech or statement was made by the person to whom it is attributed."

The Minister outlined some of the thoughts given to him by his advisers. Quite obviously, different advisers put together the first and second Bills. The latest Bill sets out on what is probably the greatest redirection of industrial relations in Queensland this century, and I will now deal with some of its provisions.

The definition of "Strike" covers much more territory than the earlier definition. It adds greatly to the previous definition. I imagine that it would be extremely difficult for a person to deny that he was taking part in a strike even if he were only walking along a footpath. It is obvious to me that the extension of a more than adequate definition is intended as part of the overall plan of the Government to smash the union movement in Queensland. I ask the Minister to explain why the extended definition has

been included. Although the Minister said in his opening remarks that it is necessary for legal processes, I do not believe that that is so. If the reason is the inadequacy of the Bill in legal terms, I cannot understand why when the Bill was first presented a couple of months ago, previous amendments were not good enough. The Minister is being dishonest with the people of Queensland.

The Bill also deals with the termination of union membership. A union member is now able to give notice of resignation by notification in writing indicating the date upon which resignation will become effective. The Bill provides that such notification can be left at the registered office of the industrial union or can be sent by post. Those provisions stack responsibility against the union.

Whether it was done intentionally or not, the Minister slipped past an explanation of the portion that deals with recovery of fines, fees, dues and levies. The collection of moneys owing is effective only through the offices of an industrial magistrate, and a 12-month limitation is provided for the recovery of any fines, levies, dues or fees. These clauses will create unnecessary financial hardship for unions, and I am sure the Government is well aware of that.

The Government is attempting to place union organisations in the role of debt-collectors, and that intention is also quite obvious. It is a pity that, in his introductory speech, the Minister did not outline exactly the intention of that provision in the Bill.

I leave aside an examination of the first part of that clause and turn my attention to the second part, which provides for retrospective collection of moneys owed. In the case of fees or dues that have been owed for over 12 months, the Bill seems to provide union members with a simple way out. It appears to make any move by the union for recovery of fees ineffectual unless application has been filed within 12 months of the date upon which the fee is due.

It is clear that, under Petersen's law, trade unions are not given the same consideration as business or other social organisations that operate in the community. In most other cases, limitation periods of up to six years operate, such as in actions for recovery of damages for personal injury, which have a three-year limitation period. Whereas a limitation period of six years previously applied under the Limitation of Actions Act, under Petersen's law, trade union organisations get 12 months only.

Trade union organisations are a legitimate and vital part of our community structure and, as such, are entitled to the same considerations as other sections of society. The impositions posed by the Bill are simply another hidden attack on basic trade union rights that are an accepted fact of life in other parts of the world.

An examination of the Bill will reveal the blatant intent on the part of the Government to deflect an onus of proof on to the worker to an unbelievable extent. Under Petersen's law, trade unions and workers are not given the option of natural justice, and that is quite obvious. British justice declares a person to be innocent until he is proven guilty, and I would have thought that many Government members who are royalists would agree with that statement. Under the provisions of the Bill, workers most certainly do not receive that kind of justice.

Another provision that was passed over by the Minister deals with the suspension or cancellation of registration of a trade union because of failure to comply with an order or direction of the commission. This provision of the Bill is a masterpiece, because, whereas other provisions deal with financial restrictions, this one simply states that the Government will take over industrial relations in this State. In other words, Petersen will decide. That is a frightening prospect.

The intent that forms the basis of the Bill is clear. The Bill is designed to grind the trade union movement into the ground and make it more difficult for unions to operate, both financially and physically, and to further erode the powers of the commission while strengthening the power of this one-man-band Government. I find it difficult to understand

how industry leaders can be happy about placing sensitive issues, such as industrial relations, in the hands of politicians.

Sitting suspended from 1 to 2.15 p.m.

Mr McLEAN: Before the luncheon recess, I was referring to the Opposition's criticism of the intent of the Bill. I repeat that the intent of the Bill is clear. It is designed to grind the trade union movement into the ground; it is designed to make it more difficult for unions to operate, both physically and financially; and it is designed to erode even further the powers of the Industrial Commission and to strengthen the powers of the one-man-band Government run by the Premier.

I find it very difficult to understand how industry leaders can be happy with the placing of the very sensitive area of industrial relations into the hands of politicians who, particularly in the light of this Government's record, are not renowned for their long-term consistency. A close examination of this Government's record of consistency would result in all of us virtually becoming giddy. Most of the Government's decisions are based on public feeling and how many votes it can gain. Industry deserves much better than that.

Under the Bill, the Minister, the Chief Industrial Inspector or an interested person can apply to the Full Bench of the Industrial Commission. If the Full Bench is satisfied that a union has failed to comply with a direction or order, it will make a declaration in writing. When a declaration is made, the Governor in Council has six months in which he can do what he wishes and, under this Government, the Governor in Council is virtually our famous Premier.

An Opposition Member: Infamous!

Mr McLEAN: Yes, our infamous Premier, Sir Joh Bjelke-Petersen.

He has the right to suspend the union for up to six months, wholly or partially; he may suspend establishments within the union for up to six months; he may also cancel the registration of a union wholly or partially, or the registration of establishments within the union.

The fun does not stop there. The intent goes far deeper. The suspension or cancellation of the union's registration is subject to further provisions relative to conditions of reregistration. The Governor in Council may, under the original Order in Council or a later Order in Council, specify a condition or conditions that must be complied with before a union may be reregistered. Once again, the Premier is in the box seat.

The conditions set for the re-employment of workers dismissed in the electricity dispute indicate fairly clearly what workers may expect from the Government under the provisions of this Bill. The precedent has been set, in that the Government has acted already. There is more than just a rough chance that similar action will take place in the future; it will certainly happen.

I refer now to conditions set for workers who apply for re-employment with the SEQEB. The contract of service and the conditions imposed by the Government for re-employment are very interesting. In one category, the men have to make a statutory declaration that will be reviewed by a tribunal or appeals committee. The statutory declaration will require answers to questions such as, "Were you forced to go out on strike? Who forced you?" It will also seek evidence of harassment, and by whom. Employees who re-apply will be asked were they on sick leave, compensation leave or holidays at the time of the strike. In particular, the men applying for re-employment are informed that the names of men who caused harassment, the names of pickets, and the names of workmates who urged them to remain on strike are to be provided. If they are able to provide such information, they will be re-employed, subject, of course, to the approval of the general manager.

Re-employment will be based on previous employment conditions, that is, no loss of pre-strike conditions, except that there will be no demarcation of work. The men may apply for a job on a normal SEQEB application form, subject to the signing of a no-strike clause, the acceptance of a 38-hour week, 10-day fortnight. That will mean a substantial drop in conditions that they have earned and negotiated over the years. That is a regressive condition if ever there was one.

The men also have to agree that there will be no bans or limitations and no demarcation disputes. Preference will not be given to union members; yet the Government says that this is not an attack on the trade union movement. It prefers to employ non-union labour.

The men will have to work rostered shift work, that is, two shifts a day, from 6 a.m. to 2 p.m. and from 2 p.m. to 10 p.m., to be worked in five of any seven days. They must be able to start or finish at any depot in the board's area. That is another substantial reduction in working conditions. The men must be prepared to live away from home. Industry payments are deleted. The men will be treated as new employees—for example, there will be no experience payments, no sick leave or annual leave and no superannuation.

Mr Kruger: The Minister would not cop that himself.

Mr McLEAN: On many occasions, we have heard the Minister roast workers for the lurks and perks that they enjoy. I would really like to look at his lurks and perks.

Mr Vaughan: He wears two hats. He wears one hat when he is on the coal-fields.

Mr Menzel: They all vote for him, though.

Mr McLEAN: They will not be voting for the Minister at the next election, because he is bailing out. He is like a rat leaving a sinking ship. It is rumoured that because he is not game to face the workers in that area, he is moving down to the electorate of the member for Callide (Mr Hartwig).

Mr LESTER: I rise to a point of order. I find those remarks offensive. I am not running in any seat other than the one that I am in. I ask the honourable member to withdraw those remarks.

Mr DEPUTY SPEAKER (Mr Booth): Order! The Minister finds those remarks offensive.

Mr McLEAN: I withdraw the remarks that the Minister finds offensive. However, I ask the Minister: Is his house in his electorate for sale?

The board is prepared to re-employ 50 men under the conditions that I have just mentioned. However, it stated that no jobs will be filled until power station operators sign a no-strike agreement. The board is prepared to re-employ 50 men under those repressive conditions only on the understanding that the power station operators sign a no-strike agreement.

The men may fill in an application for employment by the board and wait until it decides that it requires them. In addition, they have been informed that no alcohol is to be brought onto board premises at any time without permission of the board. All local conditions previously agreed to are to cease. No six-hour or eight-hour breaks will be provided following call-outs. An appeals committee will consist of two engineers from head office, and the function of the committee will be to appraise statutory declarations to determine who will be re-employed. Previous work records will not be taken into consideration.

A Mr P. Fitzpatrick, who was formerly a leading-hand linesman, went for an interview, which lasted 60 minutes. The board required evidence of harassment by the union or fellow unionists, and also family circumstances. That shows how sympathetic

the Government will be under this legislation. That is an example of how far the Government is prepared to go to put down the conditions of the workers in this State. The Government does not stop there. A Full Bench of the Industrial Conciliation and Arbitration Commission will have to decide whether the union is complying with the conditions set down by the Government. The whole merry-go-round will start again. Once again, the onus of proof will be placed on the union or the worker.

This is a Keystone Cops operation. Provision is being made for the rules to be changed in mid-stream by Orders in Council. I am sure that that provision in the Bill will be discussed far and wide, not only in Australia but also in other free countries. It is the most damaging piece of stupidity that I have ever seen. I would like to know the person or persons who thought up that provision. One would have to stay a fair distance from them, because they are a danger to society. It is unfortunate that this Government blindly accepts the advice of such people—which borders on lunacy—when it is far from necessary.

The Bill contains provisions for the Industrial Commission to direct the registrar or an industrial magistrate to conduct a secret ballot of union members. The Bill provides that 5 per cent of the membership, or 250 members, whichever is the lesser, may apply for a secret ballot. It is not a new provision and it will not work. Because it is not practicable, it has not worked in the past. However, the Government has seen fit to introduce the provision into this legislation.

The Bill also provides that fines of $2,000 may be imposed for offences against non-union members.

A real gem is the clause that deals with evidence, because it contains a major attack on civil liberties. The onus of proof falls back onto the union or the workers. The Government has played all of its cards, and the result is one of the worst infringements of personal liberties that I have seen in industrial affairs in this country.

The Bill provides that it shall be presumed that the failure of any person to comply with an order or direction that he or the class of person to which he belongs should remain or return to work will mean that he is engaged in a strike. Further, if it is sought to prove incitement or counselling by means of a speech or statement, it shall be sufficient to prove the substance of the speech or statement, and the tribunal may determine the proceedings in accordance with law, regardless of the fact that it is not satisfied or informed of the actual words used. This is an outright attack on the rights of workers, and time will prove that to be so.

Under this clause, proof of any speech or extract or statement or substance of any speech or statement attributed to any person on behalf of a union can be found in a newspaper, a magazine, a document or a writing that is or purports to be published by or on behalf of an industrial union, and in a broadcast on radio or television. The Bill goes on and on in this fashion.

The fines that can be imposed have been increased by up to 150 per cent. The Minister for Employment and Industrial Affairs (Mr Lester) passed that increase off by saying that, because of the serious nature of the offences, the fines had to be increased.

The Bill is the end result of the extreme right-wing, obsessive personal and public hatred of the Premier and Treasurer (Sir Joh Bjelke-Petersen) for organised labour in this State. He places his hatred well above consideration for human dignity and humanity.

The Bill contains sections that are at odds morally and legally, I believe, with accepted International Labour Organisation conventions and recommendations.

I take this opportunity to compare provisions in the Bill with ILO conventions. To do so, I will quote from the text of the substantive provisions of conventions 87, 98 and 141, and recommendation 149 relating to the freedom of association and the protection of the right to organise conventions.

Article 1 states—

"Each Member of the International Labour Organisation for which this Convention is in force undertakes to give effect to the following provisions."

Australia is a member of the organisation.

Article 3 states—

"1. Workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes.

2. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof."

This Bill is an infringement of that convention.

Article 4 states—

"Workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority."

This Bill does not comply with that convention, either.

Article 10 states—

"In this Convention the term 'organisation' means any organisation of workers or of employers for furthering and defending the interests of workers or employers."

Articles 1 and 2 in section 98, which deals with the right to organise and collective bargaining conventions, state—

"1. Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment.

2. Such protection shall apply more particularly in respect of acts calculated to—

(a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;—"

and the conditions of re-employment that the Government has imposed on the sacked SEQEB linesmen contravene that article—

"(b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours."

The contents of Bills that the Government has recently pushed through the House contravene that article, too. Article 2 furthers the argument. Because I do not have sufficient time, I will not go into that.

I wish to draw comparisons from report III (part 4B), which was the third item on the agenda of the 69th session of the International Labour Conference held in 1983. It deals with information, and reports on the application of conventions and recommendations on freedom of association and collective bargaining. I shall touch on trade union rights, civil liberties and states of emergency.

Paragraph 71 states—

"Examination of national situations shows that the performance of trade union activities is frequently curtailed or restricted because of the proclamation by the public authorities of a state of emergency. This is becoming more and more frequent and the exercise of trade union rights is seriously endangered thereby. Given the importance of civil liberties in ensuring the effective enjoyment of the guarantees contained in the freedom of association Conventions, the suspension of fundamental rights following the declaration of a state of emergency (state of siege, martial law, etc.) has a direct influence on the application of the Conventions."

I do not think that Queensland was in a state of siege a couple of weeks ago but, to all intents and purposes, it may as well have been under martial law. Obviously the

Queensland Government is both morally and legally in breach of the principles of the International Labour Organisation.

Protest action and the right to strike are dealt with in paragraph 200 of the report, which reads—

> "The committee considers that the right to strike is one of the essential means available to workers and their organizations for the promotion and protection of their economic and social interests. These interests not only have to do with obtaining better working conditions and pursuing collective demands of an occupational nature, but also with seeking solutions to economic and social policy questions and to labour problems of any kind which are of direct concern to the workers."

Paragraph 201 states—

> "In international law, the right to strike is explicitly recognised in Article 8 of the International Covenant on Economic, Social and Cultural Rights. At the regional level, the European Social Charter was the first international text to recognise explicitly the right to strike in the case of a conflict of interests, subject to any commitments under collective agreements in force."

Because many other members wish to speak in the debate, I will not go on with that, as much as I would like to.

Paragraph 204, which deals with the general prohibition of strikes, states—

> "A general prohibition of strikes and the suspension of the right to strike, such as occurs in certain countries, may arise from specific provisions in the law"

Some of the countries that fall in that category are Argentina, Bangladesh, Colombia, Liberia, Nicaragua, Pakistan, Syrian Arab Republic and Thailand.

Paragraph 204 continues—

> "The prohibition of strikes may also result, for all practical purposes, from the cumulative affect of the provisions relating to the established dispute settlement machinery, according to which labour disputes are channeled through compulsory conciliation and arbitration procedures leading to a final award or decision which is binding on the parties concerned; a similar situation may arise in cases where, in the absence of an agreement between the parties, disputes can be settled by compulsory arbitration or decision at the discretion of the public authorities."

Some of the countries that are included in that category are cited. I will leave it to the honourable members to work out where Australia is in those two comparisons.

The second list of countries includes Algeria, Colombia, Dominican Republic, Cyprus, Bolivia, Ecuador, Gabon, Ghana, Jamaica, Kenya, Malaysia, Mauritius, Singapore, Tanzania, Tunisia and Paraguay. I leave it to honourable members to work out where Australia stands. I will not deal with that any further, as other honourable members will refer to that matter. As well, I hope that the Federal Government will touch on that matter at a later date.

The Queensland Government has repeatedly claimed that smashing the unions will cure all the ills that exist in Queensland and that industry will come running into this State. In fact, the opposite will occur. I am sure that at present or in the future no sane-thinking businessman would risk the dangers that will follow this type of legislation and the other legislation that has recently passed through this Chamber. An explosive climate exists within the industrial arena. The uncertainty and instability will mean that many tens of thousands of Queenslanders who could have been employed in businesses commencing their operations in this State will not be employed.

Over the last few weeks, the trade union movement has acted in a most responsible manner. Without the responsible attitude adopted by the unions, particularly under extreme provocation from the Premier and Treasurer and other persons in Government circles, Queensland would now be in industrial turmoil. The unions are being pushed

further and further to the wall. This legislation is designed to do that, possibly for political reasons. In the future, honourable members will find out the aim of this legislation. It is obvious to me and many other sane-thinking persons in industrial relations that a breaking-point is not far away. The Queensland Government will encounter problems that it has not experienced for many years, and because of the Queensland Government's attitude, the blame for those problems will rest on its shoulders. I predict that, when that happens, no legislation will be sufficient to put Queensland back into a stable industrial position for a long, long time. That is not an idle comment. I am worried because I know that thousands of people will be affected. Workers will suffer not as a result of the repressive powers contained in the Bill but as a result of the general fears of employers and industry representatives.

The Bill should not be before the House today. As I said earlier, the Government stands condemned for its role in industrial relations in the State. The Bill breaches every moral principle. It places the Queensland Government in the position of being a law unto itself. It puts Queensland into the same category as the countries that I have just mentioned. The Premier and Treasurer may think that he will smash the trade union movement. I can assure him and his advisers that he will not. I repeat that for many years the Premier and Treasurer will be remembered as the person who introduced violence and hatred into the Australian way of life. The Minister for Employment and Industrial Affairs will be remembered as the yes-man who supported this move and the direction that industrial relations in this State have taken.

The Opposition opposes the Bill in the strongest possible way.

Mr CAHILL (Aspley) (2.39 p.m.): The honourable member for Bulimba, who has just resumed his seat, asked whether the legislation was necessary. The answer is, "Yes, the legislation is indeed necessary." He said that this State was unworkable. He is right; but the State will be workable if this legislation comes into force. Having listened very carefully to the honourable member for Bulimba, I ask honourable members to examine the reasons why this legislation is necessary.

I will speak about something that honourable members opposite might understand.

> "The working-class and the employing-class have nothing in common. There can be no peace as long as hunger and want are found among millions of working people, and the few who make up the employing-class have all the good things of life."

I am sure that the students of socialism on the other side of the House—and they are few—will recognise that as the preamble to the Constitution of the Industrial Workers of the World which was adopted in Chicago on 27 June 1905. Some of it made little sense then; much of it makes little sense now. It is nonsense. It causes trouble.

Certainly some people in this State are worse off than others because they cannot find a job. Over the past several years unemployment has risen steadily. The rise started in 1974 during the reign of the Whitlam Government. In some areas, the jobless rate is equal to and even surpasses the rate in the bad years of the Great Depression. However, I repeat that it started during the years of the Whitlam Government. Socialism is not and has never been the answer to the unemployment problem. It is time that honourable members opposite were told about socialism. In spite of their protestations, very few members of the ALP really know what socialism is.

In many respects, the history of socialism is an inspiration, a red herring, a shibboleth, within the ALP. In common with all non-communist working-class parties, it is one of unending but constantly changing ambiguity. Honourable members opposite should think about that. Perhaps a few of them will understand what I am talking about. Whether or not the Labor Party is now or ever was a socialist party, or whether it has become more or less so during recent decades, turns principally on one's definition of that slippery word. However, honourable members opposite have not reached agreement on its definition within or outside their party. If socialism is taken to involve the public

ownership of at least the larger industries, such as the electricity industry, it can be said that Labor Governments have not seemed likely to establish a socialist system within their expected terms of office; nor have they shown much interest in trying to do so. This is almost the only unequivocal proposition to be made on the subject.

Now the Australian experience—referring specifically to Queensland—has produced some local variations. The curious role of the trade union officials is that they are the so-called guardians of the socialist conscience, and the corresponding absence of highly educated protagonists of socialism—and I am not receiving one interjection—to say nothing of the lack of careful thinking amongst the opponents of socialism and of the ALP—and there are many opponents of socialism in the ALP—has meant that the term is being used in a particularly slipshod manner in this nation and particularly in this State. It is used, not as a description of a state of society, but as a means of expressing intransigent emotions, which is common everywhere, and to a great degree is predominant in this State. Partly because of this, socialism has not had universal popularity in the ALP. Most honourable members opposite will not, as a matter of fact, describe themselves as socialists. It would be regarded as being provocative and in very poor taste in certain constituencies to declare that they are socialists. But, of course, it is also in poor taste to declare that they are not socialists.

Mr DAVIS: I rise to a point of order. The member for Aspley is not speaking to the principles of the Bill. He is speaking about political philosophy and, as one who has been a member of four political parties, he should know.

Mr DEPUTY SPEAKER (Mr Booth): Order! I call the honourable member for Aspley.

Mr Stephan: I don't think they understand.

Mr CAHILL: Perhaps we will take Opposition members out after dinner tonight and explain it to them.

The ALP's formal objectives and platform have included socialism only since about 1957, despite the Blackburn declaration. It is necessary to distinguish clearly the popularity of the word "socialism" that the ALP wants to intrude into this State. That is why the Government is against what the Labor Party is trying to bring to us. It would be very misleading to assume that when members of the Australian Labor Party have been most given to describing themselves and their party as socialists, it has been that the party favoured most strongly the replacement of private ownership by public ownership of industry—and that is why members opposite are out of Government.

Mr Davis: Mr Cahill——

Mr CAHILL: The member for Brisbane Central is about to have an idea. I clearly remember that he nearly had one three years ago, so I will listen to what he has to say.

Mr Davis: Are you speaking for when the Labor Party is in office?

Mr CAHILL: I beg your pardon, Mr Deputy Speaker. I intended to accept what I thought would be an intelligent observation from the member for Brisbane Central. I apologise for interrupting the debate.

It has been an inverse relationship between the popularity of the term "socialism' and the radicalism of its meaning. Socialism is a popular term during the periods when it seems to involve only a general reforming and egalitarian spirit. When, on the other hand, its meaning is accepted as involving the extensive public ownership of industry, the term falls into disuse. Suddenly, it is the right of the worker.

It is a fascinating and useful study to observe the fluctuations in the popularity of the term "public ownership" with the Australian Labor Party. It is very sparingly used by publicists, because it is not popular when a party wishes to win Government. It is

only when the Australian Labor Party is in Opposition that public ownership becomes an extraordinarily good idea.

So much for the history, in very brief terms, of socialism in this country. If members opposite wish to read something said by their great leader from Gympie, the late Right Honourable Andrew Fisher, let them read what he said in the Federal Parliament in 1910: "You can't do it." They are not his exact words, but that is the sense of what he said: "You have to be in Government to do it. If you put it forward while you are out of Government, you will never be there." Let me make a few other points.

Mr R. J. Gibbs interjected.

Mr CAHILL: I always take an interjection from the honourable member for Wolston.

Mr R. J. Gibbs: Of course you would.

Mr CAHILL: Of course I would.

Mr R. J. Gibbs: Because you are a mug.

Mr DEPUTY SPEAKER: Order! That is not a parliamentary term.

Mr CAHILL: I do not ask for a withdrawal. That is one of the more erudite statements which the member for Wolston would think of making.

It is an essential economic truth that credit, whether of the person, the businessman or the State, rests upon confidence. One of the reasons why I and the Government—I support the Minister thoroughly in this—oppose what the Opposition would like us to do is that in recent times we have seen some people at their worst. We have seen some proclaimed goals by the union leaders, have we not? I speak of Madden, Hauenschild, Thompson, Dempsey and company. However, it is not his proclaimed goals that distinguishes the socialist from other men, although some of his aims—and I include in this the member for Wolston—are hallucinations.

Mr R. J. Gibbs: Is it not true that this is a square-off for setting up Bill Gunn last week—a parliamentary performance of "My Fair Lady"?

Mr CAHILL: It will be remembered that Professor Henry Higgins controlled the people with whom he dealt.

In recent times, a few instances of nonsense have been seen on the part of the unions, although not on the part of the union members. The nonsense has been on the part of union leaders. One would have thought that people such as Madden, Dempsey and Thompson—Thompson with the accent—and Hauenschild are the only people who want to have a part of the world. We all want a part of the world—a healthier, happier world, a world with happier people. That is one of the reasons why the Government intends to bring down legislation that will make sure that all of the people of Queensland live in a happier world.

A peculiar thing about the socialist is the means—and I emphasise the word "means"—that he advocates for obtaining his stated goals. What are the operational imperatives of the socialist order? No doubt, some of the educated people on the Opposition side will have to explain those terms to other Opposition members. The definition of "socialism" is Government ownership of productive property, Government ownership and operation of factories, stores, banks, railways, butcher shops and pubs—just about everything, except, perhaps, the local hot-pie stall, and some socialists would take that over if they could.

In a mature socialist society, the State is virtually the only employer. However, the Government wants to make everybody able to be an employer in Queensland. People are asked to believe that no problem arises when the State is the only employer. In Russia, there are no problems, and that is certain. I have not heard about a strike in

Russia recently, because it is a mature socialist society and the State is the only employer. Workers had better not strike! It is not because they are paid well; it is not because their conditions are very good. It is simply that the workers had better not strike; otherwise it will be a long, cold winter.

In a mature socialist society, the livelihood of every person depends upon the State. In a society such as that in Queensland, such a circumstance at once reduces an independent citizenry to servility. That is what some of the people at Trades Hall want. It is a trusim that whoever controls a person's livelihood acquires enormous leverage over every other facet of a person's life.

Ms Warner interjected.

Mr CAHILL: The only thing that saves the honourable member for Kurilpa from being completely colourless is her varicose veins.

When dealing with people who want to run this State, two choices are available. The State can be run the Trades Hall way, or the people can starve. Socialism is a command economy, and that is what the Bill is all about. It is designed to stop a command economy.

In a command economy, society is ranked according to the ideas of socialism, along the lines of an army. Its regimentation and its control are dictated from the top downwards. It can be likened to a steel fist within a velvet glove, and the steel fist is what the socialists would like to conceal.

Let us examine what Shaw—one of the darlings of Fabian socialism—had to say.

Mr DEPUTY SPEAKER (Mr Booth): Order! The honourable member for Wolston wishes to take a point of order.

Mr R. J. GIBBS: I rise to a point of order. Could the honourable member for Aspley inform the House whether the colour of his tie is green because of the stains from creme de menthe?

Mr DEPUTY SPEAKER: That is a very foolish comment by the honourable member for Wolston.

Mr R. J. Gibbs: I saw him drinking creme de menthe at the bar during the luncheon adjournment.

Mr DEPUTY SPEAKER: Order! I remind the honourable member for Wolston that I am on my feet, and that the Chair has paid the honourable member the respect of allowing him to make an interjection or take a point of order. I suggest to the honourable member that he show the same respect for other people. I suggest to the honourable member for Aspley that he address his remarks to the Bill.

Mr Vaughan: He has not done so yet. He has not touched on the provisions of the Bill.

Mr CAHILL: Yes, I have touched on the Bill, because it affects every aspect of Queensland society.

Ms Warner: Why do you not say it? You want to smash trade unionism; that is what you want to do. Come out and say it. Why do you not say so?

Mr CAHILL: The member for Kurilpa has asked me to say that I want to be part of an attempt to smash trade unionism. Nothing could be farther from the truth. I will explain why. Before the member for Kurilpa was born, I was supporting the right of a unionist or a member of a professional association to withdraw his or her labour if he

or she felt that the conditions were wrong. My father was a member of the Australian Federated Union of Locomotive Enginemen——

Opposition Members interjected.

An Opposition Member: Dirty traitor.

Mr CAHILL: Don't you dare!

Mr DEPUTY SPEAKER: Order! I remind the honourable member for Bulimba that multiple interjections will not be allowed.

Mr McLean interjected.

Mr DEPUTY SPEAKER: Order! I remind the honourable member for Bulimba that when I call "Order!", he will take notice.

Mr Prest interjected.

Mr CAHILL: When I was at a meeting in Gladstone on one occasion, the honourable member for Port Curtis was speaking. One person was heard to clap, but he was slapping his head to stay awake.

I will never accept any allegation that I am part of a plot to smash unionism. In this Bill, the Government is trying—and it will succeed—to get unionism back to where it belongs, that is, to the rank-and-file members, rather than leave it in the hands of ideologues and the people who earn lots of money—more than some back-benchers—simply by controlling the people. What is more, I will never accept that this Government does not support the rights of the workers in Queensland. The Bill backs up their rights. The Government is trying—and some Opposition members do not like what it is doing—to take control out of the hands of the people sitting at the top of Edward Street and put control into the hands of the workers. That is why I support the Bill absolutely.

Mr WARBURTON (Sandgate—Leader of the Opposition) (2.59 p.m.): The National Party Government has pretended in this Chamber to support the Industrial Court and the Industrial Commission. Its performance could not be put in a clearer light than it was by Mr Justice Matthews when he castigated the Premier recently for the way in which he spoke about the activities of the Industrial Commission. As the honourable member for Bulimba (Mr McLean), the Opposition spokesman, said, what was outstanding in the whole performance was the docile way in which the Minister for Employment and Industrial Affairs sat back when the Premier was levelling criticism and failed to support the people whom he supposedly represents. Gradually, but surely, we have witnessed the purposeful diminution by the Government of the responsibilities and jurisdiction of the Industrial Commission.

I shall take a quick look at the history of industrial legislation in Queensland. Prior to 1911, conservative Governments prohibited State Government employees from forming industrial unions. They insisted on determining, by legislation and administrative action, the salaries and wages and the working conditions of State Government employees. The records of this Chamber should be set straight once and for all. It was left to a Labor Government to cast aside the sorts of draconian and anti-union measures that were adopted by previous Liberal and conservative Governments. It is strange that history has a habit of repeating itself.

Today, I came across a booklet entitled "Inside Queensland Hardware". It is published by the Hardware Retailers Association of Queensland, Union of Employers. It deals with trading hours and with the way in which the Government is treating the Industrial Commission. The front page of the booklet, which is Volume 4 of March 1985, states—

> " 'How many times have we had the promise that trading hours would be left as the responsibility of the State Industrial and Arbitration Committee, outside the arena of politics', is a question now being asked.

> Most retailer based Associations and employer groups argued strongly over recent months that the subject of trading hours should be left to the arbitration of the Commission.
>
> It is believed that Mr Vince Lester Minister for Industry and Labour Relations, will be introducing the trial period effective April 1 this year.
>
> 'A pretty apt dateline', one angry hardware retailer told Inside Queensland Hardware, 'But I'm not sure just who is the April fool!', he added."

I think that that epitomises what is occurring. The Opposition has said repeatedly in this Chamber that it does not believe that the Minister is responsible enough for the carriage of this sort of legislation. He has been conspicuous by his absence and silence throughout the whole electricity dispute.

Mr LESTER: I rise to a point of order. I find those remarks offensive. I have in no way been silent throughout the dispute.

Mr WARBURTON: As a matter of fact, I would go so far as to say that his clone-like activities have been despicable, to say the least.

Mr DEPUTY SPEAKER (Mr Booth): Order! The Minister has said that the remarks of the Leader of the Opposition are offensive, and he has asked for a withdrawal. He has based that request on the fact that he claims he has not been inconspicuous in this dispute.

Mr WARBURTON: I will withdraw that comment so that I can continue with my speech. Industry and the people of Queensland regard the Minister as being one of the faceless Ministers under the total influence of the Premier and Treasurer.

Mr LESTER: I rise to a point of order. I find those remarks offensive because everywhere I have been in business I have received total support for what the Government is doing.

Mr DEPUTY SPEAKER: Order! I ask the Leader of the Opposition to continue.

Mr WARBURTON: Industry and the people see the Minister as an abysmal failure.

On numerous occasions the Premier and Treasurer has threatened to introduce Australia's toughest strike laws. On previous occasions he has made it clear also that it would be Queensland legislation that would deal the death-blow to organised labour. That sort of eighteenth century philosophy needs to be understood and addressed by all those people who hold dearly to our democratic processes.

Obviously the Minister for Employment and Industrial Affairs and the Government have yet to learn the lesson that punitive legislation is not, and never will be, the answer to industrial problems.

Despite the promises and threats from the National Party Government to use the Essential Services Act, that Act has been tucked away unused and totally ineffective. On numerous occasions the Government has introduced harsh legislation simply as a political stunt. The Government believes that, irrespective of the fact that it will not follow up harsh legislation, it will suffice to introduce it. The philosophy is that, by doing so, it will show the people that it is a strong Government.

The Government's failure to use the provisions of the Essential Services Act, despite its threats and breast-beating, shows the futility of that legislative exercise. On 11 September 1978—which was more than 12 months before the Essential Services Act 1979 became operative—the Premier and Treasurer (Sir Joh Bjelke-Petersen) wrote to Queensland trade unions regarding his plans for major changes to Queensland industrial laws. It is relevant that, at that time, that was in keeping with the Premier's 1977 State election promises.

One of the Premier's proposals at that time was to implement right-to-work legislation patterned on legislation adopted in the United States of America. That was stated publicly by Mr Charles Porter, who was chairman of the Government's political industrial committee.

Needless to say, right-to-work laws are regarded widely as highly immoral, and they have been condemned by persons prominent in the labour relations field and by numerous church organisations throughout the world. The term "right-to-work" was conceived to deceive people deliberately. It has nothing to do with the right to a job and, on that matter, the present Minister for Employment and Industrial Affairs and the Government have failed the people of Queensland dismally.

Unemployment is running at over 11.3 per cent in Queensland; yet the Government is intent on introducing this type of draconian legislation, which is designed simply to take the heat off the Government. The sickening consequences of the unemployment situation have flowed largely from Government inaction and the Government's inability to cope with other than periods of natural growth. The Government rolls along nicely during the good times but it is incapable of adjusting to the worsening economic circumstances in which Queensland finds itself today.

The Government is not applying itself to the task that matters—getting young people and workers into employment and getting the economy moving. Instead, the Deputy Premier and Minister Assisting the Treasurer (Mr Gunn) and the Minister for Industry, Small Business and Technology (Mr Ahern) are at each other's throats by saying different things at different times about the manufacturing industry. The Premier and Treasurer and the Deputy Premier cannot answer reasonable questions in this place about the economy. That is a good example of the application by Government members to the real concerns of Queenslanders.

In 1983, the Government carried out a major review of the Industrial Conciliation and Arbitration Act. Not much has been said about that. However, I am sure that, if the honourable member for Nundah (Sir William Knox) has the opportunity to speak in this debate, he will be able to advise the House what happened, because he was the Minister responsible for the carriage of that legislation. Since the 1961 amending legislation, only minor amendments had been made to the Act. It was not until 1983, when the honourable member for Nundah was the Minister for Employment and Labour Relations, that major amendments to the Act were introduced. In other words, the legislation had withstood the test of time and, as the Minister himself said, had been acknowledged Australia-wide as the best industrial relations legislation in this country.

I will analyse some of the comments made by the National Party Minister for Works and Housing (Mr Wharton) on 17 March 1983, when because the then Minister for Employment and Labour Relations (Sir William Knox) was absent, he delivered the second-reading speech on the Industrial Conciliation and Arbitration Act and Another Act Amendment Bill. He said—

> "The Queensland system, having its framework in the industrial Act, is the envy of many people outside the State. It is a system which allows industrial problems and claims to be brought quickly to attention and be quickly resolved. The commission is governed in its procedures by equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms or the practices of other courts.
>
> When the Minister for Employment and Labour Relations called upon interested organisations and parties to make submissions to him, it was significant that none of the major parties suggested that any substantial change should be made to the fundamental structure of conciliation and arbitration laid down by the 1961 Act.
>
> I reiterate my opening remarks that no change in the fundamental structure of the industrial tribunals is proposed. The reason for this is simple and sound. No

organisation wanted to change the institutions which administer the industrial laws in this State.

The Bill before the House proposes amendments to the industrial legislation which will help streamline procedures in industrial relations in this State and meet the demands of the 1980s."

At that time, only a couple of years ago, the Government introduced major amendments to the Industrial Conciliation and Arbitration Act, the first major amendments to that legislation in over 20 years. However, what do honourable members see today? For some strange reason, the Government has introduced legislation today that cuts across the very things that it was prepared to say two years ago in the comments that I have just quoted.

Once again the House has before it legislation that provides a mechanism to bypass the Industrial Commission. That is the point that worries me most of all, and I hope that it will bring down the wrath of the people of Queensland upon this Government. For far too long the Government has been loud on words and very, very short on actions.

New provisions dealing with the suspension or cancellation of the registration of a union illustrate just how far the Government is prepared to go in its bid to assume total control. The Bill contains machinery provisions to aid and facilitate the procedure by which union registrations will be suspended or cancelled and new provisions that would seem to have the effect of making redundant existing law, which gives the Industrial Commission the power to cancel or suspend the registration of an industrial union.

Under existing law, the Industrial Commission has a discretion as to whether, in certain circumstances, it will cancel or suspend a union's registration. That discretion exists even in cases in which there is a clear-cut failure to comply with an order, and the discretionary powers presently held by the commission are very important in ensuring that all matters are able to be taken into proper consideration in the interests of both employers and employees. That is what happens under existing legislation.

Under the proposed new arrangements, the Industrial Commission will have no discretion as to whether a declaration is made. The Government's intention is that a declaration must be made. From that time on the matter passes out of the framework of the Industrial Commission and the Industrial Court and goes into the political arena, where it becomes entirely a matter for State Cabinet—the faceless men—and the Governor in Council. That means that the National Party Government, under its proposed industrial laws, has further diminished the jurisdiction of the Industrial Court and the Industrial Commission.

Following the making of a declaration that is to become an obligation of the Industrial Commission because of the loss of those discretionary powers, the Governor in Council may at any time within the six-month period following the making of the declaration suspend the registration of a union for a period not exceeding six months or cancel the registration of a union either wholly or in part.

By the simple process of an Order in Council, over which this Parliament has little or no control, the National Party Cabinet can impose on unions seeking re-registration in the State of Queensland any conditions it sees fit.

The implications arising out of State laws of that kind are, to say the least, frightening. They must be rejected completely, and I hope that they will be rejected by the people of this State. A Cabinet of faceless clone-like Ministers led by an ageing Premier, all of whom deeply detest even the very thought of organised labour and, worst of all, show an abysmal lack of knowledge about the importance of good industrial relations, is now slowly but surely trying to assume total powers in respect of industrial matters in this State. That is frightening. It should not happen. It does not and would not happen in any other democratic society or Government in the world.

Opposition members are greatly concerned that an existing provision in the Act relating to evidence contains special provisions that facilitate proof of, inter alia, the appointment of an industrial inspector, the signature of an industrial inspector, the signature of the Chief Industrial Inspector, documents such as permits, orders made by the Chief Industrial Inspector, or an industrial inspector; and proof of the limits of any district.

In effect, the existing provisions deal with proof of matters that are essentially formal. However, the new evidence provisions put forward by the National Party Government in Queensland are far from formal. The Minister for Employment and Industrial Affairs (Mr Lester) probably does not understand the exact position. The rules of evidence have been formulated by the ordinary courts of the land over a period of hundreds of years.

In Queensland, the Evidence Act contains a number of provisions that facilitate the proof of certain matters in court. To that extent, there is in Queensland legislation that has modified the strict rules of evidence in order to make it easier for litigants to prove their cases in court. What is proposed by the National Party Government today will enable wide use to be made of reports in the printed and electronic media in the provision of evidence in industrial cases.

On my reading of the new evidence provision, a newspaper report, which gives a summary purporting to be an account of a speech or statement by, for example, a union officer, will be admissible as evidence that, among other things, the matter published truly expresses the substance of the speech or statement made by the person to whom the speech or statement is attributed. It seems that the newspaper report will be admissible as evidence, and, in the absence of evidence to the contrary, will in fact be conclusive evidence.

Although it may be fair to say that most, if not all journalists and commentators are in the main highly skilled and provide accurate reports, honourable members know that is not always the case. In addition, there is always a risk that media reports will be mistaken or inaccurate.

I repeat that the thrust of the National Party's objective under the proposed new evidence provisions is to uphold the accuracy of media reports and legitimise their use as evidence until such time as the person who is the subject of the report provides evidence to the contrary. That is a reversal of form and should not be allowed to be included in the statute-book of this State.

These new provisions go far beyond any of the provisions of the Evidence Act or the common law. It is dangerous legislation and it should be stamped out. It should never have come before this Parliament in the fashion that it has.

In summary—in recent times the three pieces of industrial legislation that have been railroaded through the Parliament are the Industrial (Commercial Practices) Bill, which was referred to by my colleague the honourable member for Bulimba (Mr McLean); the Electricity (Continuity of Supply) Bill, which was introduced a fortnight ago in a pitiful performance by the Government to entrench essential services legislation firmly in the ordinary legislative process; and, of course, these proposed amendments to the Industrial Conciliation and Arbitration Act.

I cannot express too strongly the objection and the resentment of members of the Labor Party to the deliberate gagging of debate in this Parliament on such important legislation. Opposition members do not know whether it is because the Minister is unable to apply himself to the task or whether the Government is anxious to get out of the place so that the Premier and Treasurer can flit off again and spend another week in Japan. However, there is no urgency or need for debate on important legislation of this kind to be gagged. There is no reason why the usual process could not have been adopted so that members of the Labor Party as well as National Party back-benchers could truly represent the views of their constituents.

The stage has been reached at which the National Party Government is treating the Queensland Parliament as something to be toyed with. Parliament is regarded by the National Party Government as a nuisance rather than a place in which members are able to express the views of their constituents and other Queenslanders whom they purport to represent.

Thousands upon thousands of workers have a vital interest in the current proceedings. I believe that the Government will be the loser as a result of this consistent, ruthless use of political power.

Hon. Sir WILLIAM KNOX (Nundah) (3.22 p.m.): The only matter on which I can agree with the Leader of the Opposition is that there was no need to gag this debate. It is a usual piece of legislation, it is not urgent, and it could have run its normal course.

The history of the trade union movement in this country has produced some excellent results, both in legislation and in the administration of industrial laws. However, in recent years, concern has been expressed about the power that trade union movements and a few individuals seem to wield as a result of the privileged position in which they, as trade union leaders, have found themselves, with the effluxion of time and with the support of legislation that was fought for in years gone by. It is interesting that the trade union movement in this country set about having a political arm—the Australian Labor Party—and being represented in all Parliaments of Australia.

Is it not fascinating that the Australian Labor Party is trying to prevent trade unions from affiliating with it? The Federal executive of the ALP has run over the top of the Victorian branch of the ALP by ordering the reaffiliation of four very big unions in this country with the ALP in that State. Obviously it was not the general wish of the ALP in Victoria, but it was supported by the National executive of the ALP. Apparently those four very powerful right-wing unions will be allowed to reaffiliate with the Victorian branch of the ALP.

Mr Davis: We don't need your concern. Forget about it.

Sir WILLIAM KNOX: I think that ALP members do. Those unions represent tens of thousands of workers who would like to be represented through a political party of their choice but are denied that choice because of the hierarchy of the ALP in Victoria.

Mr Davis: Don't let it worry you.

Sir WILLIAM KNOX: I am sure that it worries the honourable member for Brisbane Central. Does he support those unions reaffiliating with the ALP in Victoria? He does not. That is also the view of the honourable member for Wolston (Mr R. J. Gibbs).

Mr R. J. Gibbs: It is. My word it is.

Sir WILLIAM KNOX: I know it is his view that those unions should not be reaffiliated with the ALP in Victoria. Surprisingly enough, they are affiliated with the ALP in this State. The political leadership of the trade union movement determines whether or not a union is allowed to be affiliated with the ALP. Members opposite shed crocodile tears about this legislation, claiming that it grinds the workers into the ground and destroys the trade union movement; yet they cannot speak for all of the trade unions of this nation because, until quite recently, a number of them were not affiliated with the ALP.

Mr R. J. Gibbs: How many do you speak for?

Sir WILLIAM KNOX: I speak for people. I speak for people in my electorate, whether they are members of a trade union or not. They are entitled to freedom of choice about whether they join a trade union. They are also entitled to the freedom of voting for the political party of their choice.

Mr Davis: How many industrial unions are affiliated with the Liberal Party?

Sir WILLIAM KNOX: None.

Mr Davis: I rest my case.

Sir WILLIAM KNOX: The member for Brisbane Central rests his case, but members opposite reserve the right and the discretion to decide which unions shall affiliate with them. If they happen to be right-wing unions, they are not welcome in the ALP. If they are left-wing unions, they are welcome in the ALP. What a split personality the ALP in Victoria must have.

Mr Eaton: Do you want to see Solidarity in Queensland?

Sir WILLIAM KNOX; I am quite sure that Mr Hodder would be pleased to see it. He seconded the motion to have those unions reaffiliated with the ALP. Who is Mr Hodder? He is somebody members of the Opposition know quite well. He is one of their political bosses. He is the type of person they have to answer to if they step over the line. He is a vice-president of the ALP in this State—a very powerful and influential man in their party. They should not say anything rude about him in this place, because it will appear on the record and he will have their future on the line. He seconded the motion to have those unions reaffiliated with the ALP in Victoria. I have no doubt that he was supported by the Leader of the Opposition (Mr Warburton), but he was not supported by the member for Wolston (Mr R. J. Gibbs).

Mr Eaton: You are trying to make Queensland like Poland, without any unionism at all.

Sir WILLIAM KNOX: Not at all; far from it. There is nothing in the Bill that destroys the trade union movement. There is much in the Bill that gives strength to the industrial tribunals by giving them power to deal with those people who attempt to disturb the equilibrium in industrial relations. Members of the Opposition do not believe in looking after them. They would much rather have disturbing influences. I am quite sure that, as evidenced by their past actions, members of the Opposition would support them.

Mr Eaton: You want to destroy the lot.

Sir WILLIAM KNOX: No, we do not.

What a lot of rubbish it is to call in the Federal Government to trample over legislation of this Parliament because it is alleged to have contravened an ILO convention. Most ILO conventions have never ratified, even by Labor States. Members of the Opposition talk about the Government contravening ILO conventions and therefore breaking some international treaty and suggest that the Federal Government should march in and trample the legislation of the Queensland Parliament. In several States the ILO conventions have rested on the table, never to be ratified. It would show up many Labor Governments in this country if attempts were made to ascertain which ILO conventions were supported by the States. New South Wales still has not ratified one of the conventions that allow young people to work as apprentices in the mines. That Government does not want them to work in the mines. It is a farce for the ALP in this State to make a suggestion to "call in the Feds" because of an alleged breach of ILO conventions. They, of course, are not in the same category as the treaties associated with the dam issue in Tasmania. The provisions of the Bill will give strength and peace to Queensland industrial tribunals.

I turn now to the relationship of the ALP with the unions. A few months ago, Commonwealth public servants went on strike and refused to deal with certain areas of work. Because Commonwealth public servants adhere to the principles of the prices and incomes accord, they have been prevented from making applications for increased wages and better working conditions. Such a matter should have been treated as an anomaly

and should have been given a guernsey, so to speak, in proceedings before an industrial tribunal. However, Commonwealth public servants were refused that right, so they struck.

What did the Federal Government do, that champion of the unions and champion of the working man? The Federal Government applied to the Industrial Court to have Federal public servants stood down. The Federal Labor Government could not even find officials in the public service who would give the necessary instructions to have the workers stood down. Because senior public servants refused to give stand-down instructions, the Federal Government had to fly people in from Victoria and New South Wales to Townsville to stand down union members who had gone on strike. That is the way in which an Australian Labor Party Government treats the workers and members of the trade union movement.

What did a Labor Government do to the doctors in New South Wales? I point out to honourable members that, although it may not be a union that is affiliated with the ALP, doctors belong to a union, too, and it happens to be a union that is registered with industrial tribunals. When the Labor Government in New South Wales had trouble with the doctors, the Government passed legislation in the lower House that prevented doctors from leaving their places of work. Its provisions did not apply only to doctors who went on strike. In the case of doctors who had resigned, legislation that forbade resignation was introduced. It would be difficult to imagine more iniquitous legislation being enacted by a Labor Government than legislation that forced people to work in contravention of an International Labour Organisation convention.

Labor Governments do not mind the provisions of legislation that is passed, because the New South Wales Labor Government introduced legislation of the type I have described. I wonder what would have happened if legislation such as that had been brought forward which forced iron-workers or coal-miners to work and forbade resignation?

Mr Miller: The New South Wales Government also adopted the practice of bringing in doctors from overseas.

Sir WILLIAM KNOX: Yes, and broke down immigration laws to do so, in addition to standards that have been maintained in this country. The New South Wales Labor Government has taken that type of action; but if it had done a similar thing to an industrial union and had imported coal-miners from Scotland and Wales who lessened the conditions that applied in New South Wales, I wonder what kind of a fuss that would have created. The Australian Labor party has portrayed itself in a very false light indeed.

Today, the trade union movement has moved away to a considerable degree from being an organisation concerned about reform and employment conditions of its members to a position of standing over members. Today, union bosses, because of the manner in which they conduct union affairs, are more feared than the bosses of the private employers.

In this House, evidence has been produced of the way in which the Queensland Teachers Union has been directing teachers in Queensland. The union directs that teachers are compelled to work and are compelled to be members of the union. Teachers are being told that if they do not join the union, they will be given a punitive transfer. The attitude of the Queensland Teachers Union can be assessed by the way in which it treats its members—harassment and coercion by union bossess and organisers.

Over recent years, many instances of that kind of trade union activity have been brought to the attention of honourable members. As an example, one has only to refer to the Mackie organisation that operated in Mount Isa. Mackie was the champion of democracy and the man who would look after the interests of the workers in Mount Isa. The trade union movement came out in support of Mackie, a man who was nothing but a thug, a crook and a con man. The whole trade union movement supported Mackie in the interests of alleged workers' rights. Mackie was nothing more than a person who was planted among union members to collect whatever he could, and then go.

The trade union movement that people are so worried about is no longer concerned with the rights of the worker, and an example of the change in attitude is the way in which unemployed people are being treated. The trade union movement today is not concerned one iota about the unemployed people in the community. It has adopted policies that prevent people from getting employment. In Woollongong, Port Kembla and Newcastle, the trade union movement has put a closed shop around the steel industry to prevent people getting jobs. Similar conditions apply in the motor vehicle industry. An agreement was entered into under which no additional people were to be employed in those industries, allegedly to protect the jobs of those already in them. The trade unionists who are working could not care a damn about those who do not have a job.

At one time, the trade union movement was concerned about unemployment. It was concerned about the sons and daughters of members and their opportunities to get work. Today, a variety of reasons are put in the way of creating job opportunities. The penalty rates in the hospitality industry are preventing thousands of people from being employed on high wages. Antiquated attitudes to penalty rates are being applied when many people want to work.

It is fortunate that some unions have seen the light. Those in the liquor trades have learnt how to handle the situation by using casual labour, ensuring that all employees become members of unions and ensuring that they get good wages. They do not worry about penalty rates. Thanks to the sensible approach to the problem and agreement with the employers, many more people have been employed in hotels. That has not happened generally in the hospitality industry. Penalty rates that do not relate to the conditions of work are used to stop people from getting work.

Mr Davis: You are starting to rave.

Sir WILLIAM KNOX: It is thanks to the honourable member's inspiration that I am becoming excited. I can rely on him to interject to give me additional material.

I bring to the attention of the Minister a serious flaw in the legislation. Legislation introduced in New South Wales by the Labor Government contained a provision that tried to prevent people resigning from their jobs. This legislation contains a similar clause. The Liberal Party will be moving an amendment in Committee to eliminate that provision. In our community, an employee still has the right to sack the boss. That is one of the freedoms that we enjoy. If we do not want to work for someone, we may resign and work elsewhere.

Mr Miller: Will you give the employer the same opportunity?

Sir WILLIAM KNOX: Yes. I have no objection to the employer having the right to sack his employee.

An individual should have the right to change his employer, or not to work for any employer. He should be able to do that in the proper way, that is, by resigning; but provisions in the legislation prevent people from resigning.

Mr Lester: To which clause are you referring?

Sir WILLIAM KNOX: The definitions of a strike, one of which includes the situation in which a person voluntarily leaves his work. That is a shortcoming in the legislation. The Liberal Party will be circulating an amendment on that provision. I hope it will be supported by members on both sides of the Chamber.

Generally, members of the Liberal Party support the thrust of the legislation. It will give the Industrial Commission an opportunity to exercise powers of discipline over people who break the rules and fail to carry out the orders of the Industrial Commission. It will strengthen the Industrial Commission rather than ring-bark it, which is what members of the Opposition are suggesting.

Mr VAUGHAN (Nudgee) (3.40 p.m.): Despite the fact that the Liberal Party will try to grandstand, as it usually does, by moving a small amendment, it will support the legislation. The members of the Liberal Party, who previously were in coalition with this infamous Government, will vote with that mob of fascists on the other side of the Chamber and support this anti-union legislation. They did the same thing last week when the Electricity (Continuity of Supply) Bill was debated. The people should realise that the members of the Liberal Party in this Chamber and in this State are just as fascist as Government members.

I refer to the debate on the Electricity (Continuity of Supply) Bill. I remember the Premier and Treasurer (Sir Joh Bjelke-Petersen), who is presently in the Chamber, saying how concerned he was about the threats that had been made against him. I have news for him: if he wants to act like a Central American or South American dictator, he should expect to be treated like one. This attack on the trade union movement will divide the community—I am not saying that it is not divided already. This repressive legislation is attacking the trade union movement.

In 1979 this Chamber debated the essential services legislation. At that time the Government was told that it cannot legislate to control industrial relations. That just will not work. Even though the Government has tried on numerous occasions to suppress the workers of this State, it has not been successful.

The legislation that we are discussing today follows on from the legislation that we debated in this Chamber on 5 March. It attacks the trade union movement by introducing provisions relating to union membership.

The previous speaker, the leader of the Liberal Party, was formerly a Minister for Employment and Labour Relations. His track record in dealing with the trade union movement leaves a lot to be desired. I will say, though, that, if one can make a valid comparison, he was a better Labour Relations Minister than the present one, who is supposed to be handling this legislation.

The Minister for Employment and Industrial Affairs was conspicuous by his absence during the electricity industry dispute. Whenever he appeared on television, he was walking around in circles. He did nothing. He allowed the Industrial Conciliation and Arbitration Commission to be ring-barked. He did not even go to its defence. This legislation further reduces the authority and powers of the commission.

The Government is attacking the trade union movement by introducing provisions relating to union membership. It is making it easier for people to resign from unions. The Premier and Treasurer will go down as the most infamous Premier and Treasurer that Queensland has ever had. He, the silent Minister for Employment and Industrial Affairs and the other 16 Ministers have continually referred in this Chamber to the union bosses controlling the rank and file of the unions. Nothing could be further from the truth. Over a number of years I have heard the Government and, in particular, the Premier and Treasurer, say that the rank-and-file members should have more control. The fact of life is that unions in this State could not be more democratic. They are certainly more democratic than the Government of this State. Trade union officials are elected by the rank and file, mainly through court-controlled ballots that are held under the provisions of the Industrial Conciliation and Arbitration Act. As I said previously, Government members should take a course in industrial relations so that they might better inform themselves on what the Act is all about.

As I say, the Government is seeking to make it easier for people to resign from unions. It wants to create a pool of bludgers in the community. Those people will receive the benefits of trade-unionism, such as increased wages, better long service leave, annual leave and sick leave provisions and all the other conditions that are battled for and paid for by unionists, but they will not pay for them. They want to do it for nothing; they are free-loaders. This Bill sets out to create in the community a heap of greedy, grovelling free-loaders who want to bludge on trade-unionists in this State and nation.

The Bill also makes provision for the tendering of resignation of membership. Notification of resignation will have been given if it is left at the registered office of the union or if it is sent by post. No mention is made of requiring proof or that it must be sent by registered mail. I firmly believe, as do all Opposition members—as should the community—that everyone should pay his or her dues. Every working person in the community should be a financial member of a trade union. If that was the case, this State would have far better industrial relations than it does.

In his second-reading speech, the Minister for Employment and Industrial Affairs (Mr Lester) made reference to the system of conciliation and arbitration. I do not believe that he knows the first thing about that system. I am given to understand that, in his first six months as Minister, he did not go near the Industrial Commission. I doubt whether, even now, he could name one of the commissioners because he has had very little communication with them.

The conciliation and arbitration system as it applies in Queensland is based on workers and employers belonging to their respective organisations—unions of employers and unions of employees. Many industrial awards provide that, unless the workers are members of unions and unless the employers are members of employer organisations, the award has no application. One of the metal industry awards is such an award. That is the basis of the conciliation and arbitration system.

It should also be remembered that the process of conciliation comes first. The South East Queensland Electricity Board and the Government do not know the meaning of that word. If conciliation fails, arbitration follows. Section 36 of the State's Industrial Conciliation and Arbitration Act sets out provisions relating to the application of conciliation and arbitration.

The Bill refers to the cancellation of the registration of a union, and I will deal with that later. Clause 9 amends section 98 of the Act, which relates to secret ballots. In 1975, this Government introduced that section into the Act with the express intention of ensuring that, if a strike took place as a result of an industrial dispute, the rank-and-file members would have their say. My research reveals that, every time a strike ballot has been conducted, it has been carried by the rank and file of the trade union movement, who were overwhelmingly in favour of the strike. That provision was inserted before I came into this place.

I have always advocated that if in an industrial dispute the stage is reached at which a strike ballot must be held to ascertain whether a strike should begin, the opportunity is lost at that point to try to resolve the dispute. That is when the people on both sides, that is, the employers and the union or unions involved, start to dig in; they become entrenched.

On their record, strike ballots have proved nothing. As well as that, the conducting of a strike ballot is a real monster. I know the Leader of the Opposition (Mr Warburton) was once involved with one. The procedure is very cumbersome. It is like handling fly-paper.

Mr Warburton: Do you think that the Minister might hold a strike ballot of the electrical workers whom he sacked?

Mr VAUGHAN: I will get on to that very point shortly.

Every strike ballot that has been conducted has been overwhelmingly in favour of continuing the strike. A significant point is that section 98 of the Act covers procedures and penalties when the result of a ballot is that the strike should not continue, but it contains no procedures for when the vote is in favour of a strike.

The Act currently provides that, when a strike is in progress, a strike ballot will be taken if the Industrial Commissioner sees fit or upon application by the employer or the Minister. The legislation now before the House amends section 98 of the Act so that when a strike is imminent a ballot can be taken.

As a result of the interjection from the Leader of the Opposition, I will take members of the House back to 7 February and the industrial disputation between SEQEB and its linesmen, who, because of the Government's desire to introduce contractors, were concerned about their future employment in the electricity industry. That dispute had been before the Industrial Commission for more than four months. It had been the subject of numerous compulsory conferences, and orders had been issued by the Industrial Commission. I point out that on three separate occasions the union obeyed those orders but, true to form, SEQEB hid behind the skirts of the Industrial Commission and on each occasion hardened its resolve, knowing damned well that it could gain protection from the Industrial Commission through the issue of orders under section 36A of the Act. That meant that no conciliation could take place. So the dispute ran on.

I know that Government members have said that the workers were ordered back to work on the night of the storm on 18 January. However, because of the way they felt about the damage that had been caused, the majority of the SEQEB workers were prepared to go back. What the union was endeavouring to achieve was a co-ordinated return to work to fix up the damage caused by that terrific storm that hit Brisbane. What thanks did those guys get? They restored power in a very short time after that storm. Honourable members should compare that with what is happening now in SEQEB, with poles falling down, guys being put up into high-tension electricity wires and all sorts of other problems. Because a contractor did not put up a pole correctly, a man lies seriously injured in the Southport Hospital.

On 7 February an impasse had been reached, but when the order was issued by the Industrial Commission—when a strike was actually in progress—did the Minister for Employment and Industrial Affairs take steps under section 98 of the Act as he could have done? Did he order a secret ballot? No, he did not! Why did he not order a secret ballot? The Industrial Conciliation and Arbitration Act contains provision for secret ballots when a strike is in progress. The Minister is now amending that provision, so that a ballot can be conducted if it is believed that a strike is imminent. But why did he not order a strike ballot to be taken on 7 February?

On that date, when the order was issued by the Industrial Commission at 4 o'clock in the afternoon, why did not the Minister, the SEQEB and the Government proceed on a breach of that order under section 36A of the Industrial Conciliation and Arbitration Act? Although the Government had that provision, it chose not to use it. Why? During the debate on the Electricity (Continuity of Supply) Bill, I said that the Government did not want the contents of that order reported to the rank-and-file members and did not want a strike ballot conducted by the members of the union who were in dispute with the SEQEB, because the Government had its eyes on the Rockhampton by-election, which was only nine days away. That is what it was all about.

Now the Minister wants to amend the Industrial Conciliation and Arbitration Act to provide for a secret ballot to be conducted when a strike is imminent. I have some criticism of the Industrial Commission, but not in respect of the way in which it handled the SEQEB dispute. It tried its damnedest to bring the parties together. On Sunday, 10 February, on Thursday, 14 February, and on 21 February the Industrial Commission tried its best to settle the dispute through recommendations. The Premier said that no recommendations were made early in the piece and that only an opinion was expressed. It is a fact of life that the Industrial Commission made very strong recommendations to the parties. The terms of agreement were accepted by SEQEB and the unions on Sunday, 10 February. However, after those infamous Orders in Council were proclaimed on Friday, 8 February, the Premier and his 17 stooges in Cabinet rejected a recommendation of the Industrial Commission. They are now being pious.

The Minister for Employment and Industrial Affairs is incompetent. He has come into this Chamber with a piece of paper that says that secret ballots should be conducted when a strike is imminent. That provision is too late. I will listen very intently to the Minister's reply. I would like to hear why he did not conduct a secret ballot subsequent to 7 February and why he did not allow the terms of the order issued by the Industrial

Commission at 4 o'clock on 7 February to be conveyed to the rank-and-file members of the union, as is prescribed by the Industrial Conciliation and Arbitration Act. Why was a state of emergency proclaimed on that evening and why were Orders in Council, which have already been written into the Electricity (Continuity of Supply) Act—which is now law—issued on Friday, 8 February? The Governor of this State, who is the Queen's representative, has assented to that obnoxious legislation. I take a very dim view of the actions of the Governor. By following the infamous Government of Queensland, he has let the people of Queensland down.

Some clauses in the Bill deal with section 73 of the Act, which deals with the cancellation of registration of a union. Under section 73 of the Act, ample provision already exists for the Full Bench of the Industrial Commission to deal with a situation that might arise in which a union disobeys an order of the State Industrial Commission. Why does the Government want to bypass the provisions of the Industrial Conciliation and Arbitration Act and give the Governor in Council—the Governor of this State, acting in collusion, I believe, with the Government of this State—the power to——

Mr DEPUTY SPEAKER (Mr Row): Order! According to the standards of this institution, the honourable member is not allowed to criticise the judiciary or the Governor. I ask him to withdraw those remarks that the Governor was in collusion with the Government.

Mr VAUGHAN: I withdraw the remarks that the Governor was in collusion with the Government of this State; but it was the Governor in Council, the Governor with the Cabinet of this State, that brought in that legislation.

He issued those Orders in Council on 8 and 9 February. They virtually sacked the SEQEB workers, reduced their terms of employment and introduced the scurrilous situation that was referred to this morning by the honourable member for Bulimba (Mr McLean). He said that employees will be required to work two shifts a day from 6 o'clock in the morning till 2 o'clock in the afternoon and from 2 o'clock in the afternoon till 10 at night.

They will be required to work at any SEQEB depot. They will not be entitled to annual leave. They will not be entitled to sick leave or long service leave. As I have said, the Premier and Treasurer is on record as saying that he disagrees with those benefits. He does not agree with compensation, long service leave or superannuation. He is doing everything in his power to break down the conditions that the men and women of this State have fought for over the years, and the standard of living in Queensland. He is turning people against one other. He is dividing the State. As I said earlier, if he wants to act like a South American dictator, he must be prepared to be treated as one.

Mr Casey: He does believe in hydrogen cars.

Mr VAUGHAN: Yes, he believes in hydrogen cars, Milan Brych and all the other people who have come to this State with cuckoo ideas.

If the legislation is passed, it will not work. The Government will not suppress the trade union movement with this legislation or with the Electricity (Continuity of Supply) Bill.

I will make a few other points. On 21 February the Premier and Treasurer laid down some terms of re-employment for the SEQEB workers who had been sacked on 11 February. He said that the power station operators must sign a no-strike agreement. As I understand it, the Premier and Treasurer said that that proposal was not negotiable. In fact it has been changed. I understand that some people have been re-engaged on their previous terms of employment and have not been required to sign no-strike agreements. Of course, many people who have been forced to apply for their old jobs by virtue of economic necessity have been required to sign virtual confessions. That

smacks of Hitlerism. Hitler would have been very proud of the Minister for Employment and Industrial Affairs (Mr Lester). He is a great protege.

Mr McLean interjected.

Mr VAUGHAN: He would probably be put in charge of the gas ovens. That is about the only thing that this State does not have.

The SEQEB employees are being required to sign confessions. All of these things are hand-me-downs from the fascist era in Germany. It is absolutely obnoxious that men are being offered their old jobs back on conditions that require them to inform on people who may have harassed them.

An Opposition Member: Do you reckon they are un-Australian?

Mr VAUGHAN: They are certainly un-Australian. They have been imported into this State. Regardless of how long or how hard the Minister for Employment and Industrial Affairs, the Premier and Treasurer or the other 16 members of Cabinet try, they will not suppress the trade union movement.

I reserve any further comments to the debate on the clauses.

Mr LESTER: Mr Deputy Speaker——

Mr R. J. GIBBS: Mr Deputy Speaker——

Mr DEPUTY SPEAKER (Mr Row): I call the Minister.

Mr WARBURTON: I rise to a point of order. I move—

"That the member for Wolston be heard."

Question put; and the House divided—

AYES, 30	
Braddy	Warburton
Burns	Warner, A. M.
Campbell	Yewdale
Casey	
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Gibbs, R. J.	
Goss	
Hamill	
Kruger	
Mackenroth	
McElligott	
McLean	
Palaszczuk	
Prest	
Price	
Scott	
Shaw	
Smith	
Underwood	*Tellers*
Vaughan	Davis
Veivers	Milliner

NOES, 48	
Ahern	Lane
Alison	Lee
Austin	Lester
Bailey	Lickiss
Bjelke-Petersen	Lingard
Booth	Littleproud
Borbidge	McKechnie
Cahill	McPhie
Chapman	Menzel
Cooper	Miller
Elliott	Muntz
FitzGerald	Newton
Gibbs, I. J.	Powell
Glasson	Randell
Goleby	Simpson
Gunn	Stephan
Gygar	Stoneman
Harper	Tenni
Harvey	Turner
Henderson	Wharton
Hinze	White
Innes	
Jennings	*Tellers*
Katter	Kaus
Knox	Neal

Resolved in the negative.

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs) (4.11 p.m.), in reply: I thank all honourable members for their contributions to the debate on amendments to the Industrial Conciliation and Arbitration Act. I particularly thank those members who have supported the desire of the Government to enact legislation that is aimed principally at providing remedies for indiscriminate strike action

by unions, as well as providing protection of the freedom of choice made by individuals about union membership.

Some honourable members spoke about issues that are not related to the Bill that is presently before the House, and I do not intend to respond to those irrelevant issues. Other honourable members spoke against the proposed amendments to sections 48 and 118, the sections under which unions are allowed to recover substantial back-payments of union membership fees.

Obviously, Opposition members have been fed a good deal of codswallop by their trade union friends about the effects on union coffers of the proposed amendments. For years, unions have been receiving a double benefit from unsuspecting members. Section 48 now requires three months' notice of resignation, and such a long period cannot be justified. The provisions of the existing section caused unionists who intended to resign to be carried over to a new financial year, and that was clearly wrong. In many cases, it resulted in unionists having to pay double the annual fee in order to leave the union. One can imagine the kind of thuggery that occurs in trade unions in such instances. In many cases, the unions have allowed the indebtedness of members to mount up. One instance that came to light involved the Australian Workers Union, which sued an employee for six years' arrears of membership fees. I do not know how the Australian Labor Party can justify such conduct.

Union membership may be likened to membership of a club, and I point out that no avenues for recovery of unpaid club fees are available. Surely unions can attract membership by performance, as is the case with any other organisation. Trade unions should operate on the same bases as other organisations, and certainly no set rules should be provided separately for trade unions.

The Opposition is concerned about the length of time for debate, yet all Opposition members do is waste time by making stupid interjections and calling for unnecessary divisions. I point out that Opposition members are not one ounce fair dinkum. I have no doubt they hope that the Bill will be passed, because they will be able to whinge a little bit more.

The Bill restricts recovery of fees to 12 months. That provision will not cause any hardship to unions, because the unions will have a full 12 months in which to take action for outstanding arrears. Surely to goodness the unions are capable of taking such action within 12 months. Surely the Government does not have to featherbed and feed them to that extent. If a union does not take action, it deserves to lose the fees.

In relation to clause 6 of the Bill—before the introduction of section 60C, many instances were brought to notice of unions fining their members for refusing to take part in a strike. It is difficult to imagine members of unions being fined because they did not agree to take action that some of their union colleagues wanted them to take. Complaints are still being received about employees being harassed by union officials and so-called workmates for wanting to work when others are out on strike.

A shocking case on record involved Mr Ian Stitt, a railway employee in Cairns. In 1982, he chose to work when the unions attempted to bring this State's economy to its knees by calling a State-wide strike—everybody out—in support of a 38-hour week. Action was taken because Mr Stitt, a very responsible person, wanted to work.

Opposition Members interjected.

Mr LESTER: It is obvious that Opposition members are not on the side of the workers, that they are not on the side of free enterprise, and that they are not on the side of the individual's rights. It becomes very clear that, when they are nailed down, they become very worried.

The unions, and some unionists, persecuted Mr Stitt because of his actions, and a union fined him $75. Is it any wonder that the Government has to take action to ensure that union members are given protection?

Mr De LACY: I rise to a point of order. Mr Stitt left the railway employment as soon as the strike was finished. He was just a plant; he was never a worker.

Mr DEPUTY SPEAKER (Mr Row): Order! There is no point of order.

Mr LESTER: Mr Stitt left because he was not game to stay there; he was harassed by the unions. That is typical of what happens.

Mr Casey interjected.

Mr LESTER: Obviously that is what the member for Mackay believes in; yet, in Mackay, he holds himself up as a good, pious person. In spite of what he says, he will not stand up for the rights of the individual.

Honourable Members interjected.

Mr DEPUTY SPEAKER: Order! There is far too much shouting in the Chamber. I ask honourable members to come to order. If the Chamber does not come to order, I will remove a number of members from it.

Mr LESTER: When ALP members are given a little of their own medicine it becomes very clear that they do not support the rights of the individual.

Ms Warner interjected.

Mr DEPUTY SPEAKER: Order! The honourable member is interjecting from other than her usual seat.

Mr LESTER: Honourable members opposite are being hurt badly by my comments.

Conduct of the type to which I have referred must be curtailed. Liability under the existing provisions is limited to an industrial union of employees or an industrial union of employers. The Bill extends liability for such disgraceful conduct to officers and employees of unions and to any other person who pursues action against people who have the courage to go to work. Surely it is not unreasonable for anyone to want to go to work and be responsible. That is how the American economy was turned around. It also is why Japan has unemployment and inflation rates of 2 per cent, with increasing national productivity. It is time that Australians woke up to what is going on; it is time that members of the ALP paid heed to where this country is going.

I must respond strongly to the remarks by Opposition members concerning the provisions in the Bill that relate to the cancellation and suspension of registration of industrial unions. As I pointed out in my second-reading speech, upon registration an industrial union gains privileges it would not otherwise enjoy. Very clearly, a union enjoys certain privileges by being registered as an industrial union, but unions throw away such privileges by defying the Industrial Court. When they do that, they believe that they should not be dealt with.

The existing procedures under section 73 for the deregistration of a union by the Full Industrial Court have been maintained. The proposed amendments to this section in the Bill do not alter the present procedures. The section has simply been redrafted, basically in the same words, to clarify the intention of the section.

New section 73A, which is inserted by clause 8, will make available an additional process to facilitate deregistration of an industrial union. This process will be available only where an industrial union has failed to comply with a direction or order of the commission. The Opposition cannot say that that is unreasonable. People who are versed in industrial relations procedures would realise that the commission issues orders only as a last resort, after all avenues of conciliation by management and by conferences before the commission have failed to resolve a dispute.

Orders that are issued by the commission should not be treated with contempt by any party. If a body of persons, such as an industrial union of employees or an industrial

union of employers, is involved, it is only just that it should be denied as speedily as possible the privileges that it enjoys as a result of registration in the system.

The new process will allow for a public hearing before a Full Bench of the Industrial Commission upon application of the Minister for Employment and Industrial Affairs, the Chief Industrial Inspector or interested persons. The hearing will basically determine whether an industrial union has failed to comply with an order of the commission.

Where a declaration of non-compliance is issued by the commission, the Governor in Council may consider the circumstances and is granted power to issue an Order in Council cancelling or suspending the registration of the union either wholly or as to one or more of the callings that the union represents and as to all or one or more of the areas or establishments in which such callings are carried on.

The procedures set out in proposed new section 73A mirror those of section 143A of the Commonwealth Conciliation and Arbitration Act, and Opposition members should get that point very clearly. I am amazed that they do not know the Commonwealth Act, which this legislation basically mirrors. Such provisions have existed in the Commonwealth Act since 1979.

The inclusion of additional evidentiary aids in proposed new section 135A of the Act is a valid legislative enactment. A court's power to take judicial notice of basic facts is well recognised. The evidentiary aids proposed are designed to facilitate proof of matters to be used as evidence before a court. They in no way presuppose that a party is guilty of any offence. The presumptions exist until the opposite is proved.

This legislation is absolutely necessary. Since 1963, when the unions started their great push, wages have risen seven times and, over the same period, taxation has risen 44 times. Inflation has risen from 3.5 per cent to about 10 per cent. The rate of unemployment has increased from 1.5 per cent to about 10 per cent. It is quite clear that, if that situation continues, the nation will go out through the back door, because it simply will not be competitive.

Another reason why the legislation has had to be introduced is that a great spate of industrial disputes has occurred in this nation. Recently, the Japanese Prime Minister visited Australia. Australia wanted to show him how good the industrial relations were in this country. It is just as well he did not visit Queensland to see the ALP in operation here. In New South Wales, Mr Wran could not get his train-drivers to take coal from the Hunter Valley to Newcastle. That happened at a time when Australia was trying to demonstrate to the Japanese Prime Minister how reliable a supplier it is. Everyone is aware of what the Builders Labourers Federation has tried to do through industrial disputes. It set up a superannuation deal and claimed that there would be peace for ever; but that has not eventuated. Concrete pours are still being stopped.

ALP members are critical of the Government's attempts to make deregistration proceedings simpler. Mr Pat Hills, who is my Labor counterpart in New South Wales, introduced in the New South Wales Parliament a Bill to deregister the Builders Labourers Federation. Opposition members should not say that the Queensland Government is doing the wrong thing. The New South Wales Labor Government took dramatic and specific action against that union.

Recently, Commonwealth public servants refused to collect moneys due to the Government by way of taxation. I have no doubt that the irresponsible action of the Commonwealth public servants and the inability of the Federal Government to settle the dispute has led to the devaluation of the Australian dollar. I am sure that that is

not the only reason for its decreasing value, but it played a very significant role. The action of the Commonwealth public servants cost this nation many millions of dollars in lost revenue.

Opposition members condone the actions of these unions. Whenever it is time for them to stand up and be counted, they find it very hard to be sensible. On many occasions, Opposition members have come close to being thrown out of the Chamber. I make it very clear that the unions asked for everything that they got.

As to the comments by the honourable member for Nudgee (Mr Vaughan)—the union had a right to ask for a secret ballot, but it did not. If such a request was made, it would have been mandatory for the Industrial Commission to order a ballot. Instead, the union members defied the Industrial Commission, and I am sure that they did not want a secret ballot. I will tell the honourable member why I did not seek a secret ballot. The union does not allow the rank and file to express their views democratically. The heavies move in and make the rank and file toe the line. This Bill will make it simpler to hold secret ballots, should they be necessary.

Question—That the Bill be now read a second time (Mr Lester's motion)—put; and the House divided—

AYES, 47	
Ahern	Lee
Alison	Lester
Austin	Lickiss
Bailey	Lingard
Booth	Littleproud
Borbidge	McKechnie
Cahill	McPhie
Chapman	Menzel
Cooper	Miller
Elliott	Muntz
FitzGerald	Newton
Gibbs, I. J.	Powell
Glasson	Randell
Goleby	Simpson
Gunn	Stephan
Gygar	Stoneman
Harper	Tenni
Harvey	Turner
Henderson	Wharton
Hinze	White
Innes	
Jennings	
Katter	*Tellers*
Knox	Kaus
Lane	Neal

NOES, 30	
Braddy	Veivers
Burns	Warburton
Campbell	Yewdale
Casey	
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Gibbs, R. J.	
Goss	
Hamill	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Prest	
Price	
Scott	
Shaw	
Smith	*Tellers*
Underwood	Davis
Vaughan	Warner, A. M.

Resolved in the affirmative.

Motion to go into Committee

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs): Mr Deputy Speaker, I move—

"That you do now leave the chair and the House resolve itself into a Committee of the Whole to consider the Bill in detail."

Question put; and the House divided—

AYES, 48	
Ahern	Lane
Alison	Lee
Austin	Lester
Bailey	Lickiss
Bjelke-Petersen	Lingard
Booth	Littleproud
Borbidge	McKechnie
Cahill	McPhie
Chapman	Menzel
Cooper	Miller
Elliott	Muntz
FitzGerald	Newton
Gibbs, I. J.	Powell
Glasson	Randell
Goleby	Simpson
Gunn	Stephan
Gygar	Stoneman
Harper	Tenni
Harvey	Turner
Henderson	Wharton
Hinze	White
Innes	
Jennings	*Tellers*
Katter	Kaus
Knox	Neal

NOES, 30	
Braddy	Veivers
Burns	Warburton
Campbell	Yewdale
Casey	
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Gibbs, R. J.	
Goss	
Hamill	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Prest	
Price	
Scott	
Shaw	
Smith	*Tellers*
Underwood	Davis
Vaughan	Warner, A. M.

Resolved in the affirmative.

Committee

Mr Booth (Warwick) in the chair; Hon. V. P. Lester (Peak Downs—Minister for Employment and Industrial Affairs) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—Amendment of s. 5; Interpretation—

Mr McLEAN (4.41 p.m.): The pathetic replies of the Minister to some of the questions that were put to him during the debate prove that this State is most certainly in for some worrying times in regard to industrial relations. The Minister proved that he has a total lack of understanding of industrial relations. One Government member as well as the Minister spoke on this extremely important piece of legislation. That demonstrates the attitude of the Government towards the industrial scene in this State.

I oppose clause 2. I said earlier that the Bill that was put before the House late last year did not interfere with this particular section. However, following the industrial trouble in this State, which was caused by the Government in the power dispute, the Minister said in his second-reading speech, in the second attempt at getting the Bill through—

> "Recent events have brought the definition of a strike strongly into focus."

I most certainly agree with that statement. My interpretation of "strike" and that of the Government are totally different.

The Minister went on to say—

> "In addition to situations amounting to employees discontinuing their employment or failing to return to their employment there have been many instances of employees working at reduced capacity."

It is quite obvious that that provision was inserted following the industrial stoppage at SEQEB. The circumstances surrounding the stoppage back up the assertions of members of the Labor Party during this short debate that the Government has absolutely no knowledge of industrial relations. The Government has absolutely no feeling for industrial relations.

To justify the change to the definition of "strike" the Minister, in his reply, quoted figures dating back to 1963. He had to go back that far to get figures that would appear anywhere near reasonable. Earlier in the piece I gave some figures and asked for some answers. Queensland was doing extremely well in industrial relations and strike action. Following the prices and incomes accord the only industrial strife in Queensland was in Government and semi-Government departments. There were pratically no stoppages at all in the private sector. The stoppages that did occur in this State were caused by the Government and by the confrontationist attitude of the Premier and Treasurer. The figures prove that.

The TEMPORARY CHAIRMAN (Mr Booth): Order! Under the provisions of the allocation of time order agreed to by the House in relation to this Bill, the time for debate on the clauses has expired.

Mr WARBURTON: I rise to a point of order. In view of the circumstances, could I put it to the Leader of the House and the Government that they see fit to extend the debate to allow further debate on all of the clauses?

Mr Wharton: No.

Mr WARBURTON: I rise to a further point of order. As the Leader of the House and the Government refuse to allow further debate on these very important clauses and as much as the Labor Party respects the principles of parliamentary democracy and what occurs in Parliament, its members are not about to participate in this charade any longer.

Mr GUNN: I rise to a point of order. Mr Booth, I ask you to clear the gallery.

Clause 2, as read, agreed to.

Clauses 3 to 16, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Lester, read a third time.

LOCAL GOVERNMENT ACT AND ANOTHER ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 5 March (see p. 3737) on Mr Wharton's motion—

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

Mr SHAW (Wynnum) (4.49 p.m.): The Local Government Act is an extensive piece of legislation, and one that is of a great deal of importance to people living in this State. In introducing the Bill, the Minister stressed that many of its clauses have the support of the Local Government Association. In the past, members on this side of the House have advocated thorough consultation between the Government and the Local Government Association. It is with great regret that I have to say that the Local Government Association does not have the standing in the community that it should have. It is fair to say that the Local Government Association today lacks credibility, which is most unfortunate. That has arisen for two reasons.

Firstly, an imbalance exists in local government throughout Queensland in that a number of inappropriate shire boundaries give a very undemocratic——

Mr DEPUTY SPEAKER (Mr Row): Order! Far too much movement is taking place in the Chamber, and very little attention is being paid to the debate. As I am on my feet, I remind people in the gallery that order must also be maintained there. If any further disturbance occurs, I shall have the gallery cleared. The House will come to order.

Mr SHAW: As I was saying, an imbalance exists because of the way in which shires are represented on the Local Government Association of Queensland, and that imbalance results from the way in which shires are formed. The imbalance is more pronounced as a result of politicisation of the role of the association that comes about because of the attitude of the president, Sir Alby Abbott.

Honourable members will recall that Sir Alby Abbott was nominated by the Premier and Treasurer to hold the office of president of the association, which was a most unfortunate occurrence. It was most unfortunate that the Premier and Treasurer saw fit to introduce politics into the role of the association to a far greater extent by nominating a person who the Premier and Treasurer thought should be the president. However, far worse than that has been the attitude adopted by Sir Alby Abbott—and I say this with great regret—who, since his election to that office, has done nothing to convince anybody that he is not a political representative.

Mr Burns: He is a stooge.

Mr SHAW: Since his election, Sir Alby Abbott's actions have been along the lines of those of a stooge for the National Party. That amounts to a great disservice, not only to local government but also to the people of Queensland generally. If Sir Alby Abbott has a genuine concern for the role of the association—prior to his election to that office I felt that he did have a genuine concern, notwithstanding his very strong right-wing political views—he would do well to carry that concern to far greater lengths by adopting a non-political stance. At the present time, however, it seems that the views of the Local Government Association and the National Party are synonymous. It is a great pity that, when a Minister says that a Bill has the support of the Local Government Association of Queensland, as happened on this occasion, such a statement does not have the same impact as it once had.

The Bill also deals with the way in which local councils control development. Councils exercise control constantly, and it is probably one of the more important tasks that councils perform. It is fair to say that members of councils have a great opportunity for misconduct. Millions of dollars can be made when rezonings occur. I think that a member of the Local Government Minister's staff has been recorded as saying that whenever a rezoning occurs large sums of money are involved. That officer gave that as a reason for the exercise of great care in carrying out rezoning operations and approvals.

The threat of corruption in councils has long been recognised, and it is for this reason that clauses dealing with pecuniary interest requirements have been included in amendments to the Act over many years; probably since the time when the Act was first introduced. Section 14 of the Act states—

> "(4) Disability of members of Local Authorities for voting on account of interest in contracts, etc. (i) If a member of a Local Authority has any pecuniary interest, direct or indirect, in any contract or proposed contract or other matter, and is present at a meeting of the Local Authority at which the contract or proposed contract or other matter is the subject for consideration, he shall at the meeting, as soon as practicable after the commencement thereof, disclose the fact, and shall not take part in the consideration or discussion of, or vote—"

The Act goes on further, but that is the main point that I want to make: a member "shall not take part" in the vote.

Unfortunately, the requirements have been blatantly disregarded on several occasions throughout Queensland. I am at a loss to understand why the Minister continues to tolerate a defiance of that very important principle. I am referring not to minor indiscretions, when someone does not realise that he has a vague interest in what is before the council or where his vote does not gravely influence the outcome, but to what amounts collectively to a $1m rip-off of the money of rate-payers.

It is an accepted norm throughout Queensland. When I say that, I do not mean that it is the accepted norm in all councils. Thankfully, that is not so. However, if it is the norm in only a few councils, it creates a very bad impression. In some councils, it is well accepted that certain councillors engage in wheeling and dealing in property. The time for action has certainly arrived.

I do not like citing specific instances. The House knows that I am not a bucket-tipper, because I do not do that very well. This is probably the first occasion on which I have named a person who, I believe, has transgressed. In my opinion, the mayor of Toowoomba blatantly disregarded the law and the principles to be adhered to by councillors when dealing with matters of pecuniary interest. In this instance, the mayor's vote was of major importance. It concerned land that he owned. In the words of other councillors, he bent the town-planning requirements. He used his own vote and his casting vote to achieve the desired result. Honourable members are probably aware that chairmen of shires have a primary vote and a casting vote,—which means that, on occasions, they have two votes. That is exactly what the mayor did on this occasion.

Mr McPhie: That is quite legal.

Mr SHAW: I am not suggesting for a moment that it is not legal for a chairman to have two votes; but it is illegal to have two votes concerning property that a chairman owns.

I quote from "The Chronicle", a Toowoomba newspaper, of 28 December 1984, as follows—

> "Toowoomba's Mayor, Ald. Clive Berghofer, took the rare step of using his casting vote when council approved an application for the establishment of a general store in the Wilsonton area.
>
> The application was for town planning consent for a general store and house on the corner of Wine Drive and Claret Street.
>
> Council had received a number of objections from residents in the area and there was also opposition from the alderman for the division, Ald. Barry Humphris when the matter came before the council meeting for decision.
>
> He said he favoured the establishment of a general store in the area, but thought the site proposed was not large enough.
>
> He said that, under the favourable recommendation from the Co-ordinating and Planning Committee, council was being asked to bend the rules concerning parking requirements in order to allow this development."

The article continued—

> "Further, council was being asked to do this on the basis of incorrect assumptions. The Town Planner had stated, for example, that no large-tray trucks would service the shop, but anybody who had had anything to do with a corner store would know that this was not correct.
>
> However, because the absence of Ald. Pauline Alroe reduced the council strength to eight, it left the way open for a tied four-four vote, and the Mayor then used his casting vote in favour of the application.
>
> The vote means that, at the expiration of the appeal period, council will give conditional approval to the establishment of the general store."

I emphasise that the mayor used his primary vote to tie the voting. He then used his casting vote to obtain the result that he desired.

The decision over-rode the objections of the citizens in the area. It was not a unanimous decision; not everyone thought that it would be good for the district. It was a contentious matter and the citizens in the area had lodged formal objections to it. Those objections were over-ridden. According to the aldermen, the mayor bent the rules so that the project could proceed. He then used what the aldermen said was an incorrect

town-planning report. Whether or not that was by accident, I am not prepared to say. Why did all those things happen? They happened so that approval could be granted, which amounted to an upgrading of a property that the mayor owned. There is no doubt that that was illegal.

I call on the Minister to investigate what I have said. There is a basis on which action could be taken against the mayor by way of summons. He should be charged and given an opportunity to prove his innocence. The evidence that I have is sufficient to convince me that what I have said is true.

The Minister should institute an investigation into what is happening throughout the State relative to aldermen wheeling and dealing in property. Stronger legislation should be introduced to require aldermen and councillors to declare their pecuniary interests and also to prevent them from holding office if they continue to speculate and deal in property. It is essential that local government representatives act on behalf of the citizens who they are elected to represent and not on their own behalf.

Previously, I asked the Minister a question about the position in the Redland Shire Council. On 23 occasions over 12 meetings, seven councillors declared a pecuniary interest in matters before the council. That can be compared with what happens in a large council, such as the Brisbane City Council. On only one or two occasions a year would an alderman of the Brisbane City Council declare a minor interest in a matter before the council. On occasions, an alderman of the Toowoomba City Council has declared a pecuniary interest in a matter because his shop has fronted a mall and a decision was being made about the mall. I would regard that as a minor pecuniary interest. Although the alderman, to be on the safe side, declares that interest, it should not prevent him from voting on the matter before the council. I am talking about councillors dealing in matters that continually come before their council. It is improper that they should continue to represent the people in their area.

It is time that a review of that structure of local government was made. It is often said, "You can't beat City Hall.", but it seems to be true to say that in some areas of Queensland at present one can certainly buy the town hall.

The Bill also provides on-the-spot fines for breaches of the dog ordinances. I have made some public statements about this matter. I have no doubt the Minister will hasten to say—and he will be quite right in saying it—that a large number of local authorities throughout Queensland want that provision included in the legislation. They want to be able to impose on-the-spot fines. Not only for breaches of the dog ordinances but also generally, the imposition of on-the-spot fines is an easy way out for local authorities. That does not come to grips with the real problems.

On-the-spot fines enable councils to penalise those people who admit committing an offence and pay the fine. However, such fines do not permit councils to penalise those who cause real problems as regards littering and dog control. Many people refuse to admit ownership of dogs and refuse to give their correct name. As a result, councils have difficulty prosecuting them. If such people refuse to pay the fines, it is impossible for the council to penalise them. On-the-spot fines will not permit councils to come to grips with the problems of littering and stray dogs at shopping centres, for example, and only honest people will be penalised.

A young schoolchild in city streets who drops a piece of paper will give a litter inspector a name. However, the inspector may say, "I am not happy that your name is really Bill Smith. I want you to come along to the police station." The child will go to the police station with the inspector, will be detained and will pay the penalty. The big burly person who may have had a few beers will tell the litter or dog inspector where to go. He will refuse to give his name or go with the inspector. If the inspector tries to take him to the police station, he will risk physical assault, and the offender will be long gone before any action can be taken against him. The real no-hoper, or bandit, who is causing the problem will continue to get away with his offences.

The detention provisions of this legislation will cause serious inconvenience to honest citizens. That is too high a price for people to pay.

At one time I was employed as a council inspector and I had occasion to visit a farmer who asked to see my authority to be on his property and to carry out my duties. I presented him with my authority signed by the town clerk. He confronted me with a shotgun and said, "This is my authority to tell you to leave the property." As I left, I said, in the hope of appeasing him, "I bow to your superior authority." It does not take a great stretch of the imagination for one to realise that, at some time in the future, council inspectors will want to bear arms for their own protection when carrying out their duties. The private police who went along to SEQEB workers to claim their raincoats and boots were armed. It will be a sad day when council inspectors bear arms, but these unnecessary and extravagant measures, which provide powers of detention, are just another step along that road.

The Bill provides for improved council administration in rating properties that are subject to time-sharing agreements. I compliment the Minister for Local Government, Main Roads and Racing (Mr Hinze) on this provision because it will make rating much easier for councils. Many problems will still arise over time-sharing properties, but this step is beneficial to councils and to their rate-payers.

The Bill also introduces changes relating to the declaration of benefited areas. No longer will councils need to seek the approval of the Minister before declaring a benefited area. I have reservations about that provision. Although it may be inappropriate for the Minister to decide whether or not a benefited area should be declared, some restraint on councils is necessary and in the best interests of the citizens.

Before a council is able to declare a benefited area, it should be required to conduct a referendum of the people who will be affected by such declaration. It may be that the referendum is conducted over the entire council area, but I do not think that it would be necessary to go to that expense. Certainly those people who will have to pay the bills caused by the declaration of the benefited area should be given the opportunity to express their views by way of referendum before the declaration is made. Furthermore, the referendum should be carried by a substantial majority before any declaration is made. I believe that inevitably some people within a benefited area will have to meet the costs incurred without obtaining any benefit from the declaration. The only protection that can be afforded is to ensure that the number of businesses adversely affected is not too great.

The Bill extends to councils the right to sell land that they acquire through non-payment of rates. That is a positive step and I compliment the Minister for it. The ground rules have been laid by the Townsville City Council, which has had tremendous success in conducting such sales. It has conducted land sales in such a way that it has provided the opportunity for low-cost housing. Some people may argue that it is not the function of councils to provide low-cost housing. Whether a person agrees or disagrees with that argument, it has certainly been done well by the Townsville City Council. Even if the land so gained is not sold for that benefit and even if councils choose to sell land at a profit, those profits are channelled back to the benefit of the rate-payers of the area. That is a very good socialist scheme and I compliment the Minister for its introduction. Perhaps I should not have used the word "socialist" because, if the Premier and Treasurer hears that, he might instruct the Minister to delete that clause.

The Bill clarifies the position of mixed trading at service stations. I imagine that the Minister must have come under a certain amount of pressure both from those who want to conduct the sale of groceries and all sorts of other goods from service stations and from those who want to protect the viability of existing shopping areas. The decision would have been a very difficult one but, nevertheless, it had to be made and I welcome the provision in the Bill.

This very lengthy Bill contains many provisions that will benefit local government generally. Because I am endeavouring to be brief and because many of the provisions

were mentioned in the second-reading speech, I will not take up the time of the House in itemising all of them.

I should mention, however, the changes to the conditions placed upon developers. Because they are very, very lengthy, they could be debated for several hours. On the whole the Bill is worthy of support. I cannot claim to be able to predict the implications of all of the proposals. Some seem to be beneficial, but I see the possibility of some hooks being found in others. By and large they contain worthwhile changes. They are certainly worth a try and the Opposition has no difficulty in supporting them.

Mr INNES (Sherwood) (5.14 p.m.): On 6 March, I raised a matter relating to the Local Government Act and dealt with a certain election under way in the city of Ipswich. Honourable members will recall that I outlined a series of events that had occurred in relation to an intending candidate in the Ipswich City Council election. I referred to the man and his family being harassed for four days. I also referred to the second phase of his difficulties in exercising his democratic rights. That issue related to nominations. It was a difficulty that he shared with an independent candidate.

The candidate to whom I referred last week intended to stand as a Liberal candidate against a sitting ALP alderman, Paul Tully. The Minister for Local Government will recall that his department received a letter and that he responded to a question, correctly saying that the matter was covered by the Act and that it was a matter for the Supreme Court. I think that the Minister will understand the disquiet that led to my raising the matter and to the reference to his department.

Honourable members might recall that Mr Klopp, whose name I mentioned, had obtained eight names as nominators, although only six were required. His wife, as his agent, had gone to the town clerk of the Ipswich City Council, who was the returning officer. On checking the roll, he found that two of the persons had not included their second names. However, they had included a correct Christian name, a correct surname, correct addresses and occupations. There was no danger of confusion with any other person on the roll.

The returning officer suggested that, if possible, the person might obtain another name or obtain a correct name. Mrs Klopp went away and returned a few minutes before the termination of the requisite period with an amended name. The second Christian name of one of the nominators had been inserted. The town clerk certified that the nomination complied substantially with the relevant rules under the Act, and he accepted the nomination fee. A certificate of substantial compliance was issued. Later, Tully objected to the nomination.

On 6 March I said that the current provisions in the Local Government Act were different from those in earlier Acts that required pedantic, absolute compliance. Our Act states that no formal error or defect should apply to nullify the nomination. An earlier case decided under the Act showed that where a local authority chairman had been nominated with a mistaken name—not even the absence of a correct name—the nomination had been upheld. Subsequent to the receipt of Mr Klopp's nomination, the nomination was ruled invalid and Tully was declared elected as the alderman. I mentioned Alderman Tully's name because he is a fairly aggressive gentleman. His actions led to the cancellation of a certificate that was lawfully issued. His actions undoubtedly led to the nomination of an independent person with a certificate being rejected in the interests of appearing to be consistent.

That raises a couple of interesting points. Firstly, those two persons exercised their rights in the Supreme Court of Queensland. The Supreme Court of Queensland did exactly what I said it would do on a reasonable interpretation of the law and of the only case that was relevant. The Supreme Court ordered that the certificate was final, that the nominations were not invalid, and restored the independent member to contest the division. Later, on Friday, a different judge adopted exactly the same view of the law and reinstated Mr Wayne Rodger Klopp.

Mr Davis: That is the advice I gave you last week. I said, "As a barrister, why don't you take it up on behalf of the member?"

Mr INNES: I will ignore that inane interjection.

Mr Davis: It is not inane.

Mr INNES: I raised it because I believe that there is a danger in having shire clerks or servants subject to political local councillors, particularly if they are aggressive and toey. They are the masters, sitting over the returning officer. Undoubtedly, it is difficult for somebody such as Alderman Tully, who did not wish to face an election and who wished to retain his job as the campaign director in the electorate of Moreton for the ALP.

Mr Davis: You have come straight out now with a libellous statement. You don't know anything about the campaign.

Mr INNES: I do know something about Alderman Tully. I do know something about the law. I do not know how on earth the returning officer nullified and cancelled the certificates that he had properly given in the first place, except in the face of the actions, presence and attitude of Alderman Tully.

These people had to run the risks and the costs of going to court to achieve what should have been theirs and what was theirs in the first place. It should never have been nullified. It is relevant to bring to the attention of honourable members that an ALP candidate and sitting member was involved in this. It does not reflect well on the ALP, and it does not reflect well on Alderman Tully. It is scandalous that those people had to go to the courts and risk costs to have their democratic rights vindicated and the earlier decision of the presiding officer—who was correct the first time—restored.

Mr Davis: You are trying to use this forum——

Mr INNES: I say that it smells. I am using this forum to raise the grievances of Mr Klopp and Mr Doerr.

The ALP will stop at nothing. The reality is that it is very rarely that matters such as that go to court. There was an incident in which somebody was found to be not qualified to stand. However, that is a different matter. It just so happens that it was the actions of a sitting ALP alderman that precipitated the whole matter.

Mr Davis: Can I just ask you a simple question? If your ALP candidate in Sherwood did not have the credentials or you suspected that he did not, would you not make sure that that was known to the returning officer? Of course you would; you would be the first.

Mr INNES: In order to decide whether a person has the credentials, the relevant rules must be considered. It was perfectly clear that the relevant rules stacked up in favour of the initial reaction of the returning officer, that is, that the details were in conformity and they substantially complied. That is what the court held, and that is what I said in this Chamber before the court made any decision. I say that what went on was untoward; it was wrong.

Mr Davis: Don't tell me you don't check the nomination forms of your opponents.

Mr INNES: The honourable member for Brisbane Central, with his background in the Labor movement, is an expert on shonky little deals in the conduct of elections. He has no need to try to translate that into the running of democracy in this State.

The next matter that I deal with relates to a couple of proposals in the Bill. Although the matter of mixed trading is difficult—and I appreciate that the Minister would have had some difficulties—in my opinion the correct solution has been found. Mixed trading

will be perfectly admissible in some areas. In isolated or highway service stations, the features of a general store, which were often the old-style features of a service station in small country towns, are perfectly acceptable. Problems do arise, however—and a number of us who represent old, established areas are aware of them—where a special zoning was originally achieved for a service station, which took it out of a bank of land use other than that of retailing. Because of the predicament in which the oil companies now find themselves, they are attempting to convert sites to anything other than the original use of the land. In many instances service stations are sited on land that was originally zoned residential A.

The last thing that the companies want is to have it returned to the residential A zoning, which would result in their receiving a lesser amount on sale. They want to find a commercial use for the land. By the time that a service station is knocked down, the concrete is torn up and the tanks are pulled out, any profit that might have been made is lost if it is sold as a residential site. The pressure for rezoning a number of these sites for commercial uses has resulted from the profit motive of the vendor. Attempts have been made to propel that land into competition with an existing land bank—an existing balance of zones—into direct competition with retailers in areas which are perfectly well serviced and satisfactorily provided for by properly zoned retail space, usually in a local business zone. The answer that the Minister has found is perfectly reasonable. That is not to say that in many locations the mixed use might not be quite appropriate.

I turn now to the matter of on-the-spot fines.

Mr Davis: This is one you have to be very, very careful of.

Mr INNES: I foreshadow that I will move an amendment, which will attempt to delete that part of the Bill which allows detention by an officer or agent of the local authority of any person about whose name and address there is uncertainty.

Mr Hinze: It is already in two other Acts.

Mr INNES: Exactly. I cast my mind back to the debate on amendments relating to town-planning laws that forbade camping. I said at that time that it was the beginning of a one-way track to more and more regulation—more and more ease by administrators in enforcing the regulations, and more and more restriction on something which——

Mr Hinze: Can I ask you something?

Mr INNES: Certainly.

Mr Hinze: Have you any evidence of its having been abused?

Mr INNES: As I have said on many occasions, the legal reports—the State Reports Queensland, the Commonwealth Law Reports and the law reports of every other country—are littered with cases of people using and abusing powers given to them by legislators. If there is an opportunity, it will be taken. The last time that such a provision was embodied in legislation was in an amendment to the Forestry Act or some other Act to do with the outdoors. What has happened is that the Government has a new style, a new habit, of legislation. A person who is suspected of committing a murder cannot be detained on the ground of an investigating officer's not being satisfied about his name and address. If it cannot be done in a case of murder, rape, arson, treason or any other serious crime, why the devil should the power be given to the dog-catcher or the council ranger when a person suspected of committing a dog offence or a camping offence is thought to have given a false name and address? Why would it be done? Because the fellow does not look right? Because he has given a bit of cheek?

The Bill provides another 22 pages of regulations and restrictions, some of which are no doubt necessary and some of which have received the support of Liberal Party members; but the legislation goes on and on. Every page contains provision for more restriction of a person's freedom of action. If restrictions and penalties and the right of

arrest or detention without charge have to be enforced, they should be enforced for important issues and not for those related to little doggies or people who have kipped out at night-time on the sand dunes. The legislation is absurd.

I have no doubt that councillors at a city hall or shire council chambers, who are struggling with a budget and worrying about the appointment of more staff, would think twice about going to court and the difficulties associated with doing so.

On-the-spot penalties are a convenient way of collecting more revenue and making things easier, especially for council staff, but that is not a proper reason for legislation of this kind. The things that the Minister and I did as a young lad are no longer lawful and, as the Minister has often said, that has caused us no harm. It is education by the school of hard knocks and a little bit of rugged, robust Australian life-style. In contrast, the State Government is now setting up more law-enforcers in more uniforms to issue more tickets. If such an officer does not like the look of somebody, or if somebody gives him some lip, the officer can detain him and take him to the police station without a charge being laid.

Mr Hinze: You have got to get jobs for the boys somewhere. You never know what you will be looking at when you leave that seat of yours in Sherwood.

Mr INNES: As the Minister knows, I have spent a lot of my time in this House complaining about the number of laws enacted. As a lawyer, I find no comfort at all in the volume of law that has been passed by this House and I take much less comfort in the quality of that law.

Mr Mackenroth: I think the Minister was suggesting you might be a doggie inspector.

Mr INNES: I suspect that my training would be a little better than that of the average doggie inspector. After all, the Minister for Local Government, Main Roads and Racing is highly knowledgeable on his subject, and everybody accepts that that is so. Unfortunately, even with his great depth of knowledge and experience, he has not instructed his departmental officers to keep vital statistics on dope and the number of instances of doping in the racing industry, if the question that was answered this morning is any indication.

Mr Hinze: Not true. I gave your colleague the answer.

Mr INNES: The answer was that the information is not to hand in the department.

Mr Hinze: At this particular point in time.

Mr INNES: It should be, because doping is not exactly new. In the same way that the Minister can occasionally fail to do the things that experience should have taught him to do, it can also be expected that at some time in the future an untrained servant of a shire or council will either exceed his authority or fail to do what he is supposed to do, lumber somebody, arrest or detain him for a period, and it later will be proven to be unfounded. The provisions of the legislation are simply unnecessary.

How many more rules and books of tickets will have to be issued? What will be the legal situation of a person who says, "Oh, no; I have given you my name and it is my proper name. I am not going with you to the police station." What will be the legal quandary? If the person resists will he be charged with assault of an officer? Is the person to be deprived of normal legal remedies? The legislation is not on. It is simply not justifiable.

For years, police officers have been instructed about the implications and responsibilities that they are given and the powers that they exercise. Nobody suggests that dog-catchers do not do the job that they are told to do, but they are unlikely to have the same training and understanding of the law and their responsibilities as do police officers.

The Minister is not in the business of controlling small government or of less intrusion into private lives and less regulation. That is the creed that we established and the creed we wish to live by. On that basis, the Liberal Party will oppose the provision that allows a dog-catcher or camp-ranger to detain anyone for any time, or to take him anywhere, including a police station.

Mr Hinze: The ALP is opposed to it, the Liberal Party is opposed to it and I am not too fussy about it, so I will have a look at it. I may think of something during the dinner recess.

Mr INNES: The Minister's characteristic reasonableness is coming to the fore. It is a pleasure to do business with him.

We will agree with the books of tickets for on-the-spot fines if the Minister takes away the power of detention.

Another current issue is town-planning schemes. Honourable members realise that the Minister likes getting things done, and that some local authorities proceed with less speed than the Minister would if he were at the helm. In some recent instances, the Minister's powers have been resorted to, and town-planning requirements have been ignored. I refer to the enormous development at Surfers Paradise, which is to be over 100 storeys in height. Apparently it is approved in principle and will not be subject to public objection. That is unfortunate. A way should be found in which to "fast-track" developments, to use a phrase employed by the Minister for Industry, Small Business and Technology, without ignoring the rights of objection that are the usual leg in for ordinary members of the community.

It is all very well for the city council to approve a development because it suits it to do so, and undoubtedly it suits the developer; but if the usual process is avoided, people with legitimate objections will miss out. Honourable members know that some people object on commercial grounds and that other objections are vexatious.

A project of 100 storeys or more may have a massive impact on a small area. Some people may complain because of shadows that will be cast, others may complain because of wind turbulence, and the Department of Civil Aviation and navigation authorities may be worried about the excessive height. Local people could well be worried about traffic congestion. A host of objections could be raised. That is exactly why the Local Government Act and the City of Brisbane Town Planning Act give ordinary people the right to object. Usually, objections are not lodged for delaying purposes, although some objections are used in that way. Councils should not be involved in unreasonable delay in granting approval or in considering objections. In these days, cases can certainly be heard quickly. I am sure that the Minister knows that, with two Local Government Court judges, cases can be brought on very quickly.

If the Toowong development were to go ahead without the usual objection processes, ordinary people could well say, "One rule applies to the average guy and another applies to the big boys." If I were a small developer, I would have to put up with all the hassles raised by the council. I would have to run the gauntlet of objections. That is the law. If the people developing the king-size, deluxe projects resort too often to the Minister, people will say, "One law applies to the rich and powerful and another applies to the ordinary person." There should be conformity.

The Liberal Party totally supports any move to kick the backsides of any local authorities that are notorious for delays, and the Brisbane city Council is one. In the city of Brisbane, the delays in setting up other procedures to fast-track developments are far too great. At this time, employment is needed and all of us would like to see justifiable development; but we must not have a situation in which people are able to resort to the powers with regularity, because that takes out the vital component of the right of the public to object. Many legitimate objections may be made to particular developments.

I would be grateful if, during the dinner recess, the Minister would reflect on the matters that I have raised.

Mr RANDELL (Mirani) (5.41 p.m.): It gives me pleasure to support this legislation.

Mr Scott: Did you write this?

Mr RANDELL: I wrote it myself.

I commend the Minister for Local Government, Main Roads and Racing (Mr Hinze) for introducing the legislation. I think that even Opposition members would acknowledge what a capable man he is. We all should be proud of the service that he has given to this State over many years. If Opposition members were fair—I often wonder whether they are fair—they would congratulate the Minister and his staff on what they have done for this State.

An Honourable Member: He has done a good job.

Mr RANDELL: The Minister has done an excellent job.

I wish to refer to what the honourable member for Wynnum (Mr Shaw) said. I have never heard such a cowardly attack as the one that I heard today. He attacked none other than Sir Albert Abbott. It was disgraceful, and I think that the honourable member must be ashamed of it. Sir Albert is a man of the highest principles and the highest integrity.

Opposition Members interjected.

Mr RANDELL: Opposition members know that that is right. If they say otherwise, they must have had nothing to do with him. Sir Albert and his wife are highly respected in Mackay and throughout Queensland. He has given a lifetime of service to this State. The honourable member for Wynnum should be ashamed of himself for attacking Sir Albert under parliamentary privilege. I do not think that it does the honourable member any good at all. I have always had the highest respect for the honourable member, but to do what he did today——

Mr Shaw interjected.

Mr RANDELL: Has the honourable member served this country in the same way as Sir Albert has? He fought for his country. He is head of the Returned Services League.

Mr Scott: He is a little step ahead of the Premier in that regard.

Mr RANDELL: The honourable member for Cook should be ashamed of himself for making that sort of a comment in this debate.

Sir Albert has never been afraid to criticise anyone. I have had arguments with him but, if he is proven wrong, he is the first man to admit it. He is very competent. He can look any man in the eye. The comments that the member for Wynnum made should be treated with the utmost contempt. If he is man enough, at the Committee stage the honourable member should apologise for what he said.

Mr Shaw interjected.

Mr RANDELL: Why don't you get out and say it publicly? You are not game to go outside. Go outside and say it.

Mr DEPUTY SPEAKER (Mr Row): Order! I will not allow a debate to continue between the honourable member for Mirani and the honourable member for Wynnum. The honourable member for Mirani will address the Chair, and if any honourable member wishes to interject he should do so in a proper manner.

Mr RANDELL: Thank you, Mr Deputy Speaker.

An Opposition Member interjected.

Mr RANDELL: I have said it under the same protection as that given to the member for Wynnum. I repeat: he should be ashamed of himself, and he should apologise.

Turning to the Bill—there is provision for the removal from the Act of the requirement for a local authority to obtain the prior approval of the Minister before declaring a benefited area in respect of a separate rate to defray the cost of a particular function of local government.

Mr Davis: What would you know?

Mr RANDELL: I think I know a lot more than the honourable member does.

Separate rates are used by a number of local authorities for equalising the rate burden in their area and it is considered that total responsibility in this respect should be one for the local authority concerned and that the Minister for Local Government, Main Roads and Racing (Mr Hinze) should not be required to interfere in the exercise of this discretion by the local authority. That provision is very good, but I ask the Minister to consider taking the measure further.

When I was chairman, the Broadsound shire had many industries, including grain-growing, cane-growing and coal-mining. At one stage cattle-producers and, on the coast, cane-growers were in difficulty. A local authority may strike a general rate of 2c in the dollar. However, because it may want more money for roadworks, it may also strike a general rate of 3c in the dollar for an area over the range. To do so, it must seek approval from the Minister for that difference of 1c.

Mr Price: You know Joh; you could get a free road.

Mr RANDELL: The honourable member for Mount Isa should mind his own business and talk to the Bill. It is time that he listened and spoke some sense.

Unfortunately, rate-payers do not get a rebate on the 1c differential. I ask the Minister to consider a differential rate whereby a local authority could strike a general rate of 3c in the dollar and a rate of 2c in the dollar in a depressed cane-growing or beef-producing area. That would result in a differential rate of 2c or 3c in the same shire.

Mr Davis: Did the Broadsound shire sell up any people who did not pay their rates?

Mr RANDELL: The Broadsound shire has not sold up anyone. Even when the beef industry crisis was at its worst, the shire council permitted the graziers not to pay their rates. They could pay the interest, however. The important thing was that they came along and made some arrangements with the local authority.

Mr Davis: What about the town people?

Mr RANDELL: The town people could do the same. The honourable member for Brisbane Central should know about the protection that is available.

I ask the Minister to permit councils to strike a differential general rate so that they do not need to seek his approval before doing so.

The Bill also proposes to extend the powers under the Local Government Act to cover offences under by-laws dealing with the control of dogs where the local authority considers that the offences can best be dealt with by means of on-the-spot penalties. The Brisbane City Council has recently made ordinances providing for the imposition of on-the-spot penalties for certain offences relating to the keeping of dogs. Every honourable member will be aware of the problems caused by dogs and their owners.

Mr Davis interjected.

Mr RANDELL: That is all right, as long as the dogs are kept in a safe and proper condition. I think that dogs should be kept under control, and these on-the-spot penalties will provide the councils with a way of maintaining control.

A very important amendment relates to the contributions by developers to water supply.

Mr Price: Get into that one, because I have something to say about it.

Mr RANDELL: It is about time that the honourable member for Mount Isa had something to say, because his mouth is very big. I will be listening, even though I do not think I will hear much sense from him.

Honourable members will recall that in 1983 amendments were made to the Local Government Act to introduce comprehensive provisions dealing with the making of contributions by developers towards water supply and sewerage headworks where development proposals were submitted to a local authority, either by way of rezoning, site approval or subdivision. As all honourable members know, those amendments have never been proclaimed, because they have been considered to be unfair.

Mr Price: That's right.

Mr RANDELL: I am pleased that the honourable member for Mount Isa agrees with me on something. I trust that he will give the Minister credit for bringing forward these major amendments.

Mr Price: I will still question him.

Mr RANDELL: Because their boss cracks the whip, honourable members opposite question anything. They do nothing for the welfare of the citizens of Queensland; but that is something that Government members have come to expect from them.

The major amendment concerns circumstances where land is zoned for an as-of-right use at the time of the coming into force of the legislation and an application is subsequently made for approval to subdivide the land. In such a case, the Bill provides that the headworks contributions obtained by the local authority will be confined to the construction of trunk mains and pumping stations or the augmentation thereof. The effect of that provision will be that, in the circumstances referred to, the power of a local authority to obtain headworks contributions will be similar to that exercisable under existing law. The amendments proposed in the Bill are very good and will be accepted by all members concerned with local authorities. Certainly they will be welcomed by many local authorities.

Mr Scott: Do they give back-bench members of the committee a chance to write the legislation? Did you write this?

Mr RANDELL: The members of the ministerial committee review it. Under our democratic system, the Minister gives us a chance to review the legislation. All members of his committee have quite an input into his legislation. That is a democratic system. Members of the Opposition do not have a right to do something similar. They are told by their masters what they have to do.

I am pleased that the amendments to the Act will flow on to joint local authorities, that is, where two or more local authority areas are supplied through the one water supply, such as happens with the Mackay City Council and the Pioneer Shire Council.

Mr Davis: A lot of members here do not realise where the Broadsound shire is.

Mr RANDELL: I would not ask the member for Brisbane Central to come to the Broadsound shire, because, as I once said, he would need either a white cane to get there or somebody to point him in the right direction.

The Bill provides that a local authority, when approving an application for subdivision, may require a subdivider to contribute a portion of his land for park and recreation purposes or, alternatively, to make a monetary contribution towards the provision of public gardens or recreation space by the local authority. The Act presently provides that the amount of such contribution which may be demanded by the local authority shall not exceed $100 per allotment. That amount was fixed many years ago. The decision has been made to amend the Act to enable contributions of this nature to be fixed by local authority by-laws, thereby giving local authorities a discretion in the matter.

I am pleased to see some control being placed over what could become power-drunk councils. I do not say that any local authorities are presently power drunk; in fact, most are extremely reasonable and responsible. However, some may take the bit between the teeth and make things very hard for developers.

Mr Davis interjected.

Mr RANDELL: I suppose some in the area of the member for Brisbane Central might be like that.

Mr Davis: My local authority is the Brisbane City Council.

Mr RANDELL: I need say no more. Of course, the people of Brisbane will not have to worry about that council after the local authority elections. The change might bring about a little responsibility. The Brisbane City Council has been so backward for so long that the people of Brisbane are looking for a refreshingly new viewpoint.

I am pleased that the Government will still have ultimate control over by-laws made by local authorities, as any such by-law requires the approval of the Governor in Council before it comes into force and effect. The Government will be able to restrict any local authority which it believes might be attempting to act unreasonably. Controls must exist to ensure that local authorities do not do the wrong thing.

A couple of weeks ago, I heard the member for Townsville South (Mr Wilson) make a very good speech on the development of land for young people. In 1973, special legislation was enacted to enable the Townsville City Council to develop land and sell it for residential purposes. That meant that young people could buy a block of land very cheaply and set themselves up.

Mr Davis: Our policy is that local authorities should develop land. We do not like private developers.

Mr RANDELL: The Opposition does not like a great number of things, but if it ever got into power, Queensland would certainly go backwards a long, long way.

The basis of those sales in Townsville was to enable the first home buyer to obtain a house at a price that he could afford so that he could raise his family in a decent way, which is usually expected in Queensland.

Mr Davis: Who do you think does the better job, the local authority or the private developer?

Mr RANDELL: Many times there must be a combination of both of them.

Mr Davis: I don't see why we have to have the high profit margin for the private developer.

Mr RANDELL: The next thing is that the honourable member would bring the unions into that matter, and then everyone would be in a great deal of trouble.

I think that the private enterprise system in Queensland is the best system. It is the envy of other States.

It is pleasing that other local authorities, placed in a position similar to that of the Townsville City Council, are making applications in relation to the disposal of land in rapidly developing areas. The Bill will assist first home buyers throughout Queensland. It provides that a local authority will be empowered to sell, for residential purposes, land that it has acquired for arrears of rates or for any other purpose approved by the Governor in Council on a basis similar to that adopted by the Townsville City Council.

Safeguards have been imposed. Local authorities cannot be allowed to go in and oppose private enterprise; they can do that only under certain circumstances. It is also pleasing that the terms and conditions upon which a local authority may sell land under such a scheme before it undertakes development will have to be approved by the Governor in Council.

Mr De Lacy: Do you think that if the Minister for Racing was also in charge of sport we would have lost the Sheffield Shield?

Mr RANDELL: Those are the idiotic mouthings that one hears from the Opposition benches. When I look at Opposition members, who aspire to be elected to this side of the Chamber, I shudder to think about the fate of Queensland and its citizens. Opposition members should be ashamed of some of the things that they do. I hope that some Opposition members have enough responsibility to come up with more sensible interjections.

The legislation contains many proposals that will be for the good of local authorities and Queenland. I am happy that the Minister has consulted with the Local Government Association of Australia. I understood that it supports the Bill. I have spoken to Sir Albert Abbot and many other persons about the legislation. They are all very pleased with it. Many of the proposals in the Bill were initiated by the Local Government Association of Australia. As it has asked for the changes, the Minister, in his usual fashion, has prepared the legislation, which has been examined and approved by his committee. Certain suggestions were made to him. He conducts close consultation. I am glad that the Minister takes heed of the requests that are made of him. I congratulate him on the legislation.

Mr Hinze: Wasn't Sir Albert Abbott returned unopposed?

Mr RANDELL: They must be happy with him; he was returned unopposed.

Mr Hinze: He is a great man.

Mr RANDELL: There is no doubt about that. He will be remembered as one of the greatest sons of Queensland.

I know that most Opposition members would agree with what I have to say about Harold Jacobs and his staff. Harold Jacobs is a man of integrity. He is very courteous and always helpful. Without fear or favour, he will do anything within his powers to help anyone. I pay him the highest tribute.

I think that later we will hear a lot of garbage from Oppositions members. I am certain that the Minister will have a ready reply. He has the capacity to state his views clearly. I support this legislation.

Mr DEPUTY SPEAKER (Mr Row): Order! I advise honourable members that the honourable member to receive the call after the dinner recess will be the honourable member for Rockhampton (Mr Braddy). As he will be making his maiden speech, I expect honourable members to extend to him the usual courtesies, and hear his speech in silence.

Sitting suspended from 6 to 7.15 p.m.

Mr BRADDY (Rockhampton) (7.15 p.m.): Tonight, I speak for the first time in this House on behalf of the people of Rockhampton, whom I was elected to represent.

I am particularly pleased to be able to do so as a member of the Australian Labor Party. The significance of membership of the Australian Labor Party was brought home by the two pieces of legislation that have been debated today. Both of those pieces of legislation and their administration in various ways exhibit iniquities and injustice.

The first piece of legislation was the Bill amending the Industrial Conciliation and Arbitration Act and, by way of its clauses and the manner in which it was rammed through the House, exhibited the contempt of the National Party Government for the people of Queensland. The Local Government Act, which this legislation amends, contains iniquities which reflect the administration of local government in Queensland and the failure of the Government to reform it.

Injustice can occur through negligence, neglect and apathy, just as it can occur through unjust laws which are passed by the Parliament. I will speak about injustices under the Local Government Act.

A recent report published by the Queensland University made reference to the Queensland National Party Government. It referred in particular to its lack of political will and administrative ability to bring about reform. That is also evident in the administration of local government in Queensland by the National Party Government.

The last great reform in local government legislation in Queensland was in 1936. Copies of the Act published by the Government Printer refer initially to 1936. Of course, that was legislation that was brought about by a Labor Government. A study of local government history in Queensland reveals that this reform has, in fact, been effected by a Labor Government, and I suggest that if there is to be reform in 1986, Queenslanders must elect another Labor Government in this State. It will be fitting that, 50 years after the last great reform in 1936, a Labor Government is again on the Treasury benches and exercising power in this State. A Labor Government would certainly bring about necessary reform in local government. Quite clearly, this Government has proved itself to be incapable of bringing about such reform.

A need exists for a major review of Queensland local government administration and also of the Queensland Local Government Act. Those two things are separate yet intertwined. The Government does not have only my say-so that there is a need for reform in local government administration in Queensland; in 1984 the report of the Advisory Council for Inter-government Relations recommended that there be a major review of local government throughout Australia.

I refer to the first recommendation in that report in particular. Page 161 of the summary of the report states—

> "Representatives of State and local governments in each State should review the range of functions and services currently delegated to local government with a view to
>
> (i) rationalising any anomalies; and
>
> (ii) advising the State government on the particular tasks and degree of responsibility which are appropriate for local government in respect of those functions and services in which it is, or might become, a participating government."

It would appear from an examination of the functions of government in Queensland that such a review is urgently needed; yet there is no indication from either the Minister or the Government that such a review will ever take place. It would appear that the report that I have quoted is not treated with any degree of seriousness by the Government. There is no indication whatever that a major review will take place. Such a review, I emphasise, should take place in conjunction with the local authorities—the people who work in them and the people who are members of them—throughout Queensland.

There are facets of local government in Queensland that clearly cry out for review. I refer first to subsidies. The Local Government Association of Queensland has itself

directed criticism at the State Government over the paucity of its subsidies. In April 1984, that association published its analysis of financial issues relevant to local government. That analysis clearly shows that the level of subsidy from the Queensland Government for local government in this State has been declining for the last several years. At page 1, the report states—

> ". . support from the State Government via grants and subsidies declined further in real terms. Whereas in 1976/77 State Government grants and subsidies for ordinary services, water and sewerage accounted for 7.5% of local authority revenue, by 1981/82 these grants and subsidies accounted for only 5.7% of the total revenue."

Page 4 of the report shows that the Government subsidy level fell from $45.3m in 1976-77 to an estimated $19.7m in 1983.84. The Government has not merely failed to keep pace with inflation but has also reduced subsidies for Queensland local authorities.

The Government indicated that, in the light of increased Commonwealth Government subsidy, it would review its subsidies. However, from a study of the figures and from talking to people in local government it is clear that the Government has drastically over-corrected, to the detriment of local government in this State. There is an urgent need for review and discussion on the level of subsidies.

An examination of road subsidies in Rockhampton clearly highlights the rate of decline in State Government subsidy to the detriment of the citizens of that city. In 1980-81, through the Main Roads Department, the Government subsidised roads in Rockhampton to the tune of $383,000. In 1984-85, the figure had fallen to $227,000. An examination of subsidies paid by the Main Roads Department to other Queensland local authorities would reveal a similar deplorable lack of real subsidy from the Queensland Government.

An examination of funding for other activities of local government reveals that the Government's support is far below an acceptance level. For example, I compare the subsidies given by the Queensland Government to municipal libraries with those granted to local authorities in other States. The present level of subsidy to public libraries in Queensland—$1.71—is the second lowest in Australia on a per capita basis. Queensland is often compared with Western Australia, which has a similar growth and a similar economy. However, I point out that in Western Australia a per capita subsidy is provided for public library services at the rate of $3.40. Therefore an increase in funding is desperately needed for library facilities in Queensland. It is no good the Government's saying that different subsidies are granted by different departments. That kind of response emphasises the need for an overall review of local government.

Another part of the problem is that the Queensland Government does not have an overall, constructive policy for local government. Too many local authorities are being fobbed off with replies such as, "Go to the Minister for Transport", or "Go to some other Minister", whereas what is needed is a general review and an overall involvement by the Minister for Local Government, Main Roads and Racing and his departmental officers to ensure that a fair deal is obtained by local authorities in this State in all of the areas that I have outlined.

A similar position obtains in relation to the funding of arts facilities in Queensland as compared with those in other States. A growing proportion of people obtain employment through their involvement with the various forms of art throughout Queensland. It is therefore not an insignificant matter to consider whether a proper subsidy is being provided by the Government to local authorities and other organisations around the State.

Recent statistics show that for the 1982-83 financial year, the funding for arts and cultural activities in Queensland was the lowest per capita of all the States. On a per capita basis, the Government funding is $8.91 compared with, for example, $15.40 in Western Australia, which is only the third highest among the States. As I have said, providing funds for arts facilities is now an employment-generating process, and that fact should be borne in mind. Arts is another example of how the State Government is

letting down local authorities and the people of Queensland, and it demonstrates that an urgent review of the allocation made to funds for the arts is required so that Queensland is put on at least a comparable basis with the other States of Australia.

To illustrate some of the problems of local government and some of the problems that are not being met by the Government, I now turn my attention to Rockhampton. Rockhampton is fortunate because, for the last three years, the council has been led very ably by a Labor mayor, Mr Jim Webber, and the deputy mayor, Mr Col Brown. Immediately following the local government elections that will be held at the end of this month, the people of Rockhampton will be very fortunate in having another Labor council. The election of that Labor council will undoubtedly be assisted by the Premier and Treasurer of Queensland (Sir Joh Bjelke-Petersen). Honourable members may recall that the Premier and Treasurer——

Mr Cahill: Oh, come on! Obey the rules of a maiden speech.

Mr DEPUTY SPEAKER (Mr Booth): Order! I remind members that the honourable member for Rockhampton is making his maiden speech. The courtesies that have been extended to all other honourable members are therefore extended to him during the making of that speech.

Mr BRADDY: Thank you, Mr Deputy Speaker.

As I was saying, the forthcoming election of a Labor council in Rockhampton has undoubtedly been assisted by the Premier and Treasurer. Honourable members will recall that after the recent by-election, which led to my being here tonight, the Premier and Treasurer referred to Rockhampton as a wilderness and as being in the dark ages. He also said that the National Party had no pretentions to winning elections in Rockhampton. Undoubtedly, that would have been news to members of the National Party in Rockhampton. I repeat that statements made by the Premier and Treasurer have been of great assistance to Labor candidates whose votes will be increased by another 2 or 3 per cent when they contest the forthcoming city council elections. I should therefore thank members of the National Party and the Premier and Treasurer of this State for the great assistance they have given my colleagues in their efforts to win the coming elections.

For many years, the Labor council and its predecessor—a non-Labor council—have been pointing out the difficulties that are experienced in Rockhampton. Those difficulties remain unaddressed and unresolved.

The first one concerns the council's municipal bus service. It should be interesting to honourable members to learn that it is the oldest continuing municipal bus service operating in Australia. It had its 75th anniversary last year. It is now the only municipal bus service, other than in Brisbane, in the State of Queensland. It has had a long and honourable history in serving the people of Rockhampton. That long and honourable history is placed at threat by the meanness and difficulties placed in its way by the Government.

In 1978, the Rockhampton City Council, which was not then a Labor Council, received a letter from the Minister for Transport indicating that it, in common with Brisbane, would receive a 50 per cent bus subsidy on fares collected. However, several months later, the Rockhampton City Council received another letter saying that that was a terrible mistake and that it would receive only a 30 per cent subsidy. Brisbane was to continue to receive 50 per cent, but Rockhampton was to receive only 30 per cent.

Year after year, submissions have been placed before the Government to get it to increase the subsidy to a proper level. In the interim period, the Government, in its generosity, has increased the subsidy for the Rockhampton bus service from 30 per cent in 1978 to 31 per cent in 1985. In the same period, the Government has increased the Brisbane subsidy from 50 per cent to 60 per cent.

That was done by a Government which holds that it governs on behalf of all the people of Queensland. I am not attacking the subsidy paid to Brisbane. The Rockhampton City Council requests only that its bus service be subsidised in the same way as the Brisbane service—no more and no less. I ask the National Party Government, which says that it is particularly interested in decentralisation and in people outside Brisbane, to put its money where its mouth is and increase the subsidy to a proper level.

When Cabinet met in Rockhampton ten days prior to the election—it was said that it was not a matter of politicking, but simply a Cabinet meeting in Rockhampton that happened to coincide with the Rockhampton by-election—it said that the subsidy would be reviewed. I remind the Government of that, and I ask the Minister for Local Government to use his good offices with the Minister for Transport to ensure that, at long last, Rockhampton receives justice for the municipally run bus service, which is run efficiently and is much appreciated by the people of Rockhampton.

The Denison Street railway line is another long-standing problem in Rockhampton. Over the years, the railway line in Denison Street has provoked much mirth at the expense of Rockhampton. People refer to the railway line in the main street of Rockhampton, and so on. However, the siting of the railway line is long past a joke for the citizens of Rockhampton and for those who travel through Rockhampton.

I obtained from the Minister for Lands, Forestry and Police details of accidents between motor vehicles and pedestrians and trains in the Denison Street area since 1974. I thank the Minister for supplying the information so quickly. Honourable members may be aware that on 13 March 1985, a collision that resulted in a fatality occurred in Denison Street. A train struck a cattle truck, which, in turn, fell on top of a stationary car at a "Stop" sign. The driver of the car was killed. That is the tenth such collision in the last two years at the various intersections of Denison Street and the other streets that intersect the railway line. For many years, the council and the people of Rockhampton have been begging the Government to do something about the railway line—to remove it from Denison Street, to cross the river at Stanley Street and link up with the railway line in Rockhampton North.

I am informed that, over a period of a couple of years, engineers from the Main Roads Department, the Railway Department and the Rockhampton City Council have been negotiating about some form of flashing lights to be placed on only two intersections in Denison Street. Discussions that I have had with people whose opinion I respect would indicate that that would not be sufficient. An examination of the statistics shows that collisions do not just occur at the two intersections at which those flashing lights would be placed. I understand that it is intended to place them at the two intersections that lead to the two bridges across the Fitzroy River. However, people have the habit of colliding with trains other than at the intersections at which the authorities will see fit, perhaps, to place those flashing lights. That is an example of meanness or parsimoniuosness by this Government, which is now leading to an increasing number of collisions, and which has led to two fatalities since 3 February 1983.

On behalf of the people of Rockhampton, I am telling the Government that it is just not good enough. With the increasing vehicular traffic along and across Denison Street, that railway line is no longer a joke. It must come out of Denison Street, and the Government must act with urgency, to which it is no longer accustomed, if it ever was, and do something about it. Two years of discussions following on years of neglect in relation to a couple of sets of flashing lights is just not good enough. I again appeal to the Minister for Local Government to use his good offices with the other departments to treat this matter as urgently and seriously as it needs to be treated.

In addition to reform in the administration of local government for Rockhampton and for Queensland, there is also a need for reform of the Local Government Act. Section 33, which is the planning section of the Act, is so complex and lengthy that it is virtually incomprehensible to most members and, in fact, to most people of Queensland. Many people in this Parliament and throughout Queensland make jokes about lawyers

making money for themselves by their involvement in the consideration of legislation. Until section 33 is repealed and a simple and easy way to understand the section is enacted in its place, how will anyone be able to understand it? On every occasion on which the Local Government Act is amended, there is another comprehensive amendment to section 33. It takes an enormous amount of time and effort even to understand what the amendment is designed to do, let alone understand the section.

More importantly, there is an urgent need for reform of the Local Government Act in relation to the local government electoral system. There is no doubt that the present electoral system for local government is a classic example of a gerrymander by this Government. The Government says that the State electoral system has its zones and that they are necessary to protect people who live in far-flung areas. What possible excuse can there be for a gerrymander that discriminates against people who live side by side in the same shires and cities? Take, for example, the Fitzroy shire, which is immediately adjacent to Rockhampton. It has four divisions. Each of the first three divisions has approximately 700 or 800 people, and each of them elects three councillors. The urban division, which is centred on Gracemere and has the greater number of Labor voters, has more than 1 100 voters, and they elect one councillor. That is only an example that is immediately obvious to me. If members of this Parliament—whether they be members of the National Party or of the Labor Party—are fair, reasonable and just, they will recognise that there is no justification for the continuing gerrymander of the electoral system under the Local Government Act.

I call on the Minister to undertake electoral reform. He should establish a local government electoral commission. He should consider combining it with the Grants Commission so that, when that electoral reform is brought about, it can be considered in the context of whatever subsidies are needed in the adjustment of boundaries, both internally within shires and cities and externally with the amalgamation of shires and cities.

Throughout the State, people are calling for the reform of the electoral system and for the boundaries to be redrawn. The Minister for Local Government, Main Roads and Racing and the Government maintain that the people in the shires should sort the problems out, and they will not act unless the shires can agree among themselves. As a result, year after year, impossible situations drag on. The problems faced by the Livingstone Shire Council and the Rockhampton City Council were not sorted out until the more reasonable Labor Party aldermen assumed control of the Rockhampton City Council.

An electoral commission should be set up. The boundaries must be drawn correctly, with an equal number of electors in each division within a shire. Under this Government, the chances of that happening are remote. I appeal to the Minister, given all the years that he has been administering the Local Government Act, to institute the reforms necessary for electoral justice within local government. The people are entitled to those reforms.

Before the dinner recess, I noted the Minister's undertaking to review the proposed new section 31D, which relates to the power given to authorised persons to detain people. I have criticism of that provision as it stands in the Bill. As a lawyer, I am aware of the enormous difficulties faced by people who are not trained police officers when they try to detain people. I urge the Minister to honour his undertaking, and I look forward to his reply.

I remind the Government that, for the reasons and examples I have given, the operations of local government in this State need to be reviewed. As I have outlined, and as my colleagues in this place have advanced for many years, the Local Government Act itself needs to be reviewed. State Government subsidies desperately need reviewing, as the Minister and the Government are aware. I remind the Minister and his colleagues of the injustice that they have perpetrated on the people of Rockhampton through their failure to subsidise adequately the bus service in that city. I remind the Minister of the

fatalities and tragedies that continue to occur because of the Government's failure to fix up the Denison Street railway line.

Unless the Government acts speedily, the only real hope for the people of Rockhampton and the people of Queensland will be, on the 50th anniversary of the reforms brought about in local government by a Labor Government, the election in 1986 of another Labor Government.

Mrs CHAPMAN (Pine Rivers) (7.43 p.m.): It gives me great pleasure to support the Minister for Local Government, Main Roads and Racing (Mr Hinze) in introducing these amendments to the Local Government Act, which will ensure that the problems confronting local government will be ironed out. The Local Government Association of Queensland has considered many of these problems at its conferences, which representatives of all local authorities attend.

As the Bill states, land is registered in the name of the rate-payer or owner, and rate notices are served upon the owner of the land. With the changing times, strata titles, group titles and time-sharing arrangements are becoming more common. It is important that the company that is established to manage a time-sharing building is the owner of that building for the purposes of the Local Government Act.

Many persons become involved in time-sharing and, consequently, the rates levied on these buildings should certainly be levied in the most appropriate way. Therefore, they are levied on the company responsible for the time-sharing operations.

As the Local Government Act stands, a local authority may insure its members while they are carrying out their duties. Pine Rivers shire councillors have extra cover. Only last night, in an effort to gain political capital, the ALP councillors of the Pine Rivers Shire Council carried out a most terrible character assassination of the councillors who have tried to the best of their ability to protect the interests of the shire's rate-payers. Many Queensland councils have insurance protection for their councillors and that should be extended to all councillors, in no matter which local authority.

Mr Davis: Are you going to continue in two jobs this year?

Mrs CHAPMAN: No. If the Pine Rivers shire reverts to a Labor council, it will certainly fall apart.

I feel it is important that the insurance cover be made standard for all local authorities.

Only a local authority has the ability to make a decision on benefited areas. Local councils know these areas only too well. They are definitely not a concern of the Minister. All honourable members know that if the derived benefit does not flow back to the businesses in that area, the councils of the day will surely be removed at the next election. The ballot-box is where the decision is made.

The control of roadside trading is certainly a function of local government. Only yesterday I was presented with a petition from business people in my electorate who believe that itinerant vendors are slowly but surely taking away the viability of their businesses by selling directly from the roadside. The professional people in local government know only too well the problems of the businesses that have to pay dearly for the right to conduct their operations from suitably zoned land. Obtaining that approval from some councils can be rather expensive.

Because of the red tape in local authorities, the provision for on-the-spot penalties will save a great deal of office time. This provision will certainly be a great relief to those council officers who have to impose penalties for such things as stray dogs and water and parking offences. For that reason the provision for on-the-spot fines will save local authorities money.

Property-developers are the ones who are always hard hit by over-anxious town-planners who think, "These are the blokes who have all the money, so let's get them

for every last cent we can." They fail to realise that higher costs for developers mean higher end costs. I am always amused by the recent arrival of so many goody-goodies who would sooner stop development, forget about people and protect the local swamp or the area infested with mosquitoes. These minority groups never, ever stand for council, but they are always ready to stop young married couples from getting a cheap block of land. They do this for their own narrow purposes by holding up developments and thus costing developers huge amounts of interest on borrowings. I hope that those on the other side of the House are not too closely connected with all those greenies who cause these sorts of problems.

When a subdivision borders on two shires, it is important that its services may be provided by either shire. That saves a great deal in costs. The developers can come to a mutual agreement with either shire for water supply and sewerage headworks charges.

It is most important that the Bill provide that the local authority may give approval when a person wishes to amalgamate two blocks of land. The contribution of parkland by developers has always been a bone of contention. Most developers are required to provide 8 per cent of a proposed development for parkland, and the land that is provided must be fair and reasonable.

Mr Davis interjected.

Mrs CHAPMAN: That is socialistic.

Where ample land is available, local authorites usually require that the developer donate $100 per block of subdivided land. It is therefore important that the councillors for the area, knowing the needs of their particular area, decide whether parkland is necessary, and how much is necessary. So it is important that discussion on the matter be left to the local authority. The by-laws of the council should safeguard the developer so that protection is given to future generations after approval is given by the local authority.

As to local government elections—I am amazed at the debacle that occurred in the Ipswich City Council. That matter was referred to by the honourable member for Sherwood (Mr Innes). How anyone who proposes to represent the people of his area can hold his head high after such carryings-on is beyond me. I was personally on the receiving end of such Labor Party propaganda during the 1980 elections, when certain comments in a local newspaper were taken out of context and used against me. Since I became a member of this Assembly, I have found that that is the way in which the Labor Party operates. Members of the Labor Party operate by innuendo—nothing else! Of course, they then hide for ever under parliamentary privilege.

Many councils, including the Pine Rivers Shire Council, wish to develop their own land. Members of the National Party private enterprise Government know that it is most important that land acquired for arrears of rates is developed by the local authority and sold to rate-payers of that shire at the lowest possible price. It is also important that councils are not in direct competition with private enterprise developers.

I thank Sir Albert Abbott and Mr Harold Jacobs, who are known throughout Queensland for their asistance and unbiased attitude towards the very difficult decisions that have to be made from time to time in local government circles. Under the leadership of the Minister for Local Government, Main Roads and Racing (Mr Hinze), local authorities have been treated in a fair and just manner. For that reason, I support the Bill.

Mr UNDERWOOD (Ipswich West) (7.52 p.m.): A number of matters of great importance to the people of Queensland, particularly the electors in the Moreton Shire Council area, need to be raised. The National Party chairman of the Moreton Shire Council (Mr Neil Russell) is guilty of prostituting his public and trusted office. As I will outline, he has been exposed by his own words. I call for a police investigation into his activities as a developer in the Moreton shire, as well as a purchaser and vendor of land

in that shire. I call for a code of ethics and a public declaration of pecuniary interests for all local authority representatives to be legislated for, so that the greedy, fraudulent people, such as the National Party's Neil Russell, can never fill their pockets with illegitimate gain.

In a statement in "The Queensland Times" on Monday, 7 May 1984, the National Party's Mr Russell blatantly deceived the people of the Moreton shire about his financial involvement in a shopping centre development at Karalee. In part, the article states—

> "A rezoning application for a small shopping cente at Karalee has been approved by the Moreton Shire Council.
>
> The council considered two separate applications for the development on two different sites.
>
> It refused an application from R. G. and J. O. Green to rezone land at the corner of Junction Rd and Swann St, Karalee from low density residential to commercial and special facilities—service station.
>
> A second application from Pwani Pty Ltd for rezoning of land at the corner of Junction Rd and Langlands St from future urban to commercial was approved by the council.
>
> The centre will provide eight shops.
>
> After the meeting, shire chairman Neil Russell confirmed he was involved with the proposal by Pwani Pty Ltd.
>
> Cr Russell said he drew the plans for the development.
>
> He said he withdrew from discussion and debate about the applications at the council's town planning committee meeting.
>
> The matter was not discussed at full council meeting and the committee recommendations were adopted.
>
> When asked if he had any financial involvement in the Pwani project, Cr Russell said he was not one of the owners.
>
> However, he said he would receive financial gains from doing work on the project."

In evidence given under oath in February this year in the Local Government Court before Judge Quirk, Appeal No. 174 of 1984, Councillor Russell contradicted that statement made to "The Queensland Times".

In the appeal by Greens against the decision by the Moreton shire the transcript reads—

> "Are you the shire chairman of the Moreton Shire?—Yes.
>
> You have a connection with Pwani Pty. Ltd., the applicant in this proceeding?—Yes.
>
> Pwani is a trustee company; is it not?—That is correct.
>
> And the name of the rest is the C. & B. Development Fund Trust?—Yes.
>
> It is a discretionary trust?—Yes.
>
> And the beneficiaries of that trust are yourself and the other members of your family?—That's correct.
>
> Your wife and your two children?—Yes.
>
> In relation to this application, the acquisition or the entering into contracts in relation to this land you have entered on behalf of Pwani and the Trust?—That's correct."

The transcript continues—

> "In relation to this matter, the subject block of land is on the corner of Langlands Road, which is unformed, and Junction Road, is it not?—Yes.
>
> Did you initially obtain in January 1984 an option from the owner of that land, Tivoli Collieries?—Yes.

Was it an oral agreement?—Yes.

Can you tell His Honour why you sought to obtain at that time to obtain this particular block of land?—Well, I had made enquiries about other blocks in the area and I believe this was the block of land for shops in the Karalee area.

Why did you initially look for land in the Karalee area for shops?—As I said, I have represented the Moreton Shire for nine years, three as a Councillor Division 1, and I lived at Karalee for one year and I was aware of the need for a small shopping centre in Karalee.

How long ago did you live in the Karalee area?—About three years ago.

Between the time that you obtained the option on the land in January 1984 and the time that the application for rezoning was made on 14 March 1984, what did you do?—Insofar as submitting an application and preparing——

Insofar as ascertaining whether it was a desirable site for shops. Did you make investigations of your own subsequent to obtaining the option?—Yes, I did sort of make enquiries of people who were interested and had contacted me and were interested to establish businesses in that area.

From a business point of view?—Yes.

What about in terms of town planning—ascertaining whether it was a desirable place from a town planning point of view. Did you initiate enquiries?—I did make enquiries with the Town Planner and the Council Engineer in regard to traffic.

Were those enquiries prior to entering into a contract with Tivoli Collieries Pty. Ltd.?—Yes.

You did eventually enter into the contract?—That's right."

Councillor Russell was then cross-examined. The transcript reads—

"At that stage were you aware that there was another development proposal in the pipe line for a shopping centre in Karalee?—I was aware of it prior to signing the contract but as I said I had made inquiries prior to the other application being made because there had been a number of developers interested in developing in that area.

The Town Planners you spoke to, was that before you signed the contract?—I can't recall.

Was it a formal conference you had or only a telephone conversation?—It was a formal conference and I was at the time acting in my capacity as a consultant, as a draughtsman. I make a point of advising in either that capacity or the Moreton Shire Council—whichever particular hat I may be wearing at the time.

Town Planner—do you mean Consultant Town Planner or Shire Planner?—Shire Planner.

From the time you signed the contract of sale did you talk to a Consultant Town Planner about the proposal?—Casually, yes.

When is the first time that you rose from that casual situation and started talking seriously to a Town Planner?—When an appeal was lodged.

You are aware Mr and Mrs Green had an application in before it came to council?—Yes."

Later, in further cross-examination, this appears—

"Let us assume for argument sake that you had to apply for rezoning, it would virtually be applying hard on the heels of your current applications?—Quite possible.

You think that is desirable as chairman of the council to get your foot in the door with an application and then immediately follow it with another one?—I do not see my position different from any other applicant.

Do you see that as chairman of the shire being a desirable feature?—I believe it has happened in the past.

It has happened in the past?—Yes.

It might have happened but do you see it as desirable?—I cannot see anything wrong with it."

Those excerpts from the transcript of evidence, when compared with Mr Russell's statement to "The Queensland Times", show that he has tried to deceive the people of the Moreton shire and should be dealt with for being involved in activities that are totally undesirable and reprehensible. There is more to the sordid story.

Mr DEPUTY SPEAKER (Mr Row): Order! So far in his contribution to the debate, the honourable member for Ipswich West has not even touched on the principles of the Bill. If he continues in this vein, using the Chamber in the way he has been, without proper reference to the matter under discussion, I will sit him down.

Mr UNDERWOOD: I am referring to provisions in the Bill and to sections in the Act. The Bill relates to local government. A series of amendments is proposed. By tradition, debates on the second reading of a Bill are allowed to be wide ranging.

Mr DEPUTY SPEAKER: Order! I will determine how wide ranging they will be. My ruling is that the member is proceeding along a particular line which I do not think is appropriate. I warn him.

Mr PREST: I rise to a point of order. When steps were taken to abolish the introductory debate, it was stated that a much wider scope would be allowed at the second-reading stage.

Mr DEPUTY SPEAKER: Order! I appreciate that, since the elimination of the introductory debate, the Chair is required to exercise discretion about the scope of debate. However, there is a limit. I have all but exhausted the tolerance I have on the matter. The member for Ipswich West repeatedly engages in this type of conduct. I will not tolerate it.

Mr UNDERWOOD: The member for Pine Rivers (Mrs Chapman) attacked the Ipswich City Council. Quite frankly, if it is good enough for her, it is good enough for me.

Mr DEPUTY SPEAKER: Order! If the member does not deal with the principles of the Bill, I will deal with him.

Mr UNDERWOOD: There is even more to the matter. However, I will speak to the Bill.

Mr Russell dissuaded other developers from applying for approval to build a shopping centre at Karalee, advising them that a proposal was already before the Moreton Shire Council. He did not disclose that it was his proposal and that he stood to make a large financial gain through exercising his inside knowledge and his influence on the Moreton Shire Council. R. G. and J. R. Green applied. About two weeks after their application was submitted to the council, Councillor Neil Russell submitted his application. In an unusual move, the Moreton Shire Council town-planning committee, which is usually the full council, considered both applications together. In evidence to the Local Government Court, the Moreton Shire Council town-planner, Mrs R. Mitchell, stated that each application should have been considered separately and judged on its merits.

One objection to Councillor Russell's submission was received and 24 objections to the Greens'——

Mr DEPUTY SPEAKER: Order! I regret having to inform the honourable member that he has not deviated one ounce from the theme he started on and he is not speaking to the provisions of the Bill. The honourable member will resume his seat.

Mr UNDERWOOD: I rise to a point of order, if I may?

Mr DEPUTY SPEAKER: The honourable member will state his point of order.

Mr UNDERWOOD: Mr Deputy Speaker, the honourable member for Pine Rivers (Mrs Chapman) dealt with matters associated with local authority elections. That honourable member made quite a lengthy submission as part of her speech, and my subject-matter is similar to hers, except that mine is about the National Party, not the Labor Party.

Mr DEPUTY SPEAKER: Order! I will not accept the point of order. I ask the honourable member to resume his seat.

Mr PREST (Port Curtis) (8.5 p.m.): I have pleasure in speaking to the Local Government Act and Another Act Amendment Bill. The Opposition views many of the amendments that are proposed in the Bill as being of a minor nature. Many other sections of the Local Government Act require urgent attention and consideration, especially when one remembers the publicity that appears in the press from time to time about the development of local authority areas.

Tonight, Opposition members will confine their remarks to those made by the Minister when he introduced the amendments some weeks ago. The Opposition has indicated a willingness to go along with the proposed amendments.

One of the proposals that are presently before the House concerns time-sharing. The practice of time-sharing is developing and it is becoming a very big part of property development and acquisition, particularly in areas such as the Gold Coast.

The Gold Coast City Council is acting very responsibly, and no doubt officers of that council will take a very keen interest in the provisions of the Bill. It is worth noting that the Minister stated that the proposed amendments have been presented after consultation with or at the request of the Local Government Association of Queensland. The Minister also said that the proposed amendments are in keeping with the wishes expressed by the association as well as with the requirements of the Minister and his department, and that they have met with mutual approval. I repeat that, although the Opposition will address remarks to one or two provisions in the Bill, members of the Opposition are prepared to go along with the major principles of the Bill.

Time-share buildings form a major part of the development that has taken place on the Gold Coast. Each one of the units in a time-sharing building could have a different owner for each week of the year, so it is possible for 52 owners to share each unit in that building. That fact must be a source of worry for local authorities when consideration has to be given to establishing an equitable amount for rates payable by people who own a unit on a time-sharing basis.

I believe that setting the minimum rate for each unit will be an advantage, particularly a financial advantage, to a local council. Nevertheless, many of the time-sharing buildings are high-rise buildings, and it should be borne in mind that rates are generally established on unimproved values. I am quite certain that, if a rate is struck for the whole building, a number of unit-owners in the building will be paying only a percentage of the dollar rate. The Bill provides for a more equitable arrangement and allows for each unit to have a minimum rate levy struck.

The clause that relates to deletion of the Auditor-General as a trustee of the Local Authority Debt Redemption Fund is fair and just because, although the audit of the books of account of the fund is considered to be a general audit, it is appropriate that the Minister should appoint a practising local government clerk in place of the Auditor-General. I am sure that the Minister will have no trouble in appointing a competent person to that position.

I am concerned about automatic banking machines causing congestion on footpaths. Local authority by-laws cover newsagencies that sell Golden Casket and Gold Lotto tickets virtually on the footpath, but those businesses do not seem to cause congestion. Automatic banking machines are far better in public places where there is no chance of

those withdrawing money being attacked, as they could well be if the machines were in isolated places. The local government by-laws should control automatic banking machines in the same way as they control other trading on the footpath.

I am concerned also about businesses that place advertising signs on the footpath. Such signs can be hazardous in strong winds. The local authority by-laws should be fully enforced to control such practices. Too often footpaths are cluttered with signs and goods on display when business premises are open.

On-the-spot fines are imposed for littering and water and traffic offences. They are now to be introduced relative to dogs. Opposition members are very concerned about an officer having power to arrest and take to a police station any person whom he suspects of giving a false name. That is not in the interests of the public. Some officers could carry such powers to extremes. At the same time, when dealing with irate citizens, officers could find themselves in difficulties.

The Government is introducing on-the-spot fines for many offences. People believe that it is much easier to pay a $10 or a $20 on-the-spot fine than to plead not guilty, go to court and pay court fees and costs of legal representation. In such circumstances, they pay on-the-spot fines, whether they are guilty or not.

If Mary Jones or Alice Smith told an officious officer that that was her name, he might consider that he was not being told the truth, and he would have the power of arrest. It is offensive to give an officer power to cause an innocent woman embarrassment by taking her to a police station until she can prove that her name is, say, Mary Jones or Alice Smith. Opposition members will be trying to have that provision amended.

One of the amendments proposed in the Bill concerns a 1983 Act of Parliament that has not been proclaimed. It may be that the amendment introduced in 1983 was unworkable. I am certain that "Hansard" of that date will show that the Opposition said, "We told you so."

Mr Hinze: If my memory serves me correctly, you spoke on it.

Mr PREST: That is correct. I think I told the Minister that the legislation would be unworkable and that a further amendment would have to be introduced. I knew that that would happen. The Minister is a pretty fair and just person. At times, he will admit that a mistake has been made. It is better to amend legislation than to allow it to be unworkable.

One of the matters that concern me is that control is being taken away from local authorities. Each year more and more control is being taken away. Only a few years ago the subsidies paid to local authorities in Queensland were reduced to such an extent that local authorities encountered financial problems. They are still experiencing those problems.

The Australian Council of Local Government Associations conference in Brisbane in Novermer 1984 was opened by the Premier of this State. At that conference reference was made to the financial problems facing local government. Because local authorities cannot get money from the Government, at that conference it was agreed that they should request the Federal Government to introduce a 2c a litre levy on petrol in the forthcoming Budget and that that money be handed back to the States for roads under the control of local government. The Opposition does not agree with increases in the price of petrol.

Mr Lee: What about the Hawke Government? It puts the price up automatically.

Mr PREST: Fools rush in where angels fear to tread. Because subsidies to local government have been cut, at that local government conference in November 1984 it was decided to ask the Federal Government to increase the price of petrol by 2c a litre and to return the money to local government throughout Australia, which would use the money on roads under its control.

Local government finances are strained to the limit. Rates paid by rate-payers have reached the limit. Borrowings that local government has been able to make to meet interest and redemption payments also have reached the limit. Local government has been forced to ask the Federal Government to impose a tax on Australian motorists.

Mr Lee: Why?

Mr PREST: Because the State Government has cut the subsidies for roads under the control of local government. That is stated in the "Locgov Digest" of December 1984.

The Opposition is concerned that the powers of local government are being eroded. According to today's "Courier-Mail", the Minister for Local Government, Main Roads and Racing is not the only Minister to bypass local authorities. The Minister for Transport (Mr Lane) will allow development at the Toowong Railway Station. The article states—

> "The State Government will enact legislation which means that although the site includes private property it will be considered Crown land, releasing the developers from compliance with council requirements."

The powers of local authorities are being eroded. A developer, whose progress has been stifled by a local authority, can now bypass that local authority, which has been elected by the people. This Government is prepared to give such a developer permission to carry out a project, but the people in the area will not have the power to lodge objections to that development.

A similar situation has occurred on the Gold Coast. A local paper heading reads "Hinze bypasses council over 170-storey tower"

Mr Hinze: I don't bypass councils.

Mr PREST: That is the heading. The article reads—

> "A rezoning application for a 170-storey tower planned for Surfers Paradise will not come before the Gold Coast City Council for approval following intervention by the State Government.
>
> The Local Government Minister, Mr Hinze, said in a letter to the council the Government would rezone the proposed site for the tower to a 'special facilities zone'."

The powers of that local authority have been eroded. The councillors, who have been elected by the people for the people, do not have the opportunity to have a say or to make a decision.

In January, I spent a couple of weeks down on the Gold Coast. I was interested to read in the "Gold Coast Bulletin" and other newpapers of the problems——

Mr Hinze: You don't read that rag, do you? The only good thing in the "Gold Coast Bulletin" is the form guide.

Mr PREST: The back pages feature advertisments for massage parlours.

Mr DEPUTY SPEAKER (Mr Row): Order! I think that the honourable member should come back to the Bill.

Mr Hinze: Is that what you bought it for, you dirty old man? You ought to be ashamed of yourself.

Mr DEPUTY SPEAKER: Order! I ask the Minister to come to order. I suggest that the honourable member for Port Curtis return to the Bill.

Mr PREST: I bought the newspaper because some of the advertisements had the signature of the Minister for Local Government, Main Roads and Racing on them.

Mr Hinze: If you like, you can use your Bankcard.

Mr PREST: Yes, a person may use his Bankcard; but that is beside the point.

The newspapers on the Gold Coast often refer to the problems faced by the local authorities in the region. In fact, the Logan shire, the Albert shire and the Gold Coast City Council, which are all in the Minister's area, have major problems.

Mr Hinze: The Albert Shire Council is the best council in Australia. It is a terrific shire.

Mr PREST: Yes, that may be so, but it is run by too many farmers; it is dominated by farmers.

Mr Hinze: Is there anything wrong with that?

Mr PREST: No, nothing is wrong with that provided the zones are divided in a fair and equitable way.

I am concerned when I read about members of the Gold Coast City Council who use Bankcards——

Mr Hinze: Thompson used one in a brothel.

Mr PREST: I am not concerned about where he may have used his Bankcard, but the councillors should be accountable to someone. The Government does not have a public accounts committee. The councillors know that and they think, "If the Government can operate on plastic money, why shouldn't I?" I understand what is going on, but visitors to the Gold Coast who read the articles in the papers about the Albert shire, the Logan shire and the Gold Coast City Council must wonder what is going on in Queensland. Although Sir Jack Egerton had said that there would be a cover-up on allegations of aldermanic spending, today he complained that the inquiry is getting nowhere.

A report from one of today's newspapers states—

> "The Gold Coast Deputy Mayor, Alderman Sir Jack Egerton, is compiling his own report on aldermanic spending because of dissatisfaction with the Gold Coast City Council's internal investigations.
>
> Sir Jack said yesterday that investigations into his allegations of misuse of council-issued credit cards by some aldermen were not progressing."

As a local authority election will be held within a fortnight, the Minister should have investigated some of the problems confronting the big local authorities throughout Queensland, such as the Logan and Gold Coast City Councils. The slate should be wiped clean and things should start afresh. The Minister and his department have a duty to investigate all the allegations that have been made.

Mr Hinze: If I did that you would be getting up my ribs for carrying out too many investigations into local government. Now you are asking for them.

Mr PREST: No. The Minister will remember that in 1976 I asked him to investigate the Gladstone City Council.

Mr Hinze: You were a member of that council.

Mr PREST: Yes. However, I finished with that council on 30 June 1976. The rorts, lurks and thefts perpetrated by the National Party people in that council started on 1 July 1977 and continued until that council was investigated in 1978. One of the culprits turned out to be a National Party candidate in the 1977 State election. I will not speak about the $12,000 that disappeared from a safe overnight; that was just a bad losing day. Some book-maker had a nice day. I believe that complaints about local government should be investigated without delay.

Brisbane is very fortunate in having had a Labor council for so long. A great deal of development is taking place in Brisbane. The members of the Labor administration are worthy people who deserve the whole-hearted support of the city of Brisbane and should be elected for another term on 30 March.

Mr McPHIE (Toowoomba North) (8.27 p.m.): I congratulate the Minister on introducing legislation which updates some provisions and repeals some old provisions that are no longer required. The second-reading speech states that the Minister for Local Government has had discussions with local government associations, and that many of the suggestions that were brought forward have been incorporated in the Bill. Some of the more notable provisions are the interpretation of the word "owner", the detailing of requirements in relation to time-sharing, and the updating of insurance cover for local government members when they are on duty. At the moment, some of those members do not have insurance cover.

Some clauses complement legislation that has already been put in place by other Ministers, such as that relating to valuations, rating, the Traffic Act and on-the-spot fines as well as other areas of local authority responsibility such as roadside traders and litter. All of this is in line with what is being steadily produced by the Government. Its enlightened legislation is updating provisions in all areas.

The Bill also contains provisions relating to developers, particularly the contribution that subdividers have to make to headworks and the donations of land for park and recreation purposes. If the developers do not have land to donate for that purpose, they have to make a cash contribution. The provisions in regard to both of those contributions are far more enlightened than any previous legislation and will fit in more easily with the requirements of the community. Other provisions deal with many related matters, some of which are not very significant.

Other matters relate to the issuing of ballot-papers, and private rail and tramway controls where a local authority is involved. The legislation will enable the Queensland Railway Historical Society to proceed with its Marburg railway line project.

The Bill also contains a provision for the sale of some land in Townsville that is owned by the local authority but is no longer required by it. There is provision for other local authorities to dispose of land that is no longer used by them.

The Bill contains many minor provisions dealing with administration.

Penalties have been updated in line with present-day penalties.

The mayor of Toowoomba (Mr Clive Berghofer) was defamed or slandered by the honourable member for Wynnum (Mr Shaw), who made an untrue statement. I cannot let this occasion go by without mentioning that. I am pleased that the member for Wynnum has returned to the Chamber. He disappeared when the member for Port Curtis rose to his feet. I assumed that he disappeared because he knew that I would be the next honourable member to speak. He was ducking out of the Chamber because what I have to say to him——

Mr Scott: You're a lightweight.

Mr McPHIE: I am not a lightweight; the honourable member for Wynnum is a lightweight because he told lies in this Chamber. Tonight he rceived a telephone call from the ALP council member in Toowoomba, Peter Wood, who has corrected the matter and put his thoughts in the right vein.

Mr SHAW: I rise to a point of order. I do not mind what the honourable member says about me; I can cop that. However, I point out to him that I did not receive any telephone calls from any member of the ALP in Toowoomba. That statement is untrue, and I ask the honourable member to withdraw it.

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member for Wynnum has taken a valid point of order. I ask the honourable member for Toowoomba North to withdraw his reference to the telephone call from Toowoomba.

Mr McPHIE: I am happy to withdraw that statement. Evidently, the information that I received was not correct.

The honourable member for Wynnum referred to a report that appeared last year in "The Chronicle". What the honourable member read from the newspaper was correct. The article referred to the application before the Toowoomba City Council for consent to establish a corner shop on the Wine Drive subdivision at Wilsonton.

Mr UNDERWOOD: I rise to a point of order. Mr Deputy Speaker, the honourable member for Toowoomba North is not speaking to this legislation, as you outlined to me earlier, and I ask you to pull him into order.

Mr DEPUTY SPEAKER (Mr Row): Order! I will determine whether or not the honourable member is speaking to the legislation. I have already dealt with the honourable member, and if he continues to challenge the Chair, I will ask him to leave the Chamber.

Mr UNDERWOOD: I rise to a point of order.

Mr DEPUTY SPEAKER: Order! I warn the honourable member under Standing Order No. 123A.

Mr UNDERWOOD: Can I take a point of order?

Mr DEPUTY SPEAKER: Yes.

Mr UNDERWOOD: I am not challenging the Chair; I am taking a point of order about the relevance of the honourable member's speech in line with a decision that you, Mr Deputy Speaker, made about me earlier. I ask you to rule on that matter.

Mr DEPUTY SPEAKER: Order! The member for Toowoomba North has spoken sufficiently about the Bill to justify his remarks. The honourable member for Ipswich West did not. That is my final ruling.

Mr McPHIE: The honourable member for Wynnum said that a meeting of the city council was held and that eight aldermen were present. He named one alderman who was not present. It is correct that he was not there. The honourable member indicated that the mayor of Toowoomba (Mr Clive Berghofer) used his casting vote in a locked decision on whether consent should be given for the establishment of that store. That is also correct, and it is in accordance with the laws of this State. There is nothing wrong with the mayor of that city council using his casting vote.

In addition to his innuendo, the honourable member for Wynnum stated that the land in question was owned by the mayor of Toowoomba. That is incorrect. The mayor did not own that land at the time that that application went before the city council for town-planning consent for the establishment of the corner store. The mayor of Toowoomba is the largest subdivider in that city. He is an honest and honourable man. The mayor has sold the whole of that subdivision, and the purchaser of that particular block was the person who went to the city council seeking consent for the establishment of the corner store. There is nothing wrong with that.

By innuendo and an incorrect statement, the honourable member for Wynnum (Mr Shaw) has condemned the mayor of Toowoomba, Alderman Clive Berghofer. However, I very much doubt whether the honourable member will withdraw his statement. Alderman Berghofer owns the Wilsonton Shopping Centre, which is approximately 2 km from where the store will be established. The people who live in the subdivision shop regularly at that shopping centre. Alderman Berghofer received complaints from tenants of his shopping centre because, by agreeing to the establishment of the corner store, he was taking trade away from them.

Alderman Clive Berghofer is a self-made man. He is one of the most successful private enterprise people in Queensland. I do not know why Opposition members must condemn any man who is successful.

Mr Stoneman: They hate success.

Mr McPHIE: That is the mentality of Opposition members. Perhaps they have pecuniary interests. They condemn anybody who is successful financially, except their friend who sits at the back and who is not in the Chamber at the moment. He is probably the richest of them all because of the gravel pits that he owns near Kilcoy.

It is the mentality of Opposition members to condemn anyone who has made money and been successful by suggesting that to make money a person must be dishonest.

Alderman Berghofer started off as a farmer on the Darling Downs at Westbrook. He then became a builder in Toowoomba and finally went on to become a developer. He built the Wilsonton Shopping Centre. He is the most successful man in Toowoomba. He has been an alderman in that city for nine years, mayor of the city for three years and is contesting the mayoral election on Saturday week.

Alderman Berghofer is the largest developer in Toowoomba. He is a man of undoubted honesty, integrity and unquestioned ability. I condemn the honourable member for Wynnum for what he said about Alderman Berghofer. The honourable member said that he did not like bucketing people and was not used to doing so. If the honourable member for Wynnum has any guts, he will apologise in this Chamber for what he said about Alderman Berghofer and anyone else whom he has wrongly condemned.

Mr DEPUTY SPEAKER (Mr Row): Order! I suggest that the honourable member for Toowoomba North has made his point. I ask him to return to the Bill.

Mr McPHIE: I have made my point. Alderman Clive Berghofer, the mayor of the city of Toowoomba, is an honourable man and should not be condemned under parliamentary privilege.

Mr GOSS (Salisbury) (8.38 p.m.): I support the statements made by Opposition spokesmen generally. I want to speak about repeated attempts by the Government and in particular the Minister to introduce the power of detention without arrest and without charge.

Mr Hinze: Were you out of the House?

Mr GOSS: I understand that the Minister will introduce some amendments in relation to those provisions. I look forward to hearing those amendments. I also look forward to the Minister's explanation in his reply as to how these provisions got into the legislation. It is not good enough to say that it is by accident or an oversight or that they are really unnecessary and can be taken out. The Government repeatedly tries to bring in this sort of provision. Years ago the Minister tried to bring in the power of detention without arrrest in relation to the Commonwealth Games (Modification of Laws) Act and the Local Government (Queen Street Mall) Act. Another Minister tried to bring it in in relation to the Law Courts and State Buildings Protective Security Act.

Such a provision is obnoxious and completely excessive, particularly when it relates to campers and people who own dogs. How much further will the Minister take it? Will he introduce by-laws in relation to kids who do not return books to the library on time? Will he bust the kids for not returning library books on time? The Minister tries to explain why he continues to introduce this type of legislation. When he is caught out, he withdraws it. He trips over himself in his rush to withdraw it because of his embarrassment.

Mr Hinze: If I did introduce the provision that you have referred to in any other Bill, tell me of one occasion that you know of on which that provision has been abused—any one in Queensland.

Mr GOSS: In the legislation that I refer to, the Minister withdrew the provision after a public outcry.

Mr Hinze: You spoke about other legislation.

Mr GOSS: I mentioned three pieces of legislation. On each and every occasion—and the Minister was involved on two occasions—the provision was withdrawn out of embarrassment. The Minister invited me to tell him of one occasion on which that extreme power had been abused. My response to that is to say that, where a Government encroaches on the freedoms of citizens and impinges on their civil liberties by enacting extreme powers, it has to provide a justification. It is no answer to say, "We will be civilised about it. We will not abuse it." If the Government is not going to use it, it should not insert it. The people's freedoms should not be subjected to such extreme provisions.

The attempt on this occasion is even worse than the prior attempts. In this legislation the Minister is not dealing with criminals. He is dealing with campers and people who own dogs. The potential for altercations and for people to be hurt unnecessarily is quite dramatic. The Minister is going much too far. I would like an explanation of how the provision was inserted and why the Minister is back-tracking so quickly. The power of arrest and the power of detention contain the potential for people to be hurt. If it is ever to be introduced, it should be exercised by trained police officers only. The Minister was in charge of police at one time, before the Commissioner of Police arranged a transfer of that part of the portfolio from him to another Minister.

Mr Hinze: You are making a lot more mistakes there, too.

Mr GOSS: One never knows. Something else is said at the other end of George Street. In any event, the Minister is entitled to comment in his reply.

That power should be very strictly controlled and restricted to police. I would like to know how it was intended that this should work. After 4 o'clock during the week or at any time during the week-end, if the dog-catcher or the pound man took somebody off to the police station, the odds are that there would be no police there. Owners and their dogs would be carted all round town because of the severe shortage of policemen and police stations. The pounds would be full of owners and dogs yelping to be let out—bailed out—because of insufficient police and extreme powers.

Mr Milliner: You would finish up with a cart full of "hot" dogs.

Mr GOSS: That is quite true. I repeat that on the week-end there would be the embarrassing problem of pounds being full of owners and dogs, all waiting to be bailed out as a result of this excessive and unnecessary legislation.

Mr Innes: There are tens of thousands of children crying because their fathers won't buy them a dog.

Mr GOSS: Yes, at least that number.

All of the public would be subjected to such legislation, but some members of the public would be much worse off than others. The legislation contains a provision that, if the authorised person suspects that the name is false, that authorised person can cart the person off to the police station or throw him in the pound with the dog. What about poor Mr and Mrs Woof? There are two Woofs in the Brisbane phone book. What happens when Mr Woof is approached by the pound man and is asked, "What's your name?" and he says, "Woof."? Straight to the police station for him. Straight to the pound by Mr Hinze's dog police. Outrageous! I protest at such extreme legislation. I stand here on behalf of the Woofs of Brisbane.

It gets worse. Hundreds of people would be caught up and carted off to the pound under the Minister's legislation. There are six Barke families in the Brisbane telephone

book. What happens when they are asked their name? They say, "Barke." Straight in the cart and carried away!

It is a serious matter, and I do not think that the Minister for Local Government, Main Roads and Racing should be laughing while sitting in the House. What about the Cocker families? There are two of them. What about the Pointer families? There are three of them. What about the Dogliones, and what about the hundreds of Barkers who live in Brisbane! Perhaps I am being slightly ridiculous, but someone has to stand up for the Woofs and the Barkers, and someone has to stand up for the civil liberties of the people who live in Brisbane.

By being slightly ridiculous, I am endeavouring to highlight the ridiculous and excessive nature of the legislation that is being presented, and that is quite a serious aspect. How did this problem arise? How is it that this sort of provision recurs in legislation? I would like an explanation, and I would also like to receive an undertaking that, in future, legislation of this type will be scrutinised by the parliamentary counsel so that extreme provisons will no longer appear and last-minute amendments will not be necessary because of a public outcry.

Mr PRICE (Mount Isa) (8.45 p.m.): The honourable member for Salisbury has given me a difficult act to follow. However, in speaking directly to the provisions of the Bill, I shall make cursory reference to the remarks made in the Minister's speech. Generally speaking, I commend the Minister on the Bill as it has been presented and for having included in it resolutions passed at annual conferences of the Local Government Association of Queensland. Most of the proposed amendments are straightforward. However, I have one or two questions to raise.

The provision relating to insurance for members is long overdue, particularly as members are required to represent their constituents in local government matters or to attend in an official capacity functions such as the Local Government Association conferences, which usually are held far away from local authority areas.

I will not elaborate on the remarks made by the honourable member for Salisbury, who preceded me in the debate. I certainly could not match the comments that he made about the provisions that affect dog ownership. However, I am happy that the Minister has decided to withdraw from the Bill the obnoxious clauses that provide for powers of arrest. It will be interesting to note whether the Minister discards those provisions altogether.

I wish to speak now about the major amendment that is proposed in the Bill, which concerns circumstances in which land is zoned for an as-of-right use at the time of the coming into force of the legislation and an application is subsequently made for approval to subdivide that land. The word "augmentation" in the proposed provision sticks in my craw. Although it has been said that it has not been possible to implement the provision under existing law, power to subdivide has existed and local authorities have been using it. I cite a case that will demonstrate the unfairness that remains in the provisions of the Act. If rezoning is approved in an area that is designated as residential A and a developer decides to have headworks connected by the local government authority by the use of a 4-inch water-main, which is commonly used for sewerage, trunk-mains or pumping stations, what would happen if the developer later on demanded an upgrading of the services? Unless the cost could be passed on to the developer, a question arises about the unfairness to the rest of the rate-payers in the area.

Mrs Chapman: How long do you think the developer has to keep on paying?

Mr PRICE: How far does the honourable member think the rate-payers should subsidise the developer in such a situation? The rate-payers cannot be bled continually. If a subdivider submits a plan with a 4-inch water-main and later erects commercial buildings or high-rise buildings, the 4-inch main may have to become an 8-inch main.

Mr Hinze: He would have to make a further contribution.

Mr PRICE: He should make a further contribution. That was the proposition that I put to the Minister—that there should be a carry-on requirement for a developer in such a situation.

A Government Member: If that's right, it's wrong.

Mr PRICE: The Minister told me that that is the position.

While I am speaking about subdivision, I would like the subdivision of land for residential purposes in Mount Isa to be expedited. At the moment, Mount Isa is very short of residential land. The Minister is aware that, recently, Gunpowder was auctioned. The 92-odd houses were shifted to various regions in the north-west. Quite a few of the houses went to Mount Isa. Fortunately, a small subdivision with 18 blocks was available. It was taken up quickly. A number of houses are still on the site at Gunpowder. They have to be shifted quickly, but no land is available in Mount Isa. The city council has applied to the Minister's department for the replanning of what is called the Glider Port area. The Minister may be aware that the council applied to subdivide that same area into rural subdivision.

Mr Hinze: There is opposition from Cloncurry.

Mr PRICE: That does not concern this land. I am speaking about the Glider Port area. Cloncurry wanted to develop a certain area. The Minister should remember the boundary dispute. On one side, Cloncurry has grassy, fertile river flats to the south of Mount Isa. Cloncurry wanted to develop that land to take advantage of the proximity of Mount Isa. The Mount Isa City Council has been trying to get the boundaries extended because of the demand for rural residential land. In desperation, it tried to subdivide the Glider Port area, which is within its boundaries and is probably the only flat land close to the river available to the city. The Lands Department rejected the council's application on the grounds that Cloncurry was subdividing land not far away.

Mr Hinze: The Lands Department, or the Local Government Department?

Mr PRICE: I think the application was made to the Lands Department.

Mr Hinze: The Lands Department?

Mr PRICE: Yes.

Mr Hinze: I advise the honourable member to tell the council to make a further application.

Mr PRICE: I have advised the council to do that, and to write to the Minister for Local Government to give an update on the situation.

At the moment, an application has been made to the Lands Department to do away with the rural subdivision now that the Cloncurry subdivision is going ahead, and reapplying for residential A zoning for the same region. Mount Isa is suffering from a desperate shortage of land. If it is within the Minister's sphere, he may be able to exert some influence on the Lands Department, through the Department of Local Government, to expedite a decision.

The extension of the Mount Isa shire border has arisen again because of the situation confronting Mount Isa. The rural residential areas that are being developed in the Cloncurry shire will require headworks from Mount Isa. Pipelines five to six kilometres long could be needed to get water to that rural residential area. The cost to those people will be substantial. They will find that their rates will not be less because they are in the Cloncurry shire. Because of the headworks required, the pipeline to carry the water five or six kilometres and the provision of power, perhaps the rates will be higher.

The Minister discussed this matter when he was in the area trying to overcome the conflict between the Mount Isa City Council and the Cloncurry Shire Council. Generally

speaking, the rates are cheaper on those rural residential areas in the Cloncurry shire. The provision of services from Mount Isa has not been required. Under the new development, the provision of those services from Mount Isa will be required and the cost will be considerable. By the way, the township of Cloncurry is 150 km from the area that is to be developed. The centre of the city of Mount Isa is only six or seven kilometres away. I believe that the Mount Isa City Council will be forwarding another submission to the Minister on that matter.

The Bill also provides that prior local authority approval will be required when allotments of land are proposed to be amalgamated. I have a case that I shall put before the Minister. It concerns a subdivision and a family in Cloncurry. The Lands Department carries out subdivisions in most areas. Under Lands Department subdivisions, a limit of about 4 700 square metres is placed on the size of a block of land. One block in Cloncurry is a little larger than normal. A family made an application to the local council for that block. The local council sold the block to this family. However, when the application was forwarded to the Lands Department for approval, it was discovered that the block was larger than the allowable size. This family had actually purchased a house that was to be moved onto the block. The advice of the Lands Department was to subdivide the block by getting a survey line drawn. Anyone familiar with surveying knows that surveying costs today are quite high. In my area, a survey involving even one line can cost as much as $1,000. Because of drainage easements, that block was purposely made large by the Lands Department and its surveyors. To place the house on the only high spot on the block would have meant that it would have been placed on the survey line subdividing the block.

I have advised the family to write to the Minister and to make application for the whole block. I ask the Minister to look at the submission when it reaches him and to consider the full story rather than the fact that the piece of land is larger than the allowable area.

Finally, I commend the Minister for introducing the provision that allows other councils in Queensland to follow the lead of the Townsville City Council in subdivisional matters. The councils will not act as entrepreneurs but will act in the best interests of their rate-payers. That provision will give young people and first-home owners the chance to obtain a piece of land.

Recently in Mount Isa a parcel of land was subdivided. The Mount Isa City Council sought to act upon that subdivision in the same way as the Townsville City Council had, but the request was knocked back. Fortunately, because of the demand for that land, it was taken up immediately with the Gunpowder houses that I spoke about earlier. It is pleasing that this provision will allow local authorities, including the Mount Isa City Council, to act on subdivisions in that way.

Mr SCOTT (Cook) (9.1 p.m.): Amendments to the Local Government Act are always important and have particular significance for people living in remote areas. My first comment relates to the conduct of Aboriginal council elections. I note from the second-reading speech that the voting rules are to be amended. This is relevant to the Aboriginal council elections because the Community Services (Aborigines) Act is tied directly to the Local Government Act. The Aboriginal council elections are being carried out under the requirements of the Local Government Act.

On 30 March, Aboriginal councils will be elected, as will most other local government councils in the State. However, because of the incompetence of the Minister for Northern Development and Aboriginal and Island Affairs (Mr Katter), the Aboriginal council elections are in a mess. It is a shame that he is not in the Chamber this evening to hear my remarks, because he is a particularly ineffective Minister.

Mr Hinze: That is not the case.

Mr SCOTT: It is true, and it is a shame that he is allowed to continue in his position. Many people in the Aboriginal communities want their councils to be elected

properly. The Minister for Northern Development and Aboriginal and Island Affairs has stopped that from happening. It is a shame.

Mr DEPUTY SPEAKER (Mr Row): Order! I cannot see what the Minister for Northern Development and Aboriginal and Island Affairs has to do with the provisions of this Bill. Unless the honourable member for Cook comes back to the Bill, I will deal with him.

Mr SCOTT: Mr Deputy Speaker, I seek your indulgence. I was listening very closely to the second-reading speech, in which reference was made to changing the rules relating to local government elections. Those rules apply strictly to the provisions of the Community Services (Aborigines) Act. The principal amendment contained in this Bill deals with the issue of a postal ballot-paper to a person who claims such a vote but whose name is not on the voters roll. That is the essence of my argument. The way in which the Minister for Northern Development and Aboriginal and Island Affairs has tried to conduct the Aboriginal council elections relates specifically to that provision. Many of the people who should be entitled to vote in those elections are not on the roll and that is through no fault of their own.

The honourable member for Salisbury (Mr Goss) quoted from the telephone directory. I will quote directly from the electoral rolls of this State. I happened to be glancing at the names on the roll for the little town of Laura and I noted that the names of two people appeared on the roll twice each—exactly the same names—with slightly different addresses. I know the people concerned. Obviously, the rolls are not being checked. I take the Minister's point to heart. The Minister wants to know that the electoral rolls are accurate so that voting in the local council elections will not be upset. Of course, they are not accurate. The Minister for Aboriginal and Island Affairs should have known that the rolls closed in January and that nominations did not close until much later. Many Aboriginal people who wanted to nominate for their own councils were unable to do so because they were not on the roll. Many will not be able to vote in the 30 March elections, because their names are not on the roll. That is not justice.

Mrs Chapman: You should have seen that they were. You are the member for that area; you should have seen to it.

Mr SCOTT: Come on! The honourable member for Pine Rivers does not have the slightest idea what she is talking about. If you have so little to do in your electorate that you can go round checking the people on your roll, then you deserve not to be re-elected next time. If that is all that you are spending your time doing, next time you will not be re-elected. I certainly have much more important things to do than to go round my electorate doing that.

Mr DEPUTY SPEAKER (Mr Row): Order! I ask the honourable member for Cook to address the Chair and not to promote an argument across the Chamber.

Mr SCOTT: I was unduly provoked.

I shall round off my comments about the incompetence of the Minister and the fact that he will have to live for the next three years with the results of the coming elections. At least elections are being held for the Aboriginal councils.

I will now take the Minister to task for not allowing elections to be held in the Cook and Torres Shires. This is very relevant to the legislation before the House, which deals with matters under the Local Government Act ranging from dogs, property ownership, litter fines, the election of councillors, voting rules and insurance cover for members while carrying out their jobs. Unfortunately, no elections will be held in the Cook and Torres shires on 30 March. The Minister has not seen fit to grant those people their simple democratic right. That is totally wrong and will reflect on the Minister. Because the people of Cooktown, including members of the National Party, are irate over this denial of democratic right, the Minister will not be game to go up there in future. I hope that the Minister will take a little of his time to say whether he is prepared

in the next three years to change the current state of affairs. Everywhere else in Queensland, including the Aboriginal communities, will hold local government elections on 30 March. However, the Torres and Cook shires will not.

Local authority elections have not been held in the Cook shire since 1959. As the Minister knows, at that time an administrator was appointed. The area now has its fourth administrator. Surely in that period one of the administrators would have been able to get the affairs of the shire into order so that local authority elections could be held. However, that has not been the case. The Minister's predecessor established an arrangement that appointed advisory committees.

Mr DEPUTY SPEAKER: Order! I have to advise the honourable member for Cook that a Supreme Court writ has been issued on the question of the local government elections.

Mr SCOTT: Perhaps that is in relation to Aboriginal councils. It certainly does not relate to the shires in my electorate.

Mr DEPUTY SPEAKER: Order! As the matter is before the courts, I simply raise it so that the honourable member will exercise caution.

Mr SCOTT: I certainly will exercise caution. However, I must say that it is the National Party that has prevented voting in the Cook and Torres shires.

Mr Hinze: Tell me what you know of Norm Gampe, the administrator.

Mr SCOTT: I am pleased that the Minister mentioned him. Mr Gampe is a competent administrator, but the trouble is that the Minister has overloaded that good man. In fact, the onerous work that the Minister is requiring him to do will probably have an effect on the poor man's health. The Minister is expecting too much of him. Does the Minister know that he is administrator of the Torres and Cook shires and is also a member of two advisory committees, one for the Aurukun Shire Council and the other for the Mornington Shire Council? No man can do that job. What happened to the previous administrator of the Torres shire? He died in the job. Ken Brown was an excellent man. The Minister is simply overworking these officers.

Mr Hinze: Everybody in the Local Government Department is overworked.

Mr SCOTT: Except for the Minister. He is not overworked on matters relating to the Local Government Department; he pays no attention to them.

Mr Burns: He is fading away to a shadow.

Mr SCOTT: Yes, from overwork.

The department has many competent officers but the Minister does not oversee what they are doing. That is wrong!

The first administrator of the Cook shire was appointed in 1959. Three other administrators have been appointed since then. An advisory committee was appointed. By legislation that passed through the House in approximately 1978, that advisory committee was made an advisory council and was given power to override the administrator. How can a person be an effective administrator when he is circumscribed by the voting power of these councils, which do not have to answer to the electorate? Those appointed people, who do not represent any particular area, take no responsibility for any part of the Cook shire. When rate-payers approach them about problems, they say, "Oh, we don't have to answer to you because we are appointed to our positions by the Minister." I would like to know the mechanics of appointing those persons.

Previously, seven persons administered the shire. On advice—I would like the Minister to tell me from whom he obtained it—the Minister saw fit to increase the

number to eight. If it takes eight men to administer that shire, why not give them the opportunity of facing the electors? The people in that district would like to know what is going on.

Several years ago the member for Port Curtis (Mr Prest) was good enough to attend a public meeting. He explained quite capably to the people of Cooktown that they would be better off under an elected council. He did the job admirably. At that time the Labor Party took round a petition to have a council restored there. The Government ignored the petition, letters and calls from everyone in the shire for an elected council.

I wonder how the Minister will get on when he learns that his own National Party members in the area are most perturbed and that they will request that a council be elected. A further public meeting on the matter will be held. It would be a good idea to invite the Minister to Cooktown to talk to that public meeting. If a meeting were held at a time convenient to the Minister, would he be prepared to do that?

Mr Hinze: Yes.

Mr SCOTT: I have achieved my aim.

Mr Burns: It will be in 1999.

Mr SCOTT: I know that the Minister did not say when. He is a relatively young man. I also hope that he is a man of his word.

Mr Prest interjected.

Mr SCOTT: That is a good idea; we will pick race-time. I am pleased to hear the Minister say that he will go up there.

Mr Hinze: Find out when there is a race meeting and I'll come up.

Mr SCOTT: I will find out when the race meetings are on.

To return to serious matters—the Cook and Torres shires are very important. They both deserve elected councils. I have heard that one reason they do not have elected councils is that there is an inadequate rating base and insufficient population. If one examines local government statistics, one finds that that is not true. Some shires are almost as big as the Cook shire and some shires are certainly much bigger than the Torres shire, with different populations. Other shires have many more people than there are in the Cook shire. However, the Cook shire has an adequate population and it can control its own affairs.

A second reason, to which I do not subscribe, is that some of the National Party people in the area say, "You could never get anyone in the shire who could run the affairs of the shire." That might have been true with the old council that was dismissed in 1959, but there is no doubt that there are now competent persons who could run the shire.

The third reason given is that there are too many Aboriginal people in the shire and that they would be likely to vote a black council into power. Would there be anything wrong with that? Under the legislation so tardily brought in by the Minister for Northern Development and Aboriginal and Island Affairs (Mr Katter), that can no longer happen. Aboriginal people who live on reserves and have the right to vote for an Aboriginal council, which is more like an administrative board, have lost the right to vote in the neighbouring shires. That is a scandalous denial of democracy. That will not change until there is a change of Government.

I ask the Minister to take some notice of the requests of the people of the Cook and Torres shires and to consider the establishment of an elected council.

Mr MILLINER (Everton) (9.13 p.m.): I support the contribution made by the Opposition spokesman for Local Government, the member for Wynnum (Mr Shaw).

The Bill contains some interesting provisions. I support the principle of insurance for councillors when they are engaged in council business. The whole matter of insurance for councillors raises some interesting aspects. I call upon the Minister to examine some of the problems in the Pine Rivers Shire Council regarding insurance with——

Mr Davis: Mrs Chapman.

Mr MILLINER: It does not involve the honourable member for Pine Rivers; it involves another councillor who made some statements and found himself served with a writ. When the writ was served on him, it was obvious that legal costs would be incurred in the action taken against him. I have been reliably informed that, as a result of the resolutions that have gone through the Pine Rivers Shire Council, a sum in excess of $1,000 of rate-payers' money has been spent on that case. I also believe that at that time the particular councillor undertook to meet the costs of that litigation. To date, nothing has come forward. It is unfortunate that this has happened. I suggest that the Minister have a close look at the situation in the Pine Rivers Shire Council in relation to this litigation that is going on between Councillor Brian Burke and other parties.

Mr Davis interjected.

Mr MILLINER: Councillor Burke is involved in a number of things. I will refer to some of them later on.

In my opinion, a full investigation is warranted. Over $1,000 of rate-payers' money has been spent on the litigation that has taken place so far. Local authorities are charged with the responsibility of protecting rate-payers' funds. Of course, local authorities are closest to the population. They handle a considerable amount of citizens' funds through rates. It is incumbent on a local authority——

Mrs CHAPMAN: I rise to a point of order. I believe that what the honourable member for Everton is saying is not correct. It is not the truth. At the moment it is an offence against the council. I believe that it stands me in bad stead as a councillor for the shire——

Mr DEPUTY SPEAKER (Mr Row): Order! There is no personal reflection, so I cannot accept the point of order. However, if the honourable member for Everton is referring to litigation that is pending, I think that he should be very cautious about referring to any related matter.

Mr MILLINER: I will not discuss that matter any further. As I was saying, it is incumbent upon local authorities to ensure that their operations are conducted as efficiently as possible. Everything possible should be done to examine the particular council with a view to making improvements.

To the credit of the Pine Rivers Shire Council, it did in fact employ a firm of business consultants, John P. Young & Associates Pty Ltd, to conduct such an inquiry. I will table a copy of the consultants' report. I commend it to honourable members. It contains some interesting matters. The report commences—

> "The consultants would undertake a full and detailed investigation of the present organisation and structure of Pine Rivers Shire Council.
>
> At the conclusion of the investigation the consultants would present to council a report on their findings, offering recommendations, where appropriate, for improvement."

In my opinion, it is a good idea for local authorities to engage in such exercises, because if the efficiency of the council can be improved, obviously it will save the rate-payers a great deal of money.

It is interesting to note that most of the members and staff of the Pine Rivers Shire Council were only too willing to be involved in this particular exercise. It is also interesting to note that there was one councillor who would not be involved in the

inquiry. Who does that turn out to be? Brian Burke again! The contents of the report disclose why Councillor Burke would not become involved in the inquiry.

The report makes a number of observations. It is worth reporting those observations. The report notes—

"Poor upward and downward communication.

Strong elements of mistrust between Councillors and Council Officers.

Open hostility between one Councillor and a Department Head."

It is very disturbing that open hostility takes place. Who does that councillor turn out to be? None other than Brian Burke! The report further notes—

"Low morale.

Stress and games playing.

Negative undercurrents in most transactions between Council and Council Officers.

Accusations that Council Officers are 'intimidated' by councillors.

Accusations that Council Officers 'withhold information' and 'abdicate decision-making'."

The report highlights very serious problems.

The report goes on to investigate what happens in the council and makes suggestions for improvements. The report states—

"The role of the Shire Council and of its Committees may be simply stated as follows:—

1. To formulate policies, plans and strategies.
2. To monitor the implementation of these policies, plans and strategies.
3. To accept accountability to the ratepayers for the achievement of pre-planned objectives."

They are admirable objectives for a local authority.

The report continues that the council officers should accept accountability for the performance of their roles. We do not have accountability in this place. Perhaps if a public accounts committee were established, we would be able to investigate wider aspects of Government spending, which might even extend to councils. It is desirable to have public accountability for public bodies.

The consultants investigated the performance of various aspects of the council. I am very pleased to say the report assessed the performance of the shire chairman, Councillor Allan Hughes, as satisfactory, commenting that "he was attentive and helpful in assisting Councillors to frame motions etc." It is heartening that Councillor Hughes was shown up in the report in a good light. Unfortunately, some of his fellow councillors who are chairmen of committees did not fare as well.

Mr DEPUTY SPEAKER (Mr Row): Order! The member is not referring to provisions of the Bill very closely. If he intends referring to the personal attributes of every councillor on the Pine Rivers Shire Council, I will have to ask him to desist. I ask him to refer to the provisions in the Bill. He is certainly not doing so at this stage.

Mr MILLINER: The provisions of the Bill are very wide ranging. I wish to deal with the responsibilities of elected representatives. The Bill covers aspects of local authority elections. It is pertinent to discuss problems that exist in the Pine Rivers Shire Council and are pertinent to the forthcoming local authorities elections.

The report on the health, building and town-planning committee, which is chaired by Councillor Brian Burke, is in these terms—

"We assess that the chairing of this meeting was unsatisfactory.

* No real direction and control.
* For twenty percent of the meeting time, the Chairman was absent from the Chair and no delegation of responsibility was agreed, or even suggested. (These absences were not recorded by the Minute Secretary.)

Considerable evidence of casual side discussion. Visitors occupied eighty minutes of meeting time in one day. In each case visitors could have been better handled by executive officers."

The following is the report on the works committee, which is chaired by Councillor Jan Quinn—

"By our assessment, the chairing of this meeting was unsatisfactory.

* Overall there was no clear direction given regarding agenda items being dealt with.
* No effective control of discussion.
* Permitted, and contributed to, side discussions.
* Where there was doubt about the existence of Council policy and it was obvious that no decision could be taken, the Chairperson should have prevented further discussion on these items, e.g. executive cars and leasing of Council owned land, or should have devoted the time to the determination of policy.
* A 'casually' made decision (no clear discussion or agreement) by the chairperson regarding working through the lunch break, caused open hostility between two Committee members."

Mr Scott: Would you call that a Mickey Mouse council?

Mr MILLINER: It certainly is a Mickey Mouse council.

The industrial committee, which is again chaired by Brian Burke, was reported on in these terms—

"We assess that the chairing of this Committee was unsatisfactory.

* There was little semblance of meeting order.
* Most of the discussion which took place was irrelevant to the items under consideration.
* Committee in session reading report which should have been read previously.
* Committee members completely digressed from the appropriate Agenda item to impugn the motives/intentions of Senior Council Officers in the presence of a more Junior Council Officer.
* In dealing with Item 1.00, the Chairperson led the discussion into irrelevant areas."

They are serious allegations about Councillors Burke and Quinn. I hope that the Minister takes action to ensure that councils throughout the State operate effectively so that similar problems do not arise. There ought not to be conflicts between councillors and council staff, who are entitled to protection and should not be stood over by elected representatives.

Whereupon the honourable member laid on the table the document referred to.

Mr BURNS (Lytton) (9.25 p.m.): I wish to speak about four matters dealt with in the Bill. The first is a provision that seems to me to provide that the lessee of land controlled by a harbour board is deemed to be the owner of the land for rating purposes. That appears to be all that will happen, but it will affect many of the smaller fishermen's co-operatives and those fishermen who are associated with harbour activities throughout the State.

I am reminded of the claim by the Minister that in many cases local councils cause delays in private enterprise operators setting up a business. However, when I recall the instance of the Toondah Boat Harbour in Redland Bay and the trouble that the operator of the island taxi service has suffered through delays and frustration caused by the council, I am surprised that councils are allowed to have anything at all to do with harbour boards and the activities associated with them.

The taxi service that I refer to operates from the mainland to Stradbroke Island. The service was finally established after the operator had spent 12 months negotiating with the council for permission. It is my impression that Councillor Genrich and other councillors of the Redland Shire Council applied most of their efforts to frustrating this gentleman and attempting to bankrupt him. Fourteen feet of silt has built up in the harbour area, and that does not reflect action of a Government that is endeavouring to help young men set up a business or establish a private enterprise operation that will return a profit.

The particular section of the Toondah Boat Harbour to which I refer is a section that should be examined by the Department of Local Government in co-operation with harbour authorities. The port authority collects $250 a month from the operator towards the cost of dredging the harbour, and I point out that the water taxi, which is used for emergency services such as carrying sick people from Stradbroke Island to the mainland late at night, cannot even get to the pontoon at low tide. For instance, on a 2-foot tide, which is not a very low tide, no access to the pontoon located in the harbour is available. I understand that the CSIRO brought a new boat to the harbour but was unable to launch it at low tides because of the silt problem. CSIRO had to spend $65,000 to have the harbour dredged the last time dredging occurred, and that demonstrates that very little has been done to allow 14 feet of silt to build up in a harbour.

It is all very well to say that people should pay rates for a small piece of land that is provided for the harbour authority, but it is important that the land should be put to some use. The council should demonstrate co-operation in developing the area before laws are honoured that provide for the council to obtain revenue by way of rates.

The other aspect of the Bill that I wish to address concerns time-sharing. It is interesting to note that the Government has made provision for time-sharing unit-owners to pay a minimum rate on every unit in a time-sharing complex. As the Minister knows, many unit developments have not been able to compete successfully in the world of real property and private enterprise and have been flogged off on the basis of time-sharing. The Government has done nothing about a promise that was made in 1981 by the then Minister for Justice and Attorney-General, as follows—

> "... careful consideration had been given to the legal aspects of the shared ownership concept in all its various forms, As a result, legislation is being prepared for the purpose of minimizing uncertainty and introducing consumer safe-guards for approved forms of development based on shared ownership. Ultimately it is hoped that uniform legislation of this type will be introduced by all States."

In 1982, Sir Robert Sparkes said that legislation covering time-sharing resorts did not ensure consumer protection and that something would have to be done. In 1983, a Justice of the Supreme Court of Queensland, Mr Justice McPherson, told the Australian Legal Convention that legislation dealing specifically with the time-sharing concept of land-ownership was needed in Queensland. Those kinds of things have been said, but what has happened?

The Government has brought forward legislation that will allow councils to strike a minimum rate for each unit. No legislation has been presented that will protect the rights of the consumer, and the effect of this legislation will be to impose another charge that time-sharing managers will pass on to the people who buy a time-share unit. That is a fact of life. The Government should be making buyers aware of the proper performance of responsibilities and duties of time-sharing unit-owners. Those responsibilities should be clearly spelt out by the legislation so that, while a person remains a share-holder in

a time-sharing company and while a tenancy in common agreement operates, he bears part of the responsibilities normally attributed to the owner of a property.

Many people who have purchased a time-share unit will find that, as a result of this legislation, they will have to pay more, because a minimum rate will be struck across the board. The Minister would be aware that very few of the original time-share units that have been sold were the subject of agreements that laid down, year in and year out, the increase in management costs. Some people are paying $3,000 under a time-sharing arrangement for a week's holiday in a resort on a 99-year basis, and they would be required to pay more each year in maintenance and management charges. In a few years, that could amount to far more than would have been paid had they rented a place in a similar area. It is crazy that the Government is now legislating to allow local authorities to charge extra rates for time-share resorts when no consumer protection has been provided in the legislation.

I turn now to trading on the roadside. It would be better to have uniform legislation covering pie-vendors and others. I can remember what happened in earlier days. Everyone who drove out of Brisbane saw prawn-vendors parked on the Brisbane City Council boundary because that council said that it did not intend to do anything about their selling practices. The Albert Shire Council and the Caboolture Shire Council had adopted a different course from that adopted in Brisbane. Many small roadside businesses were set up in those council areas in which the council adopted a lax attitude to on-the-road operators. I like pies, and I like buying goods from a roadside operator. I like to see whether a man can make a good start and battle on. The rules should be standardised.

If local authorities are allowed to introduce by-laws in this way, problems similar to those when oil companies were permitted to operate food stores in garages will be created. At that time I said that the legislation would have to be amended or it would cause problems. Of the first 12 applications knocked back by the Brisbane City Council, eight were upheld on appeal to the Local Government Court.

If the Minister's advisers can get through the Minister for Transport, who is talking to them while I am speaking, they may be able to tell me how many oil company garage sites have been approved for food-plus stores in appeals under the Local Government Act. The Minister for Local Government indicates seven. If that is so, something must be wrong with the Minister for Industry, Small Business and Technology, because he was quoted in the paper as saying that eight of 12 developments had been approved after appeals against the decision of local councils. That is one more than the seven admitted to by the Minister. The comments by the Minister for Industry, Small Business and Technology were published in the press on 5 November 1984. How many more applications have been granted since then? At the time, the Minister said—

> " 'As Small Business Minister, I sympathise with the fears of people regarding 24-hour-a-day, seven-day-a-week operations,' he said.
>
> 'On the other hand, it has been made clear to the Government that the BP food concern has been operating successfully in Sydney and Melbourne for some time, cheek by jowl with other convenience outlets.
>
> This appears to indicate that, providing proper planning considerations are taken into account, these can be structured so all can live in harmony and remain viable.'
>
> The Local Government Court had allowed eight of 12 such developments that had come before it after appeals against the decisions of local council."

Legislation was effected in 1981. Only after a major Labor campaign in which Sir Robert Sparkes said that there should be some legislation on this matter has the Government finally decided to introduce the legislation being discussed tonight. I agree with the legislation.

In 1981, I said—and I repeat my comments tonight—that we did not want the big multinational oil companies to compete on a 24-hour basis against the small mum-and-dad corner stores. The franchise arrangements offered by the oil companies for $80,000

are not for the battler who is trying to get a start in small business in a corner store. They are for the people who have a great deal of capital or those who are willing to take a substantial risk. Although the Minister for Industry, Small Business and Technology and others were in favour of BP and other major oil companies taking over the market of the small corner stores, the Government has finally made a positive move.

I support the idea of allowing councils to do what has happened in Townsville. I have recently had a house built at Cannon Hill on a council developed estate. It is great to see young people buying land on a Brisbane City Council estate on 10 per cent deposit, with 10 years to pay. It is wonderful to see them getting a start.

It is about time that we were very strict about stray dogs. I am sure that the Minister has not done pick-and-shovel work, but anyone who has a load of sand dropped on the footpath knows that, within a few days, every dog in the district visits it for natural reasons. In a few days people learn how many stray dogs wander the streets. Councils should be given an opportunity to take substantial action to overcome the problem. However, the Government is going too far in its regulations, which affect civil liberties.

At the same time, something has to be done. The average person is getting tired of the fellow who drags his greyhound up the street and it leaves its mark on every lawn in the street. Every dog that follows behind has to leave its mark. It is about time that people who own dogs were made to face up to their responsibilities. I would love to see the Minister leading his little chihuahua up the street, holding one of those little buckets and brooms that people in Berlin use. It is about time that he was made to pick up some of the rubbish that he has left round the place in the last few years.

Mr HARTWIG (Callide) (9.36 p.m.): I wish to make a contribution to the debate because local government, more directly than State or Federal Government, concerns people.

Firstly, I make a few comments about ballot-papers. Today is 19 March and the local government elections are to be held on 30 March. Many people in my electorate, in the shire of Livingstone, have not yet received their ballot-papers by mail. A time-limit should be imposed on the sending out of ballot-papers. Something has to be done to ensure that people in remote areas, such as those in Marlborough and Ogmore who receive their mail once a week, have an opportunity to return their ballot-papers to the shire clerk in Yeppoon by 30 March. Adequate time should be allowed for the return of ballot-papers.

Town-planners have created for some local authorities the most iniquitous situation that one could imagine. Instead of allotments in subdivisions coming on to the market at a reasonable price, because of the requisitions under the town-planning legislation, those allotments are very expensive for young people. Because of the system, the subdivisional land coming on to the market is not reasonably priced; it is dear land.

I am pleased to see that local authorities will be able to sell land. The Livingstone shire is more that $15m in debt and, if it cannot sell some land soon to clear the debt, I do not know where it will end up.

Mr Burns: Who is a candidate for the chairmanship up there?

Mr HARTWIG: As somebody said the other day, "He could not do any bloody worse." Excuse me. The Livingstone shire has to pay $2m for interest and redemption.

Mr DEPUTY SPEAKER (Mr Row): Order! I suggest that the word used by the honourable member is not a parliamentary word, and I would like him to withdraw it.

Mr HARTWIG: I apologise.

Mr DEPUTY SPEAKER: I thank the honourable member.

Mr HARTWIG: Because of the debt situation, something has to be done for local government.

The provision of a water supply concerns the township of Yeppoon as well as the Iwasaki resort development. In fact, town water from Water Park Creek is not even filtered. After a flood, if a glass of water were allowed to stand overnight, one could grow a lettuce in the sediment in the bottom.

Mr Burns: Where is Iwasaki going to get his water?

Mr HARTWIG: We will have to sell him some decent water. He cannot get under way, because he cannot obtain any decent drinking water.

Mr Burns: Where is he going to get the water from?

Mr HARTWIG: He could get it from the Pacific Ocean, but it would be too salty.

Mr Burns: What about Water Park Creek? If you are going to sell him water from that, it will be muddy, too.

Mr HARTWIG: That is right. I would like treated water to be provided from Rockhampton for the Iwasaki resort as well as the other people on the coast.

I wish to refer to the transfer to the Duaringa shire of 10 grazing properties, including the property of the son of the Premier and Treasurer. The property-owners took with them a $26,000 debt, which has to be borne by the Livingstone shire. The Duaringa shire has refused to meet its commitments on the transfer of those properties. I would like to see the introduction of legislation that will prevent that from happening again. The people of the Livingstone shire must carry the burden of that additional $26,000. Somebody has to make it up; yet the Duaringa shire has got away scot-free.

I refer also to cases that come before the Local Government Court. The Livingstone shire must hold the record for the most cases before that court. I understand that the Livingstone shire will take to court Mr De Landells, who has rebuilt old stations and old churches. Mr Reg Nixon, who owns an airstrip in the shire and built a nice shed to accommodate the aerial ambulance, appears before the Local Government Court on 26 March as a result of a challenge by the Livingstone shire. He built that shed at his own expense for the service of the public. However, the Livingstone shire has chosen to take him to court.

Local authorities are being forced to borrow money on the open money-market at interest rates that they cannot afford. Saturation point will be reached very quickly. Local authorities are seeking short-term loans at high interest rates. The rate-payers must repay those loans and interest and redemption within seven to 10 years.

Local government is committed to providing streets, roads, water and sewerage; parks and gardens are incidental. Local authorities can no longer afford to carry out development.

Emu Park has septic systems. However, the absorption rate is such that the systems can no longer cope with the waste. The hotel-keeper at Emu Park told me that, on Christmas Day, 5 000 people were making use of the septic systems. Because the systems cannot cope, virtually untreated waste is running out into the ocean. Something must be done about that situation. It is estimated that it will cost almost $6m to sewer Emu Park, and that it will cost $700 or $800 for each pedestal. That is an impossible situation. If the money cannot be found to provide a new system, a health risk will result.

The Minister for Local Government, Main Roads and Racing (Mr Hinze) has done a pretty good job over the years in his capacity as the Minister responsible for local government. I well remember meeting him in the early 1960s when he was a member of the executive of the Local Government Association of Queensland. He has done a great job for the State.

In conclusion, I must say that I agree with the previous speaker's comments about dogs. I cannot see why people allow their dogs to mess up other people's lawns and expect to get off scot-free. It is time that the damned dogs were dealt with.

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing) (9.43 p.m.), in reply: I thank all honourable members for their contributions to the debate this evening, which, by and large, has been a most productive and useful one. In my remarks, I propose to mention the contributions of all honourable members and make some specific references to them.

The Opposition spokesman, the honourable member for Wynnum (Mr Shaw), covered several of the major provisions of the Bill, and I was most heartened and gratified by his general remarks that most of them will benefit Queensland local authorities. However, I was very much dismayed by the unwarranted attack by the honourable member for Wynnum on the Local Government Association and its distinguished president, Sir Albert Abbott.

Sir Albert has made and, I am glad to say, is still making a magnificient contribution to local government and the community generally in this State. How the honourable member for Wynnum can tell this House with a perfectly straight face that he is not a bucket-tipper and in almost the same breath describe Sir Albert as a stooge of the National Party defies belief.

I also reject the honourable member's ill-considered attack on the Local Government Association itself. The Local Government Association is playing an enormously beneficial role, and the many aldermen and councillors, who are the unsung heroes serving not only their local communities but also the wider community through the association, should be given praise and encouragement.

The honourable member alleged specifically that there was some abuse by members of certain local authorities of the requirement for disclosure of pecuniary interest. He referred specifically to the Toowoomba City Council and to the Redland Shire Council. I would mention that this section of the Act is not the subject of amendment in this Bill, for the law on this matter is quite specific. The Local Government Act provides for disclosure of interest by a member of a local authority who is present at a meeting at which a matter in which he or she has a direct or indirect interest is being discussed. If the honourable member cares to give me full written particulars about any specific alleged abuse or illegality, I will have that thoroughly investigated.

The honourable member mentioned also the provision of the Bill relating to the imposition of on-the-spot penalties and, in particular, the provision that empowers an authorised officer of a local authority to detain an offender who refuses to give his name or gives a fictitious name for the purpose of issuing an on-the-spot notice to him or her. The honourable member for Sherwood and other members also referred to that provision, contending that the power infringes on civil liberties. The provision is designed to deal with a person who refuses to give his or her name or gives a fictitious name. I concede that giving a local authority officer a power of detention of an alleged offender is a serious matter and, on further consideration, I foreshadow an amendment of the Bill at the Committee stage to remove that provision.

The honourable member for Wynnum supported the provisions contained in the legislation governing time-sharing, mixed trading at service stations and the right of councils to sell land because of non-payment of rates. I thank him for his agreement on these matters, although I do question his assertion that giving councils the right to sell land is a "good socialist scheme"

Finally, I would like to refer to the remarks the honourable member for Wynnum made on the declaration of a benefited area. He suggested that a poll of affected people be held before any area was so declared and defined for separate rating purposes. In my view, local authorities, like Governments, are elected to govern and they should be in a position to determine these matters without the need to hold very costly referendums.

Ultimately, of course, if a council abuses the system, the electors have a remedy at the ballot box.

The honourable member for Sherwood raised a matter relating to the nomination of candidates for the forthcoming local authority elections in the city of Ipswich. As he mentioned, these matters have been the subject of recent litigation in the Supreme Court and the returning officer has taken action to comply with the order of the Supreme Court. The advice given to my Local Government Department is that the returning officer involved obtained legal advice before making a decision to reject the nominations referred to by the honourable member. Obviously, in the light of the decision of the Supreme Court, this advice was defective.

The honourable member for Sherwood supported the provisions that I have introduced relating to the prohibition on the combined use of land as a service station and shop. Under this legislation, the prohibition will be applied to rapidly developing areas, but no controls will be applied in rural areas, in which a service station and shop combination serves a very useful purpose.

The honourable member for Sherwood also criticised the decision I have taken in relation to the planned tower development in the Gold Coast city. As I have indicated previously, the circumstances applying in that case are exceptional. For example, last December, the Gold Coast City Council fully supported the proposed development in principle. The nature of the project is such that it requires a lot of up-front capital for preliminary research and design work. The zoning of the land is a necessary prerequisite to raising funds for the necessary research, and in this case it should be noted that the land, if re-zoned, can be used only for the purpose of constructing the tower. After all objections are considered, the Governor in Council will decide the matter and the prospective developer will know at an early date whether or not to proceed.

I appreciate the honourable member's support for the need to expedite processing of town-planning applications; but he suggests also that appeal rights to the Local Government Court should be provided in all cases. I cannot accept the second proposition in respect of the reserve powers in the Act, which are specifically in place to allow action to be taken reasonably quickly, having regard to the circumstances of the case. To provide for such appeals would be contrary to the purpose of the provisions in the Act and would frustrate the intent of the legislation, which is designed to allow specific problems to be overcome with reasonable speed.

I might add that the initiation of rezoning procedures on my recommendation under the Act is an action that is not taken lightly by the Government. Such action is taken only in respect of Crown lands to be alienated or where special circumstances warrant special consideration, such as the situation that arises in respect of the Gold Coast tower or where it is demonstrated that an owner or applicant is being thwarted in obtaining a just determination of an application. The number of occasions per year upon which such action is taken is very limited.

The honourable member for Mirani (Mr Randell) defended the president of the Local Government Association, Sir Albert Abbott, against the attack made on Sir Albert by the honourable member for Wynnum (Mr Shaw). I thank the honourable member for Mirani for that, and, as I indicated earlier, I agree with the sentiments that he expressed.

The honourable member for Mirani supported the provision of the Bill that removes the requirement for prior ministerial approval when a local authority wishes to define a benefited area by the levy of a separate rate. He properly considers that that is a matter for the local authority itself. However, he raised problems that may arise for a local authority in attempting to devise an equitable rating system that can be applied where land uses within the local authority area are diverse. That matter is presently under consideration, and legislation empowering councils to make and levy differential general rates on categories such as land use is being formulated.

The honourable member for Mirani also supported the provisions designed to clarify existing provisions already enacted but not yet proclaimed relating to contributions towards water supply and sewerage headworks. Those amendments are supported fully by the Local Government Association.

The honourable member for Rockhampton (Mr Braddy), in his contribution to the debate, made his maiden speech. Although I have some reservations about the sentiments he expressed, I congratulate him on a well-presented and wide-ranging speech. The honourable member expressed concern about the need for a review of the Local Government Act. I share his concern, and I am well aware of the need for such a review, particularly of section 33 relating to town-planning provisions.

The House will recognise that such a task is a massive one, and that the Act itself has been built up over many years based on the old school of experience. I believe that it has served local authorities and the people of Queensland very well. Any review must, of course, be undertaken by highly qualified and experienced people who, of necessity, must be able to devote their whole time to the job. Such people are hard to come by, but I assure the House that I will be using my best endeavours to have the review begun within the next 12 months.

The honourable member for Pine Rivers (Mrs Chapman) spoke in favour of the Bill, and I thank her for her usual useful contribution. She has, of course, had considerable local government experience, which enables her to make a first-class contribution when proposals for amendments to the Local Government Act are under consideration.

The honourable member for Ipswich West (Mr Underwood) made allegations in relation to breaches of pecuniary interests in Moreton shire. If the honourable member will furnish me with full written particulars, I will have the matter examined.

The honourable member for Port Curtis (Mr Prest) raised certain matters relating to expenses of members of the Gold Coast City Council and other councils. As the honourable member is aware, the books and accounts of local authorities are subject to audit by the Auditor-General, who reports to the Minister the results of his audit. The matter, therefore, is subject to scrutiny, and I suspect that many of the matters raised by the honourable member were designed only to try to influence the results of the forthcoming local authority elections.

The honourable member for Mount Isa (Mr Price) raised the question of headworks contributions in the case of subdivision of land that is zoned as-of-right at the time of the coming into force of the legislation. Under the Bill, the subdivider will be required only to make a contribution towards water supply and sewerage trunk-mains and pumping stations if the council has a by-law that authorises the requirement.

If the owner of the land decides to redevelop the land, he would generally have to make application to the council for a rezoning or town-planning consent, and, in that event, he would be required to make a further contribution to headworks in accordance with the Bill. In such circumstances, a development that requires rezoning or town-planning consent would not become a burden upon existing rate-payers within that local authority.

The honourable member for Mount Isa (Mr Price) referred also to certain problems associated with the amalgamation of existing divided lots. Should the honourable member wish to submit to me written details of his concerns in that matter, I shall have them examined more thoroughly.

The honourable member for Cook (Mr Scott) raised questions concerning the election of Aboriginal and Islander councils. These elections will be conducted in accordance with regulations made under the Community Services Act, and I understand that in certain cases those regulations follow the provisions of the rules governing local authority elections. Aboriginal and Islander council elections will, of course, be conducted under legislation administered by my colleague the Honourable the Minister for Northern Development and Aboriginal Island Affairs.

The honourable member for Cook raised also the question of elections not being held in the shires of Cook and Torres. The affairs of these local authorities are governed by an appointed administrator, but when the Government considers the time is right, it will consider the restoration of an elected council to those shires. Until that time, the administrator will be assisted by an executive committee appointed by the Minister and, in deciding the membership of this committee, every effort will be made to choose persons who represent a fair cross-section of people living in the area.

The honourable member for Everton raised a number of matters relating to the Pine Rivers Shire Council and referred to a recent report by management consultants into certain operations of that council. Although interesting, these matters do not touch upon specific matters contained in the Bill.

The honourable member for Lytton spoke of the ratings of lands leased by a harbour board. The Bill provides that a lessee of land from a harbour board is deemed to be the owner of the land and liable to pay rates. The Valuation of Land Act already contains provisions to this effect, and this amendment will bring the provisions of the Local Government Act and the Valuation of Land Act into conformity.

The honourable member for Lytton spoke also about rating on time-share properties. Under the Bill, the company created to manage the time-share building will have to pay rates in respect of all time-shared units in the building.

I thank the honourable member for Lytton for his support for the provisions in the Bill relating to controls on the combined use of land as a service station and shop and on giving councils the power to develop and sell by ballot for residential purposes land acquired by them for arrears for rates.

Motion (Mr Wharton) agreed to.

Committee

Mr Randell (Mirani) in the chair; Hon. R. J. Hinze (South Coast—Minister for Local Government, Main Roads and Racing) in charge of the Bill.

Clauses 1 to 7, as read, agreed to.

Clause 8—Amendment of s. 19A; Insurance of members—

Mr SHAW (9.58 p.m.): I will not speak at great length on the clause. It extends the insurance cover which will be available to members of a local authority when carrying out their official duties. Undoubtedly it is an improvement on the existing provision.

I place on record that I believe that the clause should go further. It attempts to set out extended areas in which the alderman or councillor can be covered. It says in particular, "when calling on a constituent." It is too late now to do anything. However, I suggest that in the future consideration be given to extending it and making only such exclusions as an insurance company would deem absolutely necessary. In other words, there ought to be a 24-hour cover, except perhaps when an alderman or concillor is engaged in recreational activities that involve some danger, when he is obviously not carrying out the duties of his office. I think the Minister would agree that, for the greater part of their time, members of local government are on duty. It would be very difficult to define when a council member was dealing with a problem of a constituent. It is likely to happen at any time, in any place. He could be at a private function and be approached by a constituent with problems. If there were to be some benefit, it would not be too high a price for the community to pay.

Mr HINZE: I take on board the comments by the member for Wynnum. However, we will adopt the policy of hastening slowly. The Government recognises the duties performed by a council member. The Government is extending the cover beyond attendance at meetings and conferences to include those occasions when council members

are attending to the residents of the area. That is a necessary first step. I will probably take the member's suggestion into consideration at a later date.

Clause 8, as read, agreed to.

Clauses 9 to 14, as read, agreed to.

Clause 15—New s. 31D—

Mr SHAW (10.2 p.m.): The Opposition wishes to move an amendment to this clause. The amendment has been circulated. I am happy to be advised by you, Mr Randell, or the Minister about the form to be adopted. I understand that part of the amendment we have circulated has been agreed to by the Minister. If the Minister wishes, I will move the whole amendment as circulated. Would you prefer that the Minister proceed with the part that he has agreed to, following which I will move the balance?

The TEMPORARY CHAIRMAN (Mr Randell): The advice I have received is that the honourable member should move his amendment to delete lines 23 to 28, both inclusive.

Mr SHAW: Anticipating that the Minister will move the deletion of the second part of my amendment, for which I thank him——

Mr Hinze: It might be tidier if I move my amendment first. Do you agree?

Mr SHAW: I am happy.

Mr HINZE: Are you agreeable, Mr Randell?

The TEMPORARY CHAIRMAN: I am advised that that is not possible.

Mr SHAW: I move the following amendment—

"At page 10, omit all words comprising lines 23 to 28."

That is the portion of my foreshadowed amendment that I understand the Minister has not agreed to at this stage. It was my intention to move for the deletion of all words in lines 35 to 45 inclusive. However, I understand that the Minister will move that. Therefore, I do not include that in my motion.

The provision that we wish to have removed is that which provides for an Order in Council to extend the list of offences for which on-the-spot fines may be issued.

The Opposition concedes that it is likely that occasions will arise when the Government—indeed the Parliament—might be happy to extend the list of offences, but at the present time the Opposition believes that camping, the keeping and control of dogs and littering have all been covered by previous legislation. The difficulty that the Opposition has with the clause is that Cabinet will be empowered to amend legislation that has been passed by the House.

Whereas it is true to say that the regulations will be subject to tabling in the House, and although I recognise that the requirements for tabling have been clarified and strengthened by other proposed amendments to the Bill, the Opposition, as a matter of principle, cannot accept the Minister's proposal. I can recall occasions on which members of the Liberal party have felt similarly about the principle of legislation——

Mr De Lacy: But they change.

Mr SHAW: That quite frequently happens. However, the principle of legislation that is being adopted by the Chamber is being changed, in this case by regulation. It should be recognised that, although the regulations will be tabled and an opportunity will be provided for rejection, it is not the same as a full debate that should occur as part of the legislative process. It is often the case that a similar amount of time is not always available, nor is a similar amount of publicity. The kind of agreement that has

been forthcoming from the Minister tonight on other necessary clauses would not exist if clauses of this nature were an accepted part of the legislative process.

Mr HINZE: The Government does not intend to accept the amendment in toto. The intention of the provision is to empower the Governor in Council to extend on-the-spot penalty provisions to other classes of offences. Up till the present time, a special section had been included in the Act to cover such offences.

The Bill will enable the matters to be dealt with by the Governor in Council. Because the regulations will have to be tabled in the House, the Government does not accept the amendment moved by the honourable member for Wynnum.

Question—That the words proposed to be omitted from clause 15 (Mr Shaw's amendment) stand part of the clause—put; and the Committee divided—

AYES, 46	
Ahern	Lee
Alison	Lester
Austin	Lickiss
Bjelke-Petersen	Lingard
Booth	Littleproud
Borbidge	McKechnie
Cahill	McPhie
Chapman	Menzel
Cooper	Miller
Elliott	Muntz
FitzGerald	Newton
Gibbs, I. J.	Powell
Glasson	Row
Goleby	Simpson
Gunn	Stephan
Harper	Stoneman
Harvey	Tenni
Henderson	Turner
Hinze	Wharton
Innes	White
Jennings	
Katter	*Tellers*
Knox	Kaus
Lane	Neal

NOES, 30	
Braddy	Veivers
Burns	Warburton
Campbell	Warner, A. M.
Casey	Yewdale
D'Arcy	
De Lacy	
Eaton	
Fouras	
Gibbs, R. J.	
Goss	
Hamill	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Prest	
Price	
Scott	
Shaw	
Smith	*Tellers*
Underwood	Davis
Vaughan	Comben

Resolved in the affirmative.

Mr HINZE: As I foreshadowed in my speech winding up the second-reading debate, I propose to move an amendment to clause 15 that will omit the provisions that would have empowered an authorised officer of a local authority to detain a person who contravenes a provision of the Act and who fails to furnish his correct name and address in order that an on-the-spot penalty notice may be served upon him. The honourable member for Sherwood and other members claimed that this provision infringed on the principle of civil liberty of the individual. The provision, of course, is designed to deal with a person who fails to state his name and address or gives an obviously fictitious name.

I make this point particularly for the benefit of the honourable member for Salisbury (Mr Goss), who is a young man in this Chamber. If ever he is fortunate enough to sit on the Government benches, he might some day have enough intestinal fortitude to do what I am doing.

It is accepted that the provision gives a wide power and, on reflection, it has been decided to omit the provision. Accordingly, I move the following amendments—

"At page 10, omit all words comprising lines 35 to 45.";

"At page 11, line 33, omit the expression—

'(3)'

and substitute the expression—

'(2)'.";

"At page 12, line 11, omit the expression—

'(3)'

and substitute the expression—

'(2)'."

Mr SHAW: We are grateful to the Minister for being big-hearted enough to take that step. It takes a big man to admit that he is wrong.

Subclause (2) was included in the Bill in the first place to give teeth to on-the-spot fines. Without some sort of teeth, on-the-spot fines penalise only honest people. The whole question of on-the-spot fines needs to be reviewed. Under subclause (2), people would have lost their rights and innocent people would have suffered great inconvenience. We thank the Minister for agreeing to its exclusion.

Mr INNES: As will be realised, the amendment moved by the Minister is in line with the amendment that the Liberal Party foreshadowed, which was in line with the one moved by the Opposition.

The Liberal Party congratulates the Minister on his reflection. He is one Minister who is capable of appreciating a sound agrument. He has the strength of mind to amend legislation without fearing a loss of face. He should be congratulated on that.

Mr D'Arcy: He speaks with forked tongue.

Mr INNES: Rubbish!

The honourable member for Salisbury (Mr Goss) very amusingly set out a scenario that could occur when a police station was closed and when confusion arose over names. I called out something to the effect that his bark was worse than his bite. On consulting the telephone directory, I found that the Barkes are worse than the Bites, because there are six Barkes and three Bites. I must also mention the 40 Bones that could be picked with the dog-catcher and the 62 Collies and 52 Bassetts that also appear.

Mr Comben interjected.

Mr INNES: There is only one forked tongue, and that is the honourable member's.

We in the Liberal Party congratulate the Minister for Local Government, Main Roads and Racing (Mr Hinze) and support these amendments totally.

Amendments (Mr Hinze) agreed to.

Clause 15, as amended, agreed to.

Clauses 16 to 30, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

CITY OF BRISBANE TOWN PLANNING ACT AND ANOTHER ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 7 March (see p. 3850) on Mr Hinze's motion—

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

Mr SHAW (Wynnum) (10.24 p.m.): This Bill is concerned largely with many of the provisions that are spelt out in the local government Bill that has just been dealt with and I do not think that anything will be gained by rehashing those points.

For too long the Brisbane City Council has had to advertise as subdivisions proposals to grant leases to boy scouts and girl guides organisations, most of which are situated in parks, and this Bill corrects that problem. That led to a great deal of confusion. When people saw the advertisement they thought that the land in the park was to be subdivided.

Most people believe that a boy scout or girl guide hut is a fairly compatible use in parkland. Some may argue that it should not be part of a park, but given that it is in the less formal bushland-type parks that the Brisbane City Council usually allows these types of constructions, I see no reason to object. The Government's action to make it easier is to be commended.

It is interesting to note that in days gone by the problems were largely caused by what was known as the Liberal Party ginger group. Its members believed that any form of alienation of parkland was to be opposed. They lacked an understanding of exactly what was involved.

Although I have praised the Government for making it easier for boy scout and girl guide groups to obtain leases in parks, the Government has gone a little too far in its proposal to allow Government utilities to become established in parkland. The Opposition intends to oppose that clause and I will say more about that at the Committee stage. Quite obviously it would be wrong to allow the establishment of things such as power stations and water-pumping works in parks. Although honourable members might believe that the Brisbane City Council will do its best to protect against unwarranted instances of that happening, the retention of the right for the public to object to it and voice their views is very important. As I said, the Opposition will have more to say about that at the Committee stage.

As the previous Bill did, this Bill deals with development procedures. The amount of Government interference in allowing greater development in the city is notable. An article in this mornings "Courier-Mail" states that the Minister for Transport believed that the Brisbane City Council was anti-development. That is not really a fair charge, but it would be fair to say that the Government errs too much on the side of the developers and could be said to be pro-development. Although I said in the debate on the previous Bill that the role of councillors in this matter is not all that it could be, I feel that the role of the Minister for Local Government, Main Roads and Racing and some of his fellow-Ministers also is not what it should be.

On too many occasions the Minister is overriding parts of the Brisbane City Council town plan. I understand that almost weekly the Minister sees fit to intervene and use his ministerial powers to allow developments to proceed without the usual precautions and requirements of proceeding in accordance with the Act. When the Minister has people come to him, sees that they are being frustrated and delayed and believes the development to be worthwhile, he might seem to be justified in using his powers to allow the development to proceed immediately. That is a very dangerous trend, which takes away the rights of citizens to voice their objections to the development, and it nullifies the town plan. The town plan should be exactly that. It should allow legitimate developers to know what is required. It should have the aim of directing them towards establishing in areas that are properly zoned rather than buying cheap land and then trying to get a quick rezoning.

The Minister for Industry, Small Business and Technology (Mr Ahern) has referred repeatedly to the problems that he has encountered on this matter. He has been very critical of the Brisbane City Council. I recall his saying in this Chamber that he had brought persons to Queensland from southern States and that one of the officers from his department drove them around. After being taken round Brisbane all day, they were shown a block of land. When they went along to the council, they found that there was a prohibition and that it would take months for the land to be rezoned so that a business could be established on it. If his department is not able to show people who want to establish businesses in this State land that is correctly zoned, the officers of his department are incompetent. They should have at their disposal a pool of land that is correctly

zoned, can be rezoned or is Government-owned, where business can be established very quickly. The Minister should be able to show land to these people and say, "If you are prepared to establish there, we can ensure that you are established in a matter of weeks." It should not be necessary to take them along to land that is not zoned for their purposes.

Recently the Department of Commercial and Industrial Development offered some persons land at the Lytton industrial estate, with which they were very happy. The land is correctly zoned. I believe that the business should be located there. For reasons best known to the department, the persons were told that they cannot now have the land. They were directed to land at Wacol. When the applicants went to the Brisbane City Council, they found out that the industry is a noxious industry, which is the worst possible type of industry. The applicants discovered from the council that the land is zoned residential. The area adjoins residential homes in a Housing Commission estate. When the applicants returned to the Department of Commercial and Industrial Development and referred to the problem that they were likely to encounter, the department said, "Do not worry about it. We will see that Government powers are used to override the objections of the Brisbane City Council and the land will be zoned for noxious industry." As I say, the land is contiguous to a Housing Commission estate.

In the first instance, a dreadful decision was made. It is totally wrong for the Government to say, "Do not worry about what the Brisbane City Council town plan says, ministerial intervention will take place to rezone the land so that you can do whatever you want to do. Forget about what the law says." The persons concerned do not want to do that. They know that because their industry is a noxious one, they will be for ever receiving complaints from their neighbours and that it is the wrong place at which to establish their industry. The position needs to be rectified.

The Queensland Government has an appalling record of interference in councils. That interference is unwarranted. The Government has overriden the town plan and the wishes of the citizens in respect to that town plan. Citizens have had the right to object to those plans that have been put on display. Those objections should have been listened to. Government interference is a bad practice to adopt.

I notice that the Minister for Transport (Mr Lane) is paying some attention to what I am saying. He is probably waiting for me to raise this issue. I will not disappoint him. Yesterday and this morning, the media publicised a $50m development at the Toowong Railway Station. Today's "Telegraph" states—

> "Ald. St Ledger said the developers were planning a shopping complex bigger than the Carindale centre."

It is a reference to a major project. The article continues—

> "Such a project was totally unsuitable for the area and contradicted the Town Plan, he said."

That supports what I have said. It continues—

> "The State Government has announced that it will introduce legislation that will allow the project to go ahead without Brisbane City Council approval."

Apparently the Minister for Local Government, Main Roads and Racing has indicated that he will do that not by ministerial intervention through the back door but by introducing legislation that can be debated. That matter will be the subject of public scrutiny. At least there is some merit in that, and I commend the Minister for that.

In an earlier debate I said that one good feature is that if profits are to be made, they will go to a Government instrumentality. As a result, taxes will be reduced to some degree, so the rate-payers will derive some benefit from the proposal.

The proposed development does reflect the development-at-any-cost attitude of the Government. The rights of the citizens of this State must be considered.

As this late hour I will not go through all of the provisions in the Bill. It sets out requirements such as spelling out the control of future developments and easements on

subdivisions. I think that the Opposition can support all of those provisions. The Labor Party wants development and progress, but it must be orderly development and controlled progress.

Mr INNES (Sherwood) (10.35 p.m.): The parliamentary Liberal Party will use the opportunity provided by the Bill to deal with a few matters relating to planning and development in the city of Brisbane and to respond to certain remarks made by the Lord Mayor.

The Lord Mayor found himself in a corner. He was under attack from the Liberal opposition in the council over the level of development in this city. He was under attack from the Urban Development Institute of Australia, whose members found it difficult to pursue development, particularly of a residential type, in this city. He was under attack from the Property Owners Association, and later he was also under attack from the Minister for Industry, Small Business and Technology (Mr Ahern). That formidable array of people combined to put what I submit is the truth before this city and this State.

The reality is that over the last 10 years the Labor administration has presided over a very significant growth of sky-scrapers in the city centre but it has not presided over any significant growth in the residential component of this city.

Mr Davis: That is untrue.

Mr INNES: It is true, and the statistics bear out my claim. There has been minimal growth in the residential component of this city. The movement out of the city centre has only just been compensated for by development in a limited number of growth areas in the rest of the city. The statistics prove it in terms of residences and in terms of rate-payers. Little growth has taken place.

The party that supposedly stands for the battler has pushed the battler into the adjoining shires of Logan, Moreton, Albert and Pine Rivers. It has pushed him into areas in which it is cheaper to develop the land. In those shires people have built in their tens of thousands.

Mr Comben: Shoddy, second-class development.

Mr INNES: I hope that that comment goes on the record. The honourable member for Windsor has said that people who have bought houses in the Pine Rivers, Logan, Moreton and Albert shires live in shoddy little dwellings.

Mr COMBEN: I rise to a point of order. The honourable member for Sherwood is obviously misrepresenting my interjection. I simply said that developers attempt to put up shoddy little buildings. I ask him to withdraw his comment.

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

Mr INNES: The honourable member for Windsor twists and squirms, but he is left with the word that he used—and that word was "shoddy"—when he was talking about the residences inhabited by the battlers who I say the Labor administration has pushed beyond the boundaries of the city of Brisbane. I certainly said that it is cheaper to develop land in the Pine Rivers shire, the Albert shire, the Moreton shire and elsewhere, but I did not say that the standard of dwelling or development is shoddy. I am sure that those people have built and are living in respectable houses, whether small or large, which they look after well.

However, there is a reason why tremendous development has taken place beyond the perimeter of the city of Brisbane and why it has not taken place within the city of Brisbane. Who has developed the city of Brisbane? Developments in the city centre give the illusion of tremendous growth. If Government buildings are excluded—remembering that the Government does not have to run the gauntlet of the council's excessive demands—the skyscrapers have been constructed by developers with very substantial

resources who either can afford to pay the extortionate demands or cannot afford not to pay because they have to be in business in the capital of what was a growing State throughout most of that period. They are the ones who have provided what appears to be spectacular development in the centre of Brisbane.

But what of the rest of Brisbane? I invite honourable members to study the statistics on the number of residents and the number of rate-payers. They reveal that the council's performance is appalling.

Mr Davis interjected.

Mr INNES: What about Jindalee? What about Jamboree Heights? What about Mount Ommaney? What about the Centenary Estates? I will tell you about them.

Mr SPEAKER: Order! The honourable member will direct his remarks to the Chair.

Mr INNES: The abysmal ignorance of members of the Opposition must be removed. I point out that development has taken place in those suburbs because of a franchise agreement entered into in the late 1950s. I invite members of the Opposition to speak to anyone in the Hooker corporation. There is no way that Hooker would ever develop that sort of a tract of land in today's climate in the city of Brisbane. Hooker bought an enormous parcel of land, built the bridge and committed itself to a major development. It will continue until that is finished. However, it will not take up more land in the area. The story is the same elsewhere, whether one talks to the Urban Development Institute, property-developers or anybody else in the business of development. They have moved out of Brisbane into the adjoining shires because they cannot afford to produce land at a price that the battler—the person whom members of the Opposition claim to represent—can afford to put into a package for a house and land.

Mr Comben: That is because of the developers' land prices. They are an absolute rip-off.

Mr INNES: That is absolute rubbish. The developer is in the business of developing land, at a profit—and that is not a dirty word—at a price that can be afforded by the potential customer. As with everything else in the world, there are more potential customers for land at the lower end of the range than there are for land at the higher end of the range. The statistics are absolutely crystal clear. The comparative statistics for the adjoining shires are also crystal clear.

As one who has attempted to act co-operatively with the Brisbane City Council as well as with the Government in changes to the town plan, I resent greatly the attack by the Lord Mayor in a corner—the dog in the manger—who suggested that it was the Liberal members of Parliament who had caused delays in the town plan for the city of Brisbane. That is an absolute lie. I am quite prepared to work quietly and co-operatively with the Lord Mayor and his officers, and with the Minister's officers, to have amendments made to the town plan—earlier amendments, for example, to assist the scouts and the guides. However, if one is forced to defend oneself, one can refer to instances in which people had their land rezoned without prior knowledge, without warning and without notification, following modifications to the last town plan. The Minister fixed it up, but the city council rezoned it. It was the city council's recommendation that was acted on by the department, which led to that completely unjust and unjustifiable set of circumstances.

I can cite many instances that I have taken up with members of the Brisbane City Council as well as with officers of the Minister's department. One instance that comes to mind is the carpet and tile retailers who are involved in a modern domestic service industry and are obliged by the crazy town plan to have a warehouse in a light industry zone and retail premises in a retail or local business centre. Such businesses provide goods for tradesman as well as for domestic handyman so that the businesses will remain viable. Obviously, they cannot afford to have a warehouse in one part of the city as well as a retail outlet in a shopping centre, for instance. Where is the support that should

be forthcoming for the entrepreneur, the small-businessman, the builder and the household handyman?

Over a period of three years, I have complained about the provisions of the town plan; yet nothing has been done. In the meantime, companies have become insolvent.

I cite also instances of retail premises that have become bankrupt because of the building of median strips without notification being given.

Mrs Chapman: What has happened to the money that has been received for the provision of parking areas that have never been provided?

Mr INNES: Yes. What has happened to the parking areas and to the land that has been provided for parks in areas all over the city? I am sure that all honourable members will remember the enormous difficulty that was experienced in trying to save sporting clubs, such as cricket and hockey clubs, that had been servicing hundreds of thousands of junior sportsmen in this city and had been obliged, or requested, to mow public parks at enormous cost to themselves. Groundsmen had to be employed and machinery had to be purchased so that work that the council had always done could be carried out when the council should have continued to do it.

I referred previously to shop-keepers who have been sent bankrupt by the building of a median strip that cut across the access to retail premises. Those median strips had been constructed without warning and without notification. If Alderman Harvey wishes to allocate blame, he should look at statistics that indicate what happened while he and Frank Sleeman were in charge of the administration of this city. Certainly, no more battlers are to be found in the city, and no significant growth has taken place.

An Opposition Member interjected.

Mr INNES: The honourable member should go back and have a look at the statistics.

Examine the reality of trying to do business in this city, whether it be running a small retail business or a small wholesale business or trying to produce small, low-cost blocks of land.

Meanwhile, of course, what has happened is the unbelievable obscentiy—if I may use the favourite word of the favourite man of the Opposition, Bob Hawke—of the spending on the diamond jubliee celebrations. Money spent on that promotion could have been used in the town-planning process for the city of Brisbane. I would have thought that such celecbrations were reserved for married couples and occasionally for a monarch. But who ever heard of a diamond jubilee being celebrated to mark 60 years of the life of a corportion, whether public or private? Anniversaries of 25, 50 and 100 years may be more usual, but diamond jubilees are largely reserved for married couples. Why is that so? It means that the old dears have survived to an approximate age of 80 years, and it means they probably will not face or celebrate another anniversary of such significance. It means that they are approaching the end of their married life, and the end of the marriage between the Australian Labor Party and the people of Brisbane is also approaching.

The diamond jubilee celebrations reminded me more of the Aga Khan. Some Opposition members will have heard of the Aga Khan, because he is the fellow whose followers, on significant anniversaries, weigh him against precious stones or metals. His followers sit him on one side of the scales and his weight is balanced on the other side by precious stones, or whatever it may be. In the case of Brisbane, the Aga Harvey sits on one side of the scales while the reluctant rate-payers place the diamonds on the other side. That is the cost associated with celebrating Brisbane's diamond jubilee—that obscenity that took so much of the resources of the rate-payers of Brisbane away to pay for self-promotion and a vain attempt by the Lord Mayor to win another election.

The town plan of the city of Brisbane is overdue for a thorough revision so that the rest of the city can catch up with the city heart, which has been developed by the strength of the economy of Queensland over most of the last decade, not by promotion by the Brisbane City Council. When one looks beyond the city centre, one sees the realities, the difficulties, the hurdles and the lack of promotion and one realises what could have happened.

Mr VEIVERS (Ashgrove) (10.51 p.m.): Obviously, the honourable member for Sherwood was trying to bolster the Liberal Party candidates in the forthcoming council election. Apparently it is Liberal Party policy to fix a standard water charge. If that is done, pensioners, with their homes on small blocks of land, will have to pay the same water charges as millionaires and others who are well off. That is typical of the Liberal Party's approach in looking after those in need, and that party's total concept of town-planning and how it affects the residents of Brisbane.

I am concerned about the lack of commitment evidenced for a long time by the Government, particularly the National Party Government, in the total area of town-planning. The reason for that is historically based. The National Party has never displayed a great deal of interest in town-planning on a local or direct basis, and particularly on a regional basis. Much evidence can be produced to prove that the National Party is not committed to any worthwhile town-planning programs in Brisbane and the major provincial cities in Queensland. That has been proved time and again in Brisbane by the demolition of the "Bellevue" and other buildings with significant historical merit. Very little respect has been displayed by the National Party to such buildings under the town-planning arrangements. The National Party has treated historical, residential and development areas of Brisbane with scant respect. It is lacking in good town-planning methods.

On a regional basis, one has only to consider the history of the Albert Shire Council, particularly the area that is now known as Logan City, to prove that the National Party has virtually no interest in town-planning procedures. In Logan City, major roads pass through residential areas. Small business and heavy industry exist side by side. Over the years the National Party has expressed little concern for recreational pursuits. The whole of Logan City is a conglomerate mess. When thinking of Logan City it is necessary to go back to the time before it was carved from the Albert Shire Council. The Minister is aware of the ridiculous situation created when that happened, because the Albert Shire Council was a strong National Party base. Throughout the State virtually no attempt has been made to introduce town-planning on a regional basis. That is particularly so in the south-east corner. The Bill must be looked at very closely because of its possible effect on towns throughout the State. Good zoning principles on a local and regional basis are essential, but none has been implemented.

Mr Davis interjected.

Mr VEIVERS: As we have seen, many worthwhile policies fall in a heap. We only have to look at the traffic problems in Brisbane to see just what has not been done by the Government.

My colleague the member for Wynnum (Mr Shaw) mentioned the appalling record of the Government in town-planning matters and the way in which the Local Government Department is interfering with councils and shires virtually day after day. That has led to a tremendous lack of confidence, particularly in town-planning, in provincial cities and in the Brisbane City Council.

Hon. W. D. LICKISS (Mount Coot-tha) (10.56 p.m.): I remember the introduction of the City of Brisbane Town Planning Act in 1964 and also the amendment to section 33 of the Local Government Act that gave effect to what we might consider to be the modern town-planning concept for all other local authorities in Queensland. Both pieces of legislation are being amended to try to streamline the planning processes in Queensland to ensure that adequate appeal systems prevail and that authorities can get on with the

job of planning without hurt or hindrance. Tonight, the City of Brisbane Town Planning Act is being amended once again. I have no fight with the amendment.

Today, when I picked up the newspapers, I was concerned when I read that the Government might introduce legislation affecting part of the town plan of Brisbane. If, after all those years, the planning laws and the system of planning are such that that action is required to continue the planning of a certain part of Brisbane, there is certainly something very wrong.

This morning, I placed a question on notice for tomorrow. Of course, I have not yet received an answer to it. I take this opportunity to air some of the problems that I see with town-planning.

If one goes back through "Hansard", one sees that some of the predictions made years ago about planning generally are now coming true. Reference was made to the way in which the south-east corner of Queensland would develop as a region, a conglomerate. In those days there was a clear demarcation between the boundaries of Brisbane, the South Coast and the North Coast and moving westwards to Toowoomba. We are now witnessing that conglomerate development. I am not saying that that is a bad planning concept; that is the method of development. However, it is being done without the benefit of regional planning and that is not good.

We did have a system of regional planning in Queensland. Unfortunately, politically it got mixed up with the Whitlam era. The Government was a little concerned that a regional concept turned into something political could aid and abet Labor's policy of breaking down the Federal system in Australia.

Mr Davis: That is the most stupid remark that I have ever heard you make.

Mr LICKISS: The honourable member says that it was a stupid remark. In the press in the last few days he may have recalled what Mr Calwell said about 60 States for Australia. Authority would be delegated from a central Government, with no State sovereignty whatsoever to exist.

Mr Davis: That is ridiculous.

Mr LICKISS: It is not ridiculous.

I come to more recent times and refer to the establishment of the Department of Urban and Regional Development under Mr Uren. He deliberately started to fund local government direct from the Federal Government, bypassing the State Governments, his purpose being to weaken the State Government system. At his insistence, regions were set up. Queensland had 10 regions. His idea was to fund those regions direct and thus weaken local government. The net result resembled Mr Calwell's design of about 60 States for Australian, each with delegated authority from the central Government. As a result, the sovereignty of the States would gradually wither on the vine because of financial restraints. Whenever a Labor Party Government gets the chance, that is what it attempts to do. The present Federal Government would do so, but it knows that it would not get away with it.

Mr Davis: You people wiped the only regional-planning we had in this State.

Mr LICKISS: I take the point made by the honourable member for Brisbane Central that it was unfortunate that the concept of regional-planning that we had in Queensland was wiped. I hope that one day it will be reintroduced. The very necessity of physical planning on a broad scale will necessitate a consideration of regional concepts and regional-planning.

Mr Veivers: Do you think it is a good idea?

Mr LICKISS: I certainly do think that it is a good idea. Having been involved in town and regional-planning over a number of years, I feel that I can speak with some authority on its value.

I come now to my disappointment at the statement by the Government that appeared in a newspaper this morning that special legislation might be necessary to facilitate the planning of the project at the Toowong Railway Station, combining Crown land and private land. It surprises me that it should make any difference to a consideration of the best use to which a parcel of land could be put—which involves the planning concept—if such land is converted from private land to Crown land. If the project being considered is desirable in terms of planning, I see no reason why that project should not be approved; conversely, I see no reason for approval if it is not desirable planning.

Some confusion has arisen about the type of project that is to be developed. The advice to me originally was that the project would be a commercial development. It now appears that it could be a commercial and retail development with the retail development outstripping the commercial development. Approximately 22 500 square metres will be given over to retail development and 11 500 square metres will be given over to commercial development. The project entails the facility of 60 specialty shops with one supermarket and two large discount stores.

For that project to be superimplanted on the Toowong area, prior investigation to discover whether the area is right for that type of development at this point must be carried out. I am led to believe that car-parking will present problems.

The newspaper article indicates that the proposal had been considered for two years without a decision being arrived at. If that is so, I cannot understand why the provisions of the town-planning legislation have not been availed of to ensure that a decision could be made. I can recall the amendments that were made to the City of Brisbane Town Planning Act and to the Local Government Act, in section 33, to place a time-limit on decisions. If a decision was not made within the time specified, it was to be taken as a refusal and the aggrieved person could appeal to the relevant court. I would like to know whether all the provisions of the City of Brisbane Town Planning Act have been availed of in order to get this development under way and, if so, why it has not yet begun.

Town-planning legislation is working reasonably well for the city of Brisbane. However, if a problem exists because certain developments cannot be catered for expeditiously under the existing provisions of the town plan, special legislation dealing with one particular case should not be passed. A general provision should be included in legislation so that it will apply to anyone else who finds himself in similar circumstances.

The Liberal Party supports the Bill.

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing) (11.5 p.m.), in reply: I shall comment briefly on some of the points raised by honourable members.

The honourable member for Wynnum (Mr Shaw) supports provisions to remove the requirement for a subdivision of Brisbane City Council land for public utility purposes—boy scouts, etc.—to be advertised for objections. He asked whether provisions under which the Minister may approve that the subdivision of council-owned land for other types of organisations will not have to be advertised were necessary.

The provisions of new subsection (1A) (a) of section 22 are designed to exempt the Brisbane City Council in certain cases from the general requirement of giving public notice of an application for approval by the council to subdivide land owned by it. Specific mention is made of the Scout Association of Australia, the Girl Guides Association, any statutory body representing the Crown, any authority empowered by any Act to provide public utility services, and any other organisation approved by the Minister.

Where the council proposes to subdivide land owned by it, it is presently required to give notice of its intention to do so. Interested parties may object to the proposal, and should the council decide to proceed with it notwithstanding objections lodged, a right of appeal to the Local Government Court against the decision of the council to proceed is provided in legislation.

A major difficulty has arisen in relation to the granting of leases over certain freehold lands owned by the council to scouting associations and girl guides. The principal difficulty is that funds are often made available for use by these associations provided they are expended by a certain date. The provision requiring the giving of notice and the lodgments of appeals by objectors operates in such a manner that the subdivision for lease purposes cannot be dealt with in a reasonable time and the moneys made available to the organisations are invariably lost.

It is very difficult to define the types of youth activities that support the granting of a lease over freehold land owned by the Brisbane City Council. It was at the suggestion of the Lord Mayor and officers of the Brisbane City Council that a provision was inserted in the Bill empowering the Minister to approve that subdivisions of council land for other organisations will not have to be advertised. It goes without saying that the type of exemption will be limited to associations involved in youth activities and other types of public services.

The member for Sherwood (Mr Innes) raised a number of matters relating to the administration of the Brisbane town plan. That is a matter for the Brisbane City Council. As honourable members are aware, the council election is to be held on 30 March. The electors will, therefore, have a golden opportunity to voice their opinion on the administration of the town plan by the present council.

The honourable member for Sherwood referred also to the exercise of the power of the Minister to initiate a rezoning of land. As I have stated previously, that power is exercised very sparingly, and the council is consulted before the power is exercised. Reasonable conditions of the council are imposed in such classes of rezonings.

The member for Ashgrove (Mr Veivers) dealt with a number of town-planning issues. These are matters for the various local authorities. Electors will have the right to express their opinion on the performance of their local authorities on 30 March.

The honourable member for Ashgrove and the honourable member for Mount Coottha (Mr Lickiss) expressed concern about the need for regional-planning in Queensland. I point out that, in my opinion, the strategic plans required to be prepared with new town-planning schemes under current legislation are at least equal to usual regional-planning and superior in impact on future development.

Motion (Mr Hinze) agreed to.

Committee

Mr Booth (Warwick) in the chair; Hon. R. J. Hinze (South Coast—Minister for Local Government, Main Roads and Racing) in charge of the Bill.

Clauses 1 to 5, as read, agreed to.

Clause 6—Amendment of s. 22; Objection to certain applications and appeals by objectors—

Mr SHAW (11.10 p.m.): Clause 6 deals with the relaxation of requirements to advertise subdivisions. It refers to leases to the Scout Association of Australia and the Girl Guides Association. As the Minister outlined, a number of difficulties have been encountered in the past.

The Opposition has no objection to the clause; in fact, it supports it fully. The problem is that it is proposed to extend the relaxation to provide for "any authority empowered by any Act to provide public utility services or any other organization approved by the Minister". In his second-reading speech, the Minister gave an undertaking that such organisations would include sporting and charitable organisations. On the strength of that, the Opposition would be prepared to accept the words "or any other organization approved by the Minister" and place its faith in the Minister to honour the promises that he has made.

However, the Opposition still has considerable difficulty with the words "any authority empowered by any Act to provided public utility services". As I see it, a council would be allowed to subdivide land in a park and grant a lease to, say, SEQEB to establish a power station or to a gas company to provide a gas-holder. If the council saw fit, it would be feasible for it to build a power substation in New Farm Park. That would be totally unacceptable. That is probably an extreme example. Naturally, the Opposition would assume that no council of any political persuasion would support such a proposal. If the arguments were strong enough to say, "This is the only place where it can be located," it could very well be that a council could be persuaded to support such a proposal. In those circumstances, the proper course of action would be that the proposal should be subject to advertisement in the normal way and that people should have a right to object to it.

I therefore move the following amendment—

"At page 3, line 16, omit the words—

'any authority empowered by any Act to provide public utility services'."

Mr HINZE: The amendment relates to the provision that removes the requirement for the Brisbane City Council to advertise for objections certain types of subdivisions of council-owned land. For example, with a subdivision of an allotment for use by the boy scouts or the girl guides, it is very difficult to define precisely all the types of acceptable subdivisions. To this end, the Lord Mayor and officers of the council suggested that a provision be inserted in the Bill to empower the Minister to approve additional specific purposes from time to time so that subdivisions for those purposes will not have to be advertised.

In the circumstances, the Government does not believe that the amendment is necessary and, therefore, is not prepared to accept it.

Mr SHAW: Could I ask the Minister whether he agrees that the Opposition is correct in its assumption that any organisation providing a public utility service could include SEQEB, which might want to obtain land for a power station in that area?

Mr HINZE: As I said earlier, perhaps we should hasten slowly and take one step at a time. Further down the track I am prepared to give consideration to the honourable member's proposals, but not on this occasion.

Question—That the words proposed to be ommitted from clause 6 (Mr Shaw's amendment) stand part of the clause—put; and the Committee divided—

AYES, 46		NOES, 29	
Ahern	Lester	Braddy	Warburton
Alison	Lickiss	Burns	Warner, A. M.
Austin	Lingard	Campbell	Yewdale
Borbidge	Littleproud	Casey	
Cahill	McKechnie	D'Arcy	
Chapman	McPhie	De Lacy	
Cooper	Menzel	Eaton	
Elliott	Miller	Fouras	
FitzGerald	Muntz	Gibbs, R. J.	
Gibbs, I. J.	Newton	Goss	
Glasson	Powell	Hamill	
Goleby	Randell	Kruger	
Gunn	Row	Mackenroth	
Gygar	Simpson	McElligott	
Harper	Stephan	Milliner	
Harvey	Stoneman	Palaszczuk	
Henderson	Tenni	Prest	
Hinze	Turner	Price	
Innes	Wharton	Scott	
Jennings	White	Shaw	
Katter		Smith	
Knox	*Tellers*	Underwood	*Tellers*
Lane	Kaus	Vaughan	Davis
Lee	Neal	Veivers	Comben

Resolved in the affirmative.

Clause 6, as read, agreed to.

Clauses 7 to 9, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

RURAL LANDS PROTECTION BILL

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police), by leave, without notice: I move—

"That leave be given to bring in a Bill to consolidate, amend and provide laws for the management and control of certain plants and animals, for the prohibition and regulation of the introduction and spread of certain plants and of the introduction, spread and keeping of certain animals, for the establishment of sufficient fences for the purposes of preventing the ingress into the pastoral and agricultural areas of the State of certain animals, to amend and provide laws for the management and control of stock routes and reserves for travelling stock and for incidental and other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. H. GLASSON (Gregory—Minister for Lands, Forestry and Police) (11.27 p.m.): I move—

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

Honourable members will recall that a committee of inquiry chaired by Mr W. Smith, president of the Land Court, was set up to inquire into animal and pest problems in Queensland. Accordingly, a new Stock Routes and Rural Lands Protection Board was established by amending legislation in 1978.

One of the new board's charges was the preparation of new legislation for presentation to the responsible Minister bearing upon the recommendations of the Smith report. The new legislation is to be simply titled the Rural Lands Protection Act, and it blends into a single act the Stock Routes and Rural Lands Protection Act, Plague Grasshoppers Extermination Act, Barrier Fences Act, Rabbit Act, Smith report recommendations, concepts from interstate legislation, board resolutions, and suggestions from other Government departments and organisations. All of the above mentioned were consistent with the principles outlined by Cabinet when authorising the preparation of the legislation.

Vermin and noxious plants now become declared animals and declared plants, and a list of each will be published in pocket-booklet form from time to time. Each declared plant or animal will be assigned to a particular category depending on the degree of control required. As an example, water hyacinth west of the Dividing Range may be placed in the category requiring eradication; groundsel in the category requiring reduction; parthenium in the category requiring preventions from spread beyond a particular area. Similarly, animals may be required to be eradicated—for example, rabbits; reduced in number—for example, dingoes; or subject to management programs—for example, kangaroos.

The idea of this system is to indicate the standard of control required, which is considered preferable to a blanket duty to eradicate all species. The system has been operating in Western Australia since 1976 and has been accepted by the vertebrate pests

committee of the Standing Committee on Agriculture as the preferred model for all State pest legislation. It is envisaged that interdepartmental committees will be formed to allocate declared plants and animals to various categories. The committees may consist of National Parks and Wildlife Service officers, the chief quarantine officer, and representatives from societies.

The introduction into the State, or to a particular area of the State, of declared animals and plants may be either prohibited or allowed, subject to prescribed conditions. Similarly, keeping and selling may be prohibited or allowed, subject to conditions.

The categorisation system also applies to the introduction and keeping of declared animals and plants. Each declared animal is to be included in three categories relating to introducing the animal (categories A1 and A4); controlling the animal (categories A2 and A5); and keeping the animal (categories A3 and A5). For example, rabbits are declared in categories A1, A2 and A3, which means that they cannot be introduced into Queensland, that rabbits within the State will be eradicated, and that rabbits cannot be kept in captivity or sold.

To ensure that the views of the Primary Industries Department (plants) and the National Parks and Wildlife Service (animals) are adequately sought, provision for a joint ministerial recommendation is provided. Animals that are protected or permanently protected under the Fauna Act, and are indigenous to Australia, cannot be declared in any circumstances.

As to local authorities, the present Act relates only to rural land, with the Local Government Act covering the balance. Thus, a single shire may have parts of its area coming under different Acts. Indeed, there could be legal argument as to which Act covered a rural residential of 10 acres on the outskirts of a town.

The new Act will bring all land within the State under its jurisdiction so far as declared plants and animals are concerned. Local authorities will still be able to declare additional plants or animals under section 41 of the Local Government Act.

The responsibility for control rests with land-holders and, should an owner (or occupier) not be controlling declared plants or animals, he may be issued by an authorised council officer with a notice to clear. Such notice may specify the extent of clearing required, the time limit for completion and the method to be used. In the event of non-compliance, enter-and-clear action may be taken by the council and costs recovered from the land-holder. Until paid, such costs will remain a charge against the land.

Local authorities are to continue to have the primary responsibility for enforcement of the provisions of the Act except in the case of extraordinarily noxious plants. The executive director will have power to direct a local authority to issue a notice. He will also have power to issue a notice to clear. Should a local authority refuse to enforce control under the Act to a significant extent, the Minister will be empowered to take over the entire control function from the local authority concerned. No doubt the Minister for Local Government will be consulted before such drastic action is set in train. The board's executive director could then issue notices, and all his expenses, including clearing costs would be levied as a precept against the local authority, which can recover costs from owners. Insertion of this provision is necessary as a last resort to protect the surrounding local authorities that have diligently enforced control.

All Government departments having land under their jurisdiction have an obligation to control declared plants and declared animals on such land. Vacant Crown land will be the board's responsibility. Land under the control of local authorities, including reserves and roads, is the responsibility of those authorities. Private land-holders will thus not be able to accuse Parliament of applying double standards.

It was a joint ministerial decision that the Director of National Parks should retain his right as arbiter of any control measures over declared plants and animals in national parks. Satisfactory results should be obtained by administrative co-operation.

Lease areas over State forests and national parks, even though they are held by private individuals, are designated land under the control of Government departments. Control of declared plants and animals on such lease areas will be enforced by the leasing body under the relevant clause in the lease. Forfeiture will be the ultimate penalty. Both the Forestry Department and the National Parks and Wildlife Service have requested this arrangement as they prefer that they, rather than local authorities, be responsible for all land under their jurisdiction.

Inspectors and authorised persons will have the following authorities—

(a) Power of entry to land to search for declared plants or to check as to whether they are being controlled (a warrant is required to enter a dwelling house);

(b) Power to stop conveyances (vehicles, tractors, etc.), and to search same (a penalty of $500 can be imposed for failure to stop when asked);

(c) Power to require washing of such conveyances; and

(d) Power to seize and destroy prohibited plants and animals. However, any destruction must be authorised by the executive director.

In the past difficulty has been experienced in proving that a particular plant or animal is the one alleged. It is nearly impossible to prove conclusively that an animal is a dingo. To avoid this difficulty the Act will reverse the normal onus of proof in this aspect.Thus, an assertion by the executive director or a delegated person shall be prima facie evidence of identification. A defendant's rights to prove the contrary are preserved.

Where an inspector or authorised person proposes to use or specify the use of poison, strict provisions exist for causing notice of such action to be published in local newspapers. The taking of target animals in the surrounding area will be prohibited for a specified time. This is to protect people from accidental poisoning.

Only persons acting with the direct authority of the executive director, Rabbit Board or Plague Locust Committee can enter upon private land and set traps and lay baits.

The dingo barrier fence is presently being realigned and reconstructed by the Crown at public expense. It will be maintained by a levy on benefited areas and a Crown contribution. The existing provisions whereby the Minister can order land-holders to construct and maintain the barrier fence are retained.

Under existing legislation, local authorities are liable for three different sets of precepts under the Stock Routes Act, the Barrier Fences Act and the Rabbit Act respectively. The present Bill proposes that a single precept be imposed on local authorities. Amounts levied on individual shires will be assessed from year to year depending on pest problems in their area and the level of control activity proposed. A flexible contribution from consolidated revenue towards board activities will also be available from year to year.

Where part of a shire receives a benefit over and above the remainder (for example, protection by the barrier fence), the protected part can be levied at a higher rate than the remainder. Precepts are payable from the general fund of local authorities.

In accordance with the Smith report, the Darling Downs-Moreton Rabbit Board will be retained. Supervision of the keeping and the introduction of rabbits within this area will be a function of the Rural Lands Protection Board.

Each local authority area is to be constituted as a plague locust area rather than requiring that areas be separately gazetted, as at present. Each committee must notify the executive director of its formation to enable co-ordination of control efforts.

A new provision in the part dealing with extraordinarily noxious plants is for the notification of any quarantine order (preventing removal of infected soil) on the relevant instrument of title. These orders may remain in effect for many years and the new provision ensures that subsequent purchasers are aware of them.

Some agreements between local authorities and land-holders enable the latter to use a water facility on a reserve for travelling stock for a fixed annual figure in perpetuity. These land-holders have thus been able to obtain cheap water at public expense. The Bill enables the Minister to terminate these agreements and negotiate new ones with provision for price variation, resulting in fairer and more realistic charges.

The Bill fixes the membership of the board to the present level, which has proved a reasonably workable one. Ministerial power to increase or decrease membership is thus removed. The position of the second Local Government Association representative is now entrenched in the Bill.

The Crown and persons acting under the Bill are indemnified if acting bona fide for the purposes of the Bill and without negligence. This cover is in accordance with a general direction on indemnities given by Cabinet to the chief Parliamentary Counsel. No additional civil liability actions are conferred by the Bill.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

SOLICITOR-GENERAL BILL

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General), by leave, without notice: I move—

"That leave be given to bring in a Bill to provide in respect of the office of Solicitor-General and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (11.40 p.m.): I move—

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

In introducing this Bill, I am very mindful of the lengthy history that the position of Solicitor-General has in this State. I am also mindful of the very valuable service that has been provided by each Solicitor-General and acting Solicitor-General from time to time.

The Bill that I introduce establishes for the first time the statutory office of Solicitor-General for the State of Queensland. The appointment of a Solicitor-General pursuant to this legislation is yet another part of the restructuring and rationalisation of the services that are provided to the community through the Department of Justice.

Before I deal with the legislation that is to be considered by this House, it is necessary to recount in some detail the history of the role of Solicitor-General, particularly as it concerns this State.

The office of Attorney-General and the office of Solicitor-General were established very early in the colony of New South Wales, which, until 1859, included the larger part of the territory that is now Queensland. We inherited those two offices from the English court system.

Doubts have been expressed by researchers as to the origin and early development of the offices of Attorney-General and Solicitor-General in England. Such matters are the subject of conjecture. It is clear, however, that, by the end of the sixteenth century, the concept of the King's attorney and the King's solicitor as legal advisers to the Crown and servants of the Crown had become established.

In the Upper House, the law officers, as they were called, were expected to officiate as advisers and attendants in the House of Lords when called upon but without any responsibility in the determinations of the Upper House. Both the Solicitor-General and Attorney-General were entitled to sit as members of the House of Commons.

Both of these offices were introduced into the New South Wales colony at a time when representative Government had not been established. At this time, the courts and legal systems were developing in the colony to meet the particular local conditions. Consequently, some departures from the English precedent occurred.

The Solicitor-General in New South Wales was expected to be always at hand to give legal advice to the Crown representatives in the colony, and, at the same time, an establishment had been raised to do solicitor's work for the Crown. These officers consisted of a civil Crown solicitor and a criminal Crown solicitor assisted by several clerks.

Prior to the separation of Queensland from the colony of New South Wales, the first Crown solicitor within this jurisdiction was appointed. He was a Crown solicitor of the colony of New South Wales. After separation, Robert Little continued to carry on the duties of Crown solicitor in both the criminal and civil fields for the new colony. I might add that Mr Little had the right of private practice and was assisted by a number of Crown employees in performing his duties.

The first recorded mention of the position of Solicitor-General in this State was made in 1876 in this House when the Department of Justice Act of 1876 was debated. At that time, the Attorney-General was a practising member of the Queensland bar.

During the debate on the passage of the Bill, it was revealed that the duties of the Attorney-General as a Minister of the Crown were increasing daily and that it was undesirable that the Minister who was constantly being called upon to advise the Government should be absent from Brisbane on circuit business.

As a result of this increase in the duties of the Attorney-General, it was necessary that certain functions of his were delegated. One of the delegated roles was that of Crown prosecutor.

The debate in the House over 100 years ago also contained another matter of interest that is of direct relevance to the House today. It was the first mention of the appointment of a Solicitor-General in Queensland.

As many duties were then performed by the Attorney-General that could not be performed by any officer other than one bearing that particular title, it was proposed to appoint a Solicitor-General who should also be a Crown prosecutor, a grand juror, and, from that time, prosecutions were to be instituted in the name of the Solicitor-General rather than that of the Attorney-General.

However, it was not until 1890 that Queensland's first Solicitor-General, Thomas Joseph Byrnes, the honourable member for Cairns, was appointed.

I have particular reasons for recounting some of the history of this particular office. I do it in the knowledge that honourable members will realise that the position is one which has many traditions associated with it.

For many years now the Solicitor-General has been responsible for administeirng the Crown law office as well as occuping statutory roles under the Criminal Code and, prior to 1983, under the Queensland Companies Act.

As a Crown law officer the Solicitor-General has occupied a vital role in criminal law, in civil law, in constitutional law and many other areas in advising the Government with respect to the many matters which are considered daily by the officers in the Crown law office.

From an office which contained a relatively small staff, the Crown law office has now grown to one which has over 200 employees. The Solicitor-General has the overall responsibility for the administration of this office.

After assuming responsibilities as Minister for Justice and Attorney-General, I became aware that restructuring was necessary within many areas of my ministerial portfolio. The growth in population and, in some instances, the growth in crime rates have had an effect on the volume of work which is handled within my department. The advent of legal aid, a growing awareness of people's rights and the development of many new areas of law have placed ever increasing burdens on the administration of justice in this State.

Unless provision is made for the rationalisation of these services, as with many other areas of Governmental responsibility, the people and the State will suffer. Consequently, I have directed that such a rationalisation process take place within my portfolio.

Some of the fruits of my labours have been seen by this House in recent times. I refer particularly to the Director of Prosecutions Act, which was introduced in November of last year. As all honourable members would now be aware, Mr D. G. Sturgess, QC, has been appointed as the State's first Director of Prosecutions. I am confident that the results of his skill and effort will soon become apparent.

A further appointment has taken place with respect to the position of Chief Executive Officer of the Supreme Court, the office which was created to provide assistance at a high level to the Honourable the Chief Justice of this State. An executive officer subject to the supervision of the Chief Executive Officer is soon to be appointed with respect to the District Court to provide assistance to the Chairman of the District Courts.

In conjunction with the Chief Justice and the Chairman of the District Courts, I am ensuring that close scrutiny take place of all activities of the courts' practice. A criminal call-over list was recently introduced in the District Courts to ensure the expeditious listing of criminal trials. The changes which I have instigated in my department are taking place in a carefully planned and programmed manner.

The Solicitor-General Bill will provide for the appointment of an experienced barrister to the position of Solicitor-General of Queensland for a specific period. He will have roles which are prescribed by statute and will not be a public servant pursuant to the Public Service Act. He will be a statutory officer independent of the Government, who will provide the highest level advice to the Government of the day. I trust that the Opposition will welcome this innovation.

In view of the tradition regarding the appointment of the Solicitor-General, the Bill will provide for the continued appointment of the Solicitor-General by letters patent. Every Solicitor-General of Queensland has been appointed by this manner in the past and I believe that the continued appointment by letters patent will signify the importance of this role to the Queensland Government. Letters patent for the Solicitor-General may be issued by or on behalf of Her Majesty.

As the Solicitor-General will be occupying a role which is a statutory office, a retirement age of 65 years has been provided in the legislation.

The Bill will also provide for the appointment of an Acting Solicitor-General in the event of a vacancy in the office of Solicitor-General or in the event of any illness or absence of the person holding that office.

The Solicitor-General's functions are to act as counsel for: the Crown in right of the State; the State, a person suing or being sued on behalf of the State; a body established by or under an Act; and any other person or body where it is to the benefit of the State that he should so act.

Additionally, as it will be necessary for the Government to be provided with the opinion of the Solicitor-General on many important matters, provision is made for him

to perform such other functions ordinarily performed by counsel at the request of the Attorney-General. In order for these functions to be fulfilled, it will be necessary that staff be appointed to assist the Solicitor-General from time to time.

Accordingly, provision is made for the appointment of staff who will continue to be public servants although working for the Solicitor-General. I might add that it is not intended that the Solicitor-General will have any administrative responsibilities other than those associated with the suprevision of a very small staff of officers who will assist him in his work. Accordingly, he will be able to devote his time and efforts to the interests of this State in the area of his main expertise—the law. It is this feature in particular that has prompted the creation of the statutory appointment.

The remuneration that is to be paid to the Solicitor-General has been determined at a rate per annum that is 80 per cent of the aggregate rate of salary and allowance of a puisne judge of the Supreme Court.

The Solicitor-General in this State has traditionally been the leader of the bar. He ranks in precedence above all Queen's Counsel and junior counsel. Accordingly, it is to be expected that at some time during his career the Solicitor-General may be approached to accept the high office of a judge of the Supreme Court.

The Bill recognises this feature and provides that the years of service had as Solicitor-General shall be added to years of service as a judge where such appointment is made for the purposes of retirement benefits. Provision is also made with respect to a severance entitlement should the Solicitor-General not be offered or not accept such a position.

As with all statutory officers, provision is also made in the Bill for the termination of a Solicitor-General's appointment. Additionally, provision is made in the Bill for the rights of a public servant appointed as Solicitor-General to be maintained.

It is further provided that an appointee as Solicitor-General may engage in the practice of his profession as a barrister only with the approval of the Governor in Council first had and obtained. Should such an approval be given by the Governor in Coucil either for a particular period or for the whole of the time that the Solicitor-General in question serves in that capacity, provision is made for ensuring that priority is given by the Solicitor-General to the discharge of his functions as Solicitor-General and further that a conflict of duty and interest situation does not arise.

Such a provision is not unique in legislation of this nature, as it may well be necessary for senior counsel to be permitted to supplement the income which he receives from his statutory duties in order to attract the most capable counsel.

This Bill represents another part of the overall restructuring which will take place in my portfolio during the next 12 months. The position of Crown Solicitor is to be upgraded and the new responsibilties which will be assumed by him in administering the Crown law office will be recognised. It is presently envisaged that the Crown Solicitor will be redesignated Director-General of Legal Services and Crown Solicitor. The onerous duties of an administrative nature that have been the responsibility of the Solicitor-General in the past will now become the responsibility of the Crown Solicitor.

I commend the Bill to the House.

Debate, on motion of Mr R. J. Gibbs, adjourned.

DIRECTOR OF PROSECUTIONS ACT AND JUSTICES ACT AMENDMENT BILL

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General), by leave, without notice: I move—

> "That leave be given to bring in a Bill to amend the Director of Prosecutions Act 1984 and the Justices Act 1886-1982 each in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (11.55 p.m.): I move—

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

As honourable members will recall, in November 1984 I introduced a Bill which created the position of a Director of Prosecutions. That was part of a major restructuring of the justice system in this State. Mr Des Sturgess, QC, prominent Brisbane barrister from the private criminal bar, has since been appointed to this position.

Tonight I introduce an amending Bill which contains provisions that remedy minor technical defects found to exist after the passing of the Director of Prosecutions Act 1984. The first relates to a misdescription of an Act in section 34 of the Director of Prosecutions Act. The Act incorrectly refers to the Legal Practitioners Act 1968-1977. The correct reference should be to the Legal Practitioners Act 1881-1984.

The second proposed amending provisions to the Act are for mechanical supplements to already existing provisions (sections 6, 21) relating to termination of the services of a director, deputy director or Crown prosecutor, should the occasion arise. They provide that notification of removal or termination from office shall be in writing, signed by the Minister and delivered either personally or by post to the officer.

The third area relates to two sections in the Justices Act which refer to service on the Solicitor-General. The amendments proposed substitute in those sections reference to the Solicitor-General to read "Director of Prosecutions".

The amendments are of a minor nature, but will avoid any technical problems which may have arisen in the future if the Act was left unaltered.

I commend the Bill to the House.

Debate, on motion of Mr R. J. Gibbs, adjourned.

NATIONAL CRIME AUTHORITY (STATE PROVISIONS) BILL

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General), by leave, without notice: I move—

"That leave be given to bring in a Bill to make provision for the operation of the National Crime Authority in Queensland."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (11.57 p.m.): I move—

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

The objects of the Bill are to provide underpinning legislation to allow Queensland to participate in the National Crime Authority.

In 1984, the Commonwealth Government passed the National Crime Authority Act with the object of assisting in the elimination of major criminal activity which was not limited to State borders. It was intended that the model Bill would be adopted by all Australian States. All Australian States have indicated that they would pass the model Bill to support the Commonwealth legislation.

At the present time, the Bill has been passed by South Australia, New South Wales, Victoria and Western Australia. The Northern Territory has introduced the Bill into Parliament. Tasmania has Cabinet approval to introduce its model Bill.

Under the Australian Constitution, Queensland has power to legislate on criminal matters within its borders.

The Williams and Costigan royal commissions have highlighted the fact that the work of police forces is generally aimed at catching individual criminals, not organised crime. Today, major criminal activity is highly organised with, in many instances, Australia-wide networks established to evade detection by law-enforcement agencies.

The Bill sets out the activities which it is intended will be subject to investigation by the National Crime Authority.

The major offences which are defined under the term "relevant offence" include—

1. theft, fraud;
2. tax evasion, currency violations;
3. illegal drug-dealing, illegal gambling;
4. obtaining financial benefit by vice engaged in by others;
5. extortion, violence;
6. bribery or corruption of or by a State or Commonwealth officer;
7. bankruptcy and company violations;
8. armament dealings; and
9. illegal importation and exportation of fauna into and out of Australia.

To come within the definitions, the offence requires substantial planning and organisation or the use of sophisticated methods and techniques in the criminal activity.

The Bill provides for Queensland participation in the National Crime Authority by means of a Queensland reference to the authority concerning a relevant offence. Any such reference would be made by a notice in writing.

If a matter has been referred to the National Crime Authority, Queensland law does not prevent the authority from investigating that matter, the reference being referred to in the Bill as a special investigation.

It should be noted that a reference to the authority may be withdrawn at any time. Where a reference has been made for the purpose of a special investigation, the National Crime Authority may hold a hearing to investigate the matter.

At the hearing, which is presided over by members of the National Crime Authority, evidence may be taken from witnesses who are summoned to appear before it.

The Bill also empowers the authority to obtain documents or items which it requires for the purposes of a special investigation.

It is also proposed by the Bill to have hearings held in private, and a restriction is placed on the publication of proceedings and information coming before the authority without authorisation by the authority.

Where the National Crime Authority receives evidence of offences against the law of Queensland and the evidence would be admissible in the prosecution of a person in Queensland, that evidence is to be given to the Attorney-General of the State of Queensland.

A person who gives evidence at an authority hearing may be represented by a legal practitioner, whilst a person who is not actually giving evidence but whose rights may be affected may, at the authority's discretion, also have legal representation.

It is proposed that the authority will co-operate with the Australian Bureau of Criminal Intelligence, which operates as a clearing-house for information among State police forces.

The National Crime Authority is empowered to make recommendations to Queensland on the reform of law on relevant offences in regard to evidence and procedures at trials, corporations, taxation, banking and financial frauds and reform of administration of courts.

The Bill also provides for search warrants to be obtained in allowing the authority to carry out its functions. A search warrant may be issued if the authority believes on reasonable grounds that a thing might be lost, mutilated or destroyed if the normal summons process were to be followed. The provision covering search warrants is extended by the clause covering telephone applications for a search warrant. It is envisaged that circumstances will arise where the urgency of the investigation makes it necessary for a telephone application to be made.

It is proposed that an application may be made to a Supreme Court judge, where there is a reasonable belief that a person may be able to give evidence to the authority and there are grounds for suspecting that he intends to leave Australia, to order the delivery of his passport at an authority hearing. Also, subject to Commonwealth legislation, it is intended to allow the Supreme Court to issue a warrant for the arrest of a person where there are grounds for believing that he might leave Australia to avoid giving evidence.

A number of clauses throughout the Bill provide for offences against the authority. The principal offence provision relates to perjury offences—the giving of false or misleading evidence. On indictment, such offences would attract a maximum punishment of five years' imprisonment, or a penalty of $20,000. A summary determination is also provided for with lower penalties. A person who obstructs or hinders the authority or a hearing may be regarded as committing an offence of contempt of the authority.

The Bill also makes provision for protection of witnesses and other persons appearing before the authority. It is proposed that the police force will provide the necessary protection.

The Bill requires that members and staff of the authority will not, directly or indirectly, reveal any information or communication which comes into their hands. A breach of this requirement is an offence which attracts a maximum penalty of $5,000 or one year's imprisonment, or both.

The State of Queensland is empowered by the Bill to provide both members and persons to serve in the National Crime Authority. It is set out in the Bill that members will be selected from the judiciary, while public servants, police officers and employees of other Queensland authorities will perform service in the authority.

The annual report of the authority will be laid before this Parliament, together with the comments made by the Inter-Governmental Committee on the report.

Provision has been made to make regulations under the Act, to enable the Act to be correctly administered.

The Act will cease to have force in June 1989. The Commonwealth National Crime Authority Act has a similar section contained in it.

The Bill is structured so that references can be made to the authority to investigate offences which are defined and have an apparent breadth of operations reaching outside Queensland.

The scope of the legislation is one of co-operation among the States and the Commonwealth to control crime which operates through highly organised schemes and across State borders.

Queensland is a participating State in the Inter-Governmental Committee established under the Commonwealth National Crime Authority Act. The committee has met on two occasions. I, as Minister for Justice and Attorney-General, am Queensland's representative on that committee.

Further, briefings on the activities of the National Crime Authority have been held.

The Queensland Government has received an undertaking from the National Crime Authority that it will be advised of all inquiries by it in Queensland. Therefore, it is expected that there will be close co-operation between the National Crime Authority and Queensland. This co-operation is required to prevent any prejudice to existing investigations being caused by the National Crime Authority's inquiry. In this regard, I am referring to investigations by the office of the Commissioner for Corporate Affairs and the Queensland Police Force.

I commend the Bill to the House.

Debate, on motion of Mr R. J. Gibbs, adjourned.

REAL PROPERTY ACT AMENDMENT BILL

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Real Property Act 1861-1981 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (12.6 a.m.): I move—

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

The proposed amendments contained in this Bill refer to four distinct areas within the Real Property Office.

One object of this Bill is to overcome a practice that has developed whereby solicitors have lodged both bills of mortgage and bills of encumbrance in the Titles Office to secure certain types of loans. The situation has arisen in which an advance to a borrower is made other than by way of cash. Examples are borrowing on bills of exchange or promissory notes.

In these circumstances, it has been necessary to lodge a bill of encumbrance as well as a bill of mortgage to protect the lender's security. This has occurred because of uncertainty as to the scope of the term "mortgage", which is defined in the Act as "any charge on land created merely for securing a loan" Considerable doubt has arisen as to whether the expression "loan" extends to lending arrangements other than simple advances of cash.

The Bill explains the definitions of "mortgage", "mortgagor" and "mortgagee" so as to cover borrowings which are not made by cash advance. This will eliminate the need to lodge bills of encumbrance as well as bills of mortgage, thus simplifying Titles Office lodging practices and reducing the borrower's expenses.

The Bill also provides a simplified procedure for enabling a registered proprietor to change or correct his or her name on an instrument of title. The registrar of titles is empowered to record a change of name on a title deed when application is made by the registered proprietor in the prescribed form. The registrar may request that a document,

such as a marriage certificate or a deed poll, evidencing the change of name be produced for inspection. This streamlined procedure will be of particular benefit to women proprietors who, upon marriage, will be able to have their married names recorded in the Titles Office after completion of a simple form.

The Bill provides also for the change of name of a corporation. The application form in that case is completed by a director or secretary of the company.

The Bill also empowers the registrar to alter the description contained in older deeds of grant or certificates of title to the lot-on-plan description. The registrar is also given power to cancel superfluous registrations provided that both he and the master of titles are satisfied that such cancellation will not have any effect upon the land to which the registration relates.

Another purpose of the Bill is to overcome the effects of two Supreme Court decisions which determined that the registration in the Titles Office of a plan of subdivision, which has designated thereon an area denoted "easement", had the effect of creating a valid easement over that area. These decisions have had a dramatic effect on Titles Office practice in that it had always been assumed that a valid easement could be created only by the registration of an easement document in the Titles Office.

Such a document clearly identifies the respective rights and obligations of the parties thereto and its existence is readily identified by a routine search of Titles Office records.

The Bill restores the legal position to that which was previously accepted by providing that a plan on which the site of an easement is designated is not an instrument creating an easement. The plan will be required to denote that the easement is a "proposed" easement. This applies to all plans, irrespective of when they were lodged or registered, but the Bill provides that easements resulting from the judgments of the court are not affected.

The last, and perhaps the most important, of these amendments are those which relate to the computerisation of the Real Property Office. The amendments at this stage are relatively minor. They provide for a regulation-making power so that new forms easily adaptable to computer use may be prescribed.

A further power is given to the Registrar of Titles to permit him to create a register for recording memorandums setting out covenants and conditions usually contained in bills of mortagage and leases. This new procedure will be of great benefit to major lending institutions and shopping centre owners who utilise a common form containing the same convenants and conditions in respect of each bill or mortgage or lease into which they may enter. The adoption of this procedure will mean a considerable cost saving to all parties as well as to the Real Property Office, as it will lessen paperwork being lodged in the Real Property Office—assuredly a move in the right direction!

These amendments are being introduced now so that the legal profession and other interested persons may use the new forms for a period before they become mandatory with computerisation in the Real Property Office.

It will be necessary to further amend this Act when further progress has been made with the installation of computer equipment in the Real Property Office.

I commend the Bill to the House.

Debate, on motion of Mr R. J. Gibbs, adjourned.

PUBLIC OFFICE (AGE QUALIFICATION) BILL

Hon. P. R. McKECHNIE (Carnarvon—Minister for Tourism, National Parks, Sport and The Arts), by leave, without notice: I move—

> "That leave be given to bring in a Bill to provide with respect to age qualification for holding certain public offices and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. P. R. McKECHNIE (Carnarvon—Minister for Tourism, National Parks, Sport and The Arts) (12.13 a.m.): I move—

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

This Bill is to remove an anomaly involving a number of Acts within my portfolio.

As honourable members know, I have under my control a large number of boards of trustees such as those for the Queensland Art Gallery, the State Library of Queensland, the Queensland Musuem, the Queensland Film Corporation, the Queensland Cultural Centre Trust and the Queensland Performing Arts Trust. Some of the Acts relating to these boards contain a mandatory retirement age of 70, but others do not.

That has led to a situation in which several valued members of those boards have been required to retire from a particular board but not from others on which they may sit. They include such distinguished figures as Sir David Muir, chairman of the Queensland Cultural Centre Trust, Mr Rod O'Loan, a member of the Queensland Performing Arts Trust and the Board of Trustees of the Queensland Art Gallery, and Mr J. C. H. Gill, chairman of the Queensland Museum Board of Trustees and of the Board of the State Library of Queensland. Mr Rod O'Loan is also a member of the Brisbane Cricket Ground Trust.

I intend to amend the relevant Act, although it does not come within my portfolio. The Bill removes the mandatory provision and replaces it with the general policy that a member of a board not in receipt of a salary or wage shall retire at the age of 70 unless the Governor in Council extends that person's term for such period as he sees fit.

I commend the Bill to the House.

Debate, on motion of Mr Underwood, adjourned.

ADJOURNMENT

Hon. C. A. WHARTON (Burnett—Leader of the House): I move—

"That the House do now adjourn."

Capricornia Electricity Board

Mr PREST (Port Curtis) (12.15 a.m.): I would like the Minister for Mines and Energy (Mr I. J. Gibbs) to note the antics that are going on within the Capricornia Electricity Board. At present, the CEB is sending out to people in my area and in other areas in central Queensland electricity accounts for amounts owing. One account refers to a final reading on 20 March 1979, which is six years ago. Another account states that electricity was disconnected on 14 December 1977, which is eight years ago. The first account was for $24.66, and the second one for $58.49.

Both of the families involved have lived in Gladstone for many years. Since the electricity was disconnected, they have received power from the board, and at no time were they notified that money was owing to the board.

One of the letters states—

"Dear Madam,

A final account was posted to you for $58.49 representing the balance owing by you for electricity supplied at the above address.

Possibly you have overlooked this matter, but it will be appreciated if you would arrange settlement of the account within seven (7) days.

In the meantime, the amount has been transferred to the account for the present address and, unless payment is received, your present supply may become subject to disconnection without further notification. Please present the attached account when making payment."

On behalf of the two women concerned, I spoke to the board and pointed out that it would be aware that after seven or eight years the people would be unlikely to have the receipts. The secretary of the board, Mr Hiskins, said, "We know that. We would not expect people to have receipts back that far. We have nothing to say that they owe the money. It is just that an amount of money is owing on that meter, so we have billed these people." The CEB has a monopoly. It is wrong that it should use blackmail tactics and say, "If you don't pay the money, you will get no power."

Only two weeks ago, the Government was saying that it was wrong for the Electrical Trades Union workers to cut off electricity supplies to the people. I sincerely hope that the Minister adopts a similar attitude on this occasion and says that it is wrong that the board should cut off supplies to those families. They do not owe the money.

One woman separated from her husband in June 1976. She went into a Housing Commission home on 21 March 1977 and was supplied with power at that address. Her husband was living in the previous house and he continued to receive power until 20 March 1979, nearly three years later, when he defaulted in making payment. The board could not get the money from him, because he was a guest of Her Majesty. The board does not know where the husband is, so it is billing the wife. She has been separated from her husband for eight years. I do not think that it would be possible for the board to recover the money in a court of law, even if the debt was owing. It is my belief that the money is not owed.

The Capricornia Electricity Board has a monopoly in this industry; no-one else can supply power. As a result, it is using the tactic of threatening to cut off power supply if the people do not cough up the money. The Minister should take a close look at boards such as this. Half of this board comprises Government appointees, and they are not worth two bob. They are very weak. The chairman (Mr Kerry Park) told me that the board could not go back seven or eight years but perhaps could go back three years.

Time expired.

Effect of Trade Unions on the Community

Mr KAUS (Mansfield) (12.20 a.m.): Freedom of the individual, freedom of the press and freedom of trade are the hallmarks of democratic nations. It is the obvious difference between most Western countries and Soviet Russia. We in Queensland are also fortunate to have freedom of movement in that we can vote with our feet by deciding where we will live and under what authority we will place ourselves, unlike people living in East Germany, who are denied this freedom by the Berlin wall. That barrier was erected not for defence and not to keep enemies out, but solely to prevent ordinary people from voting with their feet.

Freedom of movement has to be suppressed by tyrannies because it is the ultimate verdict on their system. The free movement of people, like the movement of goods in a free market, tells us the truth about the world. It tells us what ordinary people think. The poorest member of society values political freedom as much as the richest, but the freedom that is valued most is the freedom to sell labour and skills in the open market. The social virtue of the market is that it provides not only accurate information for decision-making but instant feedback after decisions. It is not merely an early warning system for catastrophe but a continuous warning system that allows the effects and decisions to be monitored and corrected accordingly.

Therefore, Government restrictions on the market are forms of censorship and suppression of truth. The greater the range of choice in all these matters and the less

Government interference in the market, the greater the measure of true freedom and democracy and the bigger the harvest of benefit in terms of increased efficiency.

However, it is not Government interference that is harming markets here in Queensland; rather is it trade union meddling and the persistent raising of obstacles to disrupt industry and commerce. By their actions, trade unions are denying freedom to the ordinary working man, who, despite his own philosophy of life, is bound by trade union regulations because he is obliged to be part of that machinery if he wants to work in his chosen field in the work-force.

We are fortunate to live in a country where we are free to choose our own way of life and express ourselves without being dictated to. However, if the unions had their way, there would be no freedom and the trade union member and the entire community would be affected. That was obvious in the recent electricity strikes, which affected each person in the State from babies who were inconvenienced by having to wait for boiling water in which their food could be heated to the sick and elderly who were denied the comfort of their heaters.

Such is the power of the unions that they are able to make their presence felt right across the community spectrum. This would not be tolerated in Soviet countries; yet Queenslanders must put up with this state of affairs foisted on them by unions whose leaders make no bones about following communist-inspired principles.

The time has come when the worth of the unions has to be balanced against the good of the State as a whole. By objective standards it will be seen that unions are crippling the entire nation by their strikes and disputes that, more often than not, are politically motivated without any logical foundation and which, in the long run, will do more harm to the common man. Something is sinister in a movement that claims to liberate the worker while plunging the country into turmoil.

Are unemployed striking workers better off than those who receive full weekly pay packets? Are their families better off because workers blindly follow the directives of trade unions? Will the State be any better off if it bends over backwards to meet the demands of these unions? When one set of demands is met, another issue is promptly raised. It is nothing short of blackmail. Any good lawyer will advise that the only way to deal with blackmailers is to call their bluff.

Premier's Comments Overseas on Queensland Workers

Mr CAMPBELL (Bundaberg) (12.25 a.m.): This morning I wish to bring to the attention of the House the large amount of public resentment and bitterness at the un-Australian and belittling attacks on Queensland workers and fellow-Australians by the Premier and Treasurer while visiting overseas leaders. On his latest trip to Japan, he again attacked this country and its people. This is not an isolated incident. On previous trips to Japan, Denmark, South Korea and Asia, he has attacked Queensland workers and Australians living in other States.

When the Premier and Treasurer travels overseas he should be an ambassador for the nation and for the State. He should defend and take pride in the nation, not be a junket whinger who criticises and denounces unionists and workers in Queensland and in other Australian States. The Premier uses Queenslanders' taxes to belittle, detract from and knock fellow-Australians in front of overseas leaders.

A large proportion of Queenslanders consider that for the Japanese Prime Minister to praise the Premier's industrial confrontation when he has heard only the Bjelke-Petersen version—a biased, one-sided and partisan viewpoint—is totally distasteful.

An article in "The Courier-Mail" of 9 March, under the headline, "Japan PM salutes 'Iron Joh' ", states—

> "Japan's Prime Minister, Mr Yasuhiro Nakasone, has described the Queensland Premier, Sir Joh Bjelke-Petersen, as an 'iron statesman' after hearing Sir Joh's account of how he had dealt with striking electricity workers.

Sir Joh revealed yesterday he told Mr Nakasone he had dealt with the strike and brought it to an effective conclusion."

As the power dispute was purely a domestic issue, which should not be taken to the heads of state of foreign nations, the sentiments expressed by the Japanese Prime Minister were unwarranted and improper. The Japanese Prime Minister has endorsed the actions of the Premier and Treasurer, who denies natural justice to Queensland workers and supports legislation that attacks the basic rights of workers and decimates the fruits of over 100 years of struggle by Queensland men and women to obtain freedom, justice and the right to withdraw their labour—a right that separates a free man from a slave.

Today Queenslanders can be fined by a commissioner without the right of judicial redress, that is, the right of appeal to the courts. The Premier and Treasurer has taken away the basic rights of Queenslanders. That is like a policeman being able to fine an individual who cannot contest that fine in a court of law. Even in 1861, under the Masters and Servants Act, Queensland workers had the right to appeal to a Supreme Court judge against penalties. However, that is not the case today.

Twice the Premier and Treasurer announced that overseas scab labour could be used to replace Queensland workers. An article in the "Telegraph" of 20 February reads—

"The State Government announced earlier this week that it had begun advertising overseas through international consultancy firms for qualified power operators."

An article in "The Sunday Mail" of 17 March states—

" 'I organised for a batch of 300 overseas power industry employees to come to Queensland during the last strike,' he said.

'They were from two countries and would have been on a six-month contract.' "

The Bjelke-Petersen grand plan to overcome the power dispute was to import Japanese technicians to replace Queensland workers. Thankfully that insidious proposal was rejected outright by Japanese authorities. What would make a leader of Queensland go overseas to belittle and criticise Queensland workers? No decent Australian leader on an overseas visit would attack his workers and those in other Australian States. That would be un-Australian. Perhaps the attitude of the Premier and Treasurer is due to his not being Australian born and not having pride in Australia or Australians.

Walk-out from Chamber by Opposition Members

Mr ELLIOTT (Cunningham) (12.30 a.m.): I draw to the attention of the people of Queensland, particularly my constituents, something that few of them would expect to see. Today, honourable members witnessed the spectacle of the members of the Australian Labor Party neglecting their fundamental principles and responsibilities by walking out of the Chamber. Surely all honourable members have a responsibility to represent their constituents. I find it unbelievable that Opposition members would walk out of the Chamber like a mob of spoilt boys. They squibbed.

Mr Davis interjected.

Mr ELLIOTT: The honourable member for Brisbane Central returned to the Chamber before some other Opposition members. However, the rest of them squibbed.

Mr DAVIS: I rise to a point of order. The member for Cunningham called me a squib. I walked out of the Chamber because I would not listen to these rotten grubs or the rotten Premier this afternoon.

Mr DEPUTY SPEAKER (Mr Randell): Order!

Mr DAVIS: I object to it, and I ask that the statement be withdrawn.

Mr DEPUTY SPEAKER: The honourable member finds objectionable the remarks made by the honourable member for Cunningham. Will the honourable member withdraw them?

Mr ELLIOTT: I withdraw whatever words the honourable member finds offensive.

Perhaps the Opposition believes that its constituents are out on the streets. Perhaps the Leader of the Oppositon believes in the street corner assembly rather than the Legislative Assembly.

Mr Davis: This is a democratic House.

Mr ELLIOTT: Of course it is a democratic House. This is where honourable members voice their opinions. They do not take their marbles and go home like spoilt boys, as Opposition members did today. Opposition members do not like anyone to point out that that is what they did today.

The walk-out by Opposition members was an immature act on the part of the members of the ALP. As I said earlier, it was the action of a group of spoilt boys who, not having obtained their own way in this Chamber, decided not to remain but to pick up their bags, go home and cry about it. In the past, honourable members have seen ALP members display similar actions. Whitlam maintained that one should maintain one's rage. How far did that get members of the ALP? It got them absolutely nowhere. At the following election, the ALP Government was thrown out of office. For three or four weeks, the Oppositiion in this Chamber has carried on in a similar vein.

Opposition members can do nothing other than refer to the Electrical Trades Union, the various strikes and so on. That is their only interest. I find it amazing that they would be so derelict in their duty as to stroll out of the Chamber in a casual and cavalier fashion, as they did today. Opposition members had the hypocrisy to go outside this Chamber and to talk about the level of unemployment. They say that Queensland has the highest unemployment level in the country.

An Opposition Member: It has.

Mr ELLIOTT: What are Opposition members doing about that? They are not doing anything about it, because they are not game to stay in the Chamber. They are a mob of squibs. They walked out of the Chamber. They do not have what it takes to stand up and be counted. They are all weak. That is why we saw the action taken by the Opposition members today. I would have expected the Leader of the Opposition and his colleagues to stand up and be counted. It is time that the Opposition did something constructive to try to get people back to work in this nation. That would befit the role of the Opposition in this Chamber.

It was disastrous for Queensland for the Opposition to take the easy way out and to walk out of the Chamber in a grand gesture, aided and abetted by rent-a-crowd, all 12 or 15 of them.

Time expired.

Government by National Party

Mr HAMILL (Ipswich) (12.35 a.m.): I am intrigued by the comments of the honourable member for Cunningham (Mr Elliott) concerning the power dispute, which in recent weeks has occupied so much of the time of the House. I am intrigued also by the comments of other Government speakers in relation to industrial legislation.

History reveals much about politics, the way that public opinion is formed and the way that political parties and others react. I will back up my statements with evidence.

The Queensland Government's industrial legislation resembles the policies followed by the Italian fascists and Hitler's Nazis. Like Germany's Nazis before him, the Queensland Premier and Treasurer has attacked the system of industrial conciliation

and arbitration, and is seeking to destroy the organised labour movement in this State. Legislation which denies Queensland workers the right to withdraw their labour strikes at the fundamental rights of employees in a free society.

I thought that defending a free society was what this Parliament was all about. The historical parallels between the rise of the Bjelke-Petersen Government and Nazism are astounding. I will quote a few statistics.

Hitler was supported by 37 per cent of the German electorate; Bjelke-Petersen won 38 per cent of the vote at the last State election. Hitler and Mussolini outlawed industrial action; Bjelke-Petersen in his power industry legislation has followed a similar course. Hitler came to power through abusing the democratic process; Bjelke-Petersen manipulates the electoral system to stay in office. Under Queensland's state of emergency powers, the Queensland Government exercises the same totalitarian powers enjoyed by the fascist dictators. The actions of the Bjelke-Petersen Government threaten the fabric of the liberal democratic system of government.

Mr Simpson interjected.

Mr HAMILL: I would not expect the honourable member for Cooroora to defend the liberal democratic system of Government. With their traditional liberties at stake, the people of Queensland must remove this Government before the right to dissent is crushed in this State.

I want to amplify my points, because I believe that they are the very real issues which confront the people of Queensland today and will confront them tomorrow as the Government keeps up the constant flow of repressive legislation.

I will examine the developments in detail. I have stated that Hitler, when he came to power in Germany, was supported by 37 per cent of the German population. He represented a minority group which had political power handed to it. The Bjelke-Petersen Government gained power at the 1983 State election with 37 per cent of the vote. Two-thirds of Queenslanders are represented by members on this side of the Chamber. It is because of the action of two political defectors from the Liberal Party that the Bjelke-Petersen Government can maintain office in this State.

Day in and day out Opposition members must witness the tactics of the Bjelke-Petersen Government. Legislation is ramrodded through the Legislative Assembly of Queensland. The Standing Orders, which were developed to protect the rights and privileges of the Parliament, are repeatedly and callously set aside so that legislation can be pushed through all stages in inordinate haste. That occurred today. It occurred two weeks ago. The industrial conciliation and arbitration system in this State has been greatly eroded by a series of legislative enactments by the Government.

I have said that the parallels between Germany and the Bjelke-Petersen Government are very clear. I point out to the Chamber that Germany also had a system of mediation and arbitration. One of the first actions of the Nazi Government was to destory that system. In Italy the right to strike was taken away when the fascists came to power. Those are the types of policies being pursued in this State.

The Industrial Conciliation and Arbitration Act Amendment Bill prevents the Industrial Commission from re-registering unions. State Cabinet will have the power to do so. Under the Electricity (Continuity of Supply) Bill the Industrial Commission is specifically prevented from resolving an industrial dispute in the power industry. The Germans called it arbeit front. They united the community, they prevented strikes, and they destroyed the ability of the workers to exercise their democratic rights through industrial action. The Bill so broadly defines strikes that it could include any sort of industrial action.

Where will it end? That is the question that Queenslanders are asking. A Government that holds power through a shameless manipulation of the electoral system has no mandate to bring this sort of legislation before the House. Queensland has had government

by proclamation and government with emergency powers that befit a totalitarian State. It has had government that rules by proclamation and overrides the rights of the ordinary citizens of this State. That is the issue that must be confronted in this State. The people of Queensland must be made aware of the sort of political antecedents that the Government so slavishly follows. Queensland is like Germany and Italy in the 1920s and 1930s.

Time expired.

Labor in Government in Australia

Mrs CHAPMAN (Pine Rivers) (12.40 a.m.): I speak about some of the strange happenings in the Labor Party in Australia. I will begin with the Pine Rivers shire. When the Labor Opposition walked out of the Chamber today, it reminded me of the Pine Rivers Shire Council, because on no fewer than three occasions has the chairman walked out on his council. The member for Everton (Mr Milliner) referred to the Pine Rivers Shire Council. The member of that council who was chosen as chairman of the industrial committee walked out on his committee because he could not take it any longer. These are supposed to be good Labor people.

Mr De Lacy: Are you standing next time?

Mrs CHAPMAN: No, I am not.

I move on to the Brisbane City Council. It annoys me that that council caters for the riff-raff of our society; but that is typical of the Labor Party. Its actions are evidenced by the paving stones laid in the centre of the city. They may be all very well for people who are barefooted or wear rubber thongs, but they are absolutely hopeless for a woman who dresses properly in shoes. A woman's shoes are ruined completely, which annoys me.

I move now to the Federal sphere, where the Labor Party has imposed an assets test. Elderly folk living on a large block of land that has been excised from another block of land, though not able to subdivide, have their pensions taken from them. Are they expected to eat the ground they live on?

I am talking about Labor in Government—that party whose members say they care for the small people. What are they doing? They are continually pulling the small people down. We have seen it happen time after time. Members of the Opposition claim to support the unions. They condemn the Government for what it has done about the unions. If it had not been for our Government, hundreds of people in my electorate would have gone to the wall. They have struggled to keep their heads above water. But for this Government, they would be sinking very fast. They struggled through the recent power strike, and provided there is not a recurrence they feel that the effort has been well worth while. Labor members of Parliament fail to see that the people can do without unions. The quicker Queensland is made a non-union State——

Mr Davis interjected.

Mrs CHAPMAN: Yes, you. I mean this for you, too, you so-and-so!

The sooner we are made non-unionist, the better off we will be. What happens to people who receive their first pay packet? They are told to pay the unions. What right do those people have to tell us what we do? Have we ever voted for a union? I do not remember a union ticket at the last election. Why should they have a say in the Government? If they want a say in the Government, let them stand up and run for Government. I would bet my bottom dollar that they would never receive a vote. The people of Queensland, although they may have suffered terribly during the power strike, have said, "Thank goodness for the Queensland Government. Thank goodness for the Government of Joh Bjelke-Petersen. We have someone to stand by us. We do not have to be stood over by the unions."

Right to Strike

Mr DAVIS (Brisbane Central) (12.44 a.m.) I have listened attentively throughout the day to the ravings of the lunatics of the right wing in the Government. Only a couple of months ago there was a great deal of advertising about the Solidarity trade union movement in Poland. Time after time members of the National Party, the Democratic Labor Party and the lunatic, right-wing section were saying that people should be supporting Solidarity. Opposition members also believe that support should be given for solidarity within a trade union movement which exists under conditions of an oppressive regime.

An Honourable Member interjected.

Mr DAVIS: It is exactly that—a double standard, and it is the same standard as that which applied during the recent power dispute.

I noticed that the milk-producers of Victoria had lined up and said, "Look, we are on strike. We want higher prices." I believe that they were right in taking strike action to get a higher price. However, the double standard emerged again.

Motion (Mr Wharton) agreed to.

The House adjourned at 12.46 a.m. (Wednesday).