Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 28 MARCH 1985

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

PAPERS

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

Report of the Queensland State Service Superannuation Board for the year ended 30 June 1984.

The following papers were laid on the table—

Orders in Council under—

Co-operative and Other Societies Act 1967-1978

Public Trustee Act 1978-1981.

MINISTERIAL STATEMENTS

Satellite-based Telecommunications Network

Hon. M. J. AHERN (Landsborough—Minister for Industry, Small Business and Technology) (11.2 a.m.), by leave: Later this year, the launching of Australia's first domestic satellite, Aussat, will open up an exciting new era in telecommunications in Queensland, especially for rural and remote areas.

The Queensland Government has been quick to recognise the enormous social, economic and cultural benefits to be gained by the State as a whole from the use of the satellite.

Indeed, the State Government has moved with speed to acquire a transponder on Aussat and to implement a satellite-based telecommunications network—now known as Q-net—to extend and enhance its education, health, emergency and other services.

The potential of this move is virtually without limit; it would not be an exaggeration to equate the satellite-based telecommunications network as a basic infrastructure that is likely in the next decade to have the same impact on development and decentralisation as arterial roads, dams, irrigation projects and major ports had on Queensland's expansion over the last decade.

Certainly, the Q-net pilot, in which several Government departments will carry out simultaneous trials—involving, for example, telemedical services, School of the Air, river monitoring, computer data transfer and so on—will enable us in many ways to overcome the so-called "tyranny of distance" for thousands of Queenslanders in remote mining settlements, Aboriginal missions, isolated townships and homesteads, and on the many islands off our coast.

It will also assist the Government's small government policies, and in innumerable ways help propel Queensland into space age communications, which is an area of information technology that is absolutely vital in today's world for the sustenance of economic growth. I personally consider it vital that the public at large be made aware of the initiatives of the Queensland Government in this area, and equally important that the views and opinions of the users be sought and considered.

In this context, honourable members may recall that, earlier this year, my department arranged a symposium "Satellite Services—A Rural and Remote Area Perspective" It was designed to demonstrate to community users how the satellite would be used here in Queensland, and it involved expert input from, amongst others, Aussat Pty Ltd, Telecom, the Queensland Telecommunications Strategy Planning Commitee and the Department of Communications.

I have today tabled copies of the proceedings of that most important symposium.

Honourable Members interjected.

Mr SPEAKER: Order! I remind honourable members that ministerial statements will be listened to in silence or I will take appropriate action.

Mr AHERN: I have today tabled copies of the proceedings of that most important symposium, and I urge all honourable members who are concerned for the future of this State to acquire a copy and absorb its contents.

Derailment, Yarongmulu-Laidley Line

Hon. D. F. LANE (Merthyr—Minister for Transport) (11.5 a.m.), by leave: I inform Parliament that I have now had an opportunity to study a Queensland Railways board of inquiry report into the derailment on the main line between Yarongmulu and Laidley on Friday, 1 March this year. At 3.6 a.m. on that date, the westward-bound train, number 6694, consisting of a diesel-electric locomotive hauling nine bulk-fuel tankers and a guard's van, of a total mass of 589 tonnes, overturned on a 30 km/h limit section with a 125-metre radius curve and a one in 54.3 gradient falling in the direction in which the train was travelling. Regrettably, the fireman on that train later died as a result of injuries received in the accident. Material losses to Queensland Railways amounted to $858,000, which consisted, in round figures, of $700,000 damage to rolling-stock, $94,000 in loss of goods, $21,000 in restoration of track and $42,000 for recovery of rolling-stock from the site.

I am not completely satisfied that the Queensland Railways investigation was sufficiently comprehensive; so I have forwarded the report to my colleague the Minister for Justice and Attorney-General (Mr Harper), who has advised me that, at his direction, a coroner's inquiry will be held into the death of the fireman, Laurence Canning.

Investigations into the incident are also being carried out by police. I have been in touch with the Police Department to ensure that those investigations are thorough and that the report is forwarded to the Minister for Justice and Attorney-General (Mr Harper) promptly.

The report prepared by the board of inquiry, which consisted of the commissioner's representatives and employee representatives, whose names I will table, has not arrived at any conclusion as to the cause or causes of the accident. However, evidence presented by several experienced engineers appears to indicate that excessive speed could have been a contributing factor. Although there is sworn evidence that the speed of the train had been reduced to 27 km/h at the 30 km/h speed board, the disposition of the wagons and the damage to them, together with marks on the permanent way, indicate to investigating engineeers a derailment at a speed in excess of the authorised maximum.

At my direction, assistance will be sought from technical and scientific sources within the Railway Department to resolve the conflict as to speed between statements by the train crew and investigating engineers. Evidence suggests also that alcohol had been consumed by all members of the train crew several hours before assuming control of train 6694. This morning I have been informed by the Police Department that the result of the blood-alcohol test taken of the driver approximately five hours after the incident was a positive reading of .04.

The driver and fireman did not observe the required procedure of signing on in front of a supervising officer when they began work at Mayne at 11.45 p.m. on the evening before the accident. Other evidence suggests that the driver of the train was taking medication for asthma in the period leading up to the time of the derailment.

The board of inquiry report has found that, prior to the accident, the train was in a satisfactory running condition, that the braking was satisfactory and that the track was safe for traffic at authorised speeds.

At this stage of the inquiries, I am unable to give any further information about details of the accident or of the 45 exhibits presented to the board of inquiry during its deliberations, as there is a possibility that that could prejudice further inquiries or infringe on the rights of those people who are directly involved in the incident. However, I record the highest praise for the commendable efforts of the State Emergency Service, the fire brigade and employees of BP Australia, whose expertise and prompt assistance at the derailment site were invaluable and averted an even greater tragedy.

North Queensland Fertilizers Pty Ltd

Hon. N. J. TURNER (Warrego—Minister for Primary Industries) (11.10 a.m.), by leave: In reply to comments made yesterday by the honourable member for Cairns—negotiations have reached an advanced stage for Queensland cane-growers to buy out the interests of an overseas trader in North Queensland Fertilizers Pty Ltd. The whole purpose of this enterprise is for North Queensland Fertilizers Pty Ltd to be owned by Queensland cane-growers, for Queensland cane-growers. The intention is for the grower-owned company to supply fertilisers to cane-growers and others at competitive prices. This is an excellent example of cane-growers doing something positive to help improve their financial position, a task with which the Government and CSR Ltd have been proud to be associated.

This is in stark contrast to the comments of the honourable member for Cairns, who continues to knock the cane industry and delights in denigrating the progressive steps being taken by the Queensland Cane Growers council. I note Mr De Lacy's support for the intervention in the Queensland sugar industry of overseas or multi-national companies, such as Agroprom and Elders.

It is my belief that Queensland cane-farmers want to retain local ownership of the industry and of that fertiliser company, and not sell it off to whoever wishes to pick up the pieces—a view which is apparently supported by the Australian Labor Party.

In the case of North Queensland Fertilizers Pty Ltd, management problems and difficulties with the quality and reliability of supply of raw materials last year caused a financial problem. The company would have been allowed to go to the wall, but the Queensland Cane Growers Council thought otherwise. The council therefore approached the Government for assistance.

My department, through my Director-General, Dr G. I. Alexander, immediately investigated the affairs of the company and, in consultation with the Treasury, decided that financial support was feasible. Discussions were held with CSR Ltd and the Sugar Board, and both agreed to assist.

Let me make it clear to the honourable member for Cairns that neither the Sugar Board nor CSR Ltd has been knocking the Government down to provide this financial assistance. Both organisations have done so in a genuine attempt to assist growers at this time.

I should also make it clear that the proposed financial package involves CSR Ltd making a commercial loan to the company. The Sugar Board will also lend funds provided with Government support, but no sugar proceeds will be involved.

On finalisation of the present negotiations, it is expected that the cane-growers of Queensland will be the sole owners of North Queensland Fertilizers Pty Ltd. I expect that the company will then embark on its task of supplying good quality fertilisers at competitive prices. In doing so, it will stand as a clear example of primary producers doing something to help themselves, with proper Government assistance when it is needed.

Alleged Breach of Racing and Betting Act by Chairman, Totalisator Administration Board of Queensland

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (11.12 a.m.), by leave: In answer to a question without notice addressed to me by the honourable member for Lytton yesterday, I indicated that I would investigate minutes of the

Totalisator Administration Board of Queensland of 10 December and 14 January last, which were tabled by the Minister for Local Government, Main Roads and Racing, to ascertain whether Sir Edward Lyons was, or is, in breach of section 181 of the Racing and Betting Act.

As a result of the investigation of the material to which the honourable member referred, I am convinced that the chairman of the Totalisator Administration Board, Sir Edward Lyons, was not, and is not, in breach of section 181 of the Racing and Betting Act. In fact, perusal of the extracts of the minutes tabled in this House clearly indicates that Sir Edward Lyons acted with all the propriety one would expect of the chairman of such a board or any other authority.

The honourable member for Lytton has had a further request delivered to me this morning, as I came into the House. I believe it is appropriate that I deal with it at this time. The honourable member has asked for an opinion about whether Sir Edward Lyons's position in a company known as Rothwells Ltd would contravene the provisions of section 181 of the Racing and Betting Act 1981-83. I invite the attention of the honourable member and all other honourable members to the provisions of section 181, which indicates that the office of a member of the Totalisator Board shall become vacant if the member—

> "(f) accepts or holds an office of profit under the Totalisator Board or is directly or indirectly concerned in any contract with the Totalisator Board or is entitled to a benefit directly or indirectly from work done or to be done for or goods supplied to or to be supplied to the Totalisator Board;"

I invite the attention of honourable members to subsection (2) (b), which reads—

> "(b) Notwithstanding subsection (1) (f), the office of a member of the Totalisator Board shall not become vacant by reason only that the member or a firm in which he is a partner is appointed to or acts in a professional capacity for or on behalf of the Totalisator Board or that the member is a shareholder, director or creditor of a body corporate consisting of not less than 20 members that contracts with or does or undertakes to do work for or supplies or undertakes to supply goods to the Totalisator Board."

The fact that Rothwells Ltd is a company registered on the Brisbane Stock Exchange clearly indicates that it has a share-holding in excess of 300. That speaks for itself.

North Queensland Economy

Hon. R. C. KATTER (Flinders—Minister for Northern Development and Aboriginal and Island Affairs) (11.16 a.m.), by leave: On the eve of the Premier's meeting with the Prime Minister (Mr Hawke), I draw the attention of honourable members to the desperate economic situation which will face north Queensland if the Federal Government refuses financial aid to the sugar industry.

Honourable members will recall yesterday's excellent speech on the industry by my colleague the Minister for Primary Industries (Neil Turner).

Following the collapse of international sugar prices over the past four years, the sugar industry is presently staring economic ruin in the face. Australia's export earnings from sugar have plummeted from $1.2 billion in the 1981-82 financial year to $0.6 billion last year. This loss of $600m should be reflected in the loss of between 10 000 and 15 000 jobs in Queensland over the next two to three years.

North Queensland, which produces 70 per cent of Australia's sugar, is reeling under the impact of the collapse. It is the latest body blow to its economy, after a series of blows delivered by the Federal Government following the March 1983 election.

Deliberately reneging on its pre-election promises, the Federal Government applied its cost cutting knife to the north. The Federal Government's broken promises have cost north Queensland over 500 jobs to date, and services and facilities have been drastically reduced.

There have been cut-backs in the activities of the North Queensland Electricity Authority, cut-backs in coastal surveillance activities, and the ABC broadcasting unit and the ANL shipping line have been closed. Those are just four areas which have been affected.

Of north Queensland's four major industries—cane, copper, coal and cattle—only the cattle industry is showing even growth. The mining industry is experiencing a serious downturn, and the situation in the sugar industry is desperate.

Plunging copper prices—from $2,700 a tonne four years ago to $1,500 a tonne in November last year—have cost 1 250 jobs at Mount Isa Mines. Expansion in the coal industry, which involved expenditure of $1 billion a year, has been cut to virtually nothing. None of the 1 900 jobs in the Collinsville region now exist, and no other jobs are available in coal-fields development.

Under this sort of pressure, Labor States practise economic cannibalism by dramatically increasing taxation on projects that show no return, whereas the Queensland Government is taking a sound economic approach to this problem by undertaking developmental projects, such as the electrification of the central Queensland railway system, which will create more jobs on the coal-fields and save expenditure on oil from the Middle East. The Queensland Government is injecting hundreds of millions of dollars into the construction of the Burdekin Falls Dam project, which will result in the creation of 660 farms and at least 1 200 jobs.

Mr De Lacy: What are they going to grow?

Mr KATTER: I will be only too pleased to answer that question at another time.

Queensland has 6 200 cane-growers, but it has been estimated that the total number of people who depend directly or indirectly on the sugar industry for their livelihood is 200 000. The State Government has already made a significant contribution to the industry, as was outlined yesterday by the Minister for Primary Industries. Although the Federal Government has seen fit virtually to ignore the plight of the sugar industry, it has announced two five-year assistance programs, one of $500m for the steel industry and one of $150m for the car industry. It has given the sugar industry a loan of $20m.

Queensland growers are seeking an industry loan of $80m a year. That will enable them to set a minimum price for No. 1 Pool sugar of about $240 per tonne, which will give the industry a degree of viability until prices improve. In today's terms, $80m is exactly the same amount—I make this point very forcefully—as the industry was given in the first year of the McEwen Government in 1966. We are asking only for exactly the same assistance as that which was given previously to this industry.

If the Federal Government does not choose to agree, let it be known that the $600m that was flowing into the north Queensland economy, and which is not now being earned, must ultimately represent 15 000 jobs. That north Queensland unemployment figure will be totally the responsibility of the Federal Government as surely as the 400 sackings at NQEA was a result of the breach of the Federal Government's 1983 election promises.

QUESTIONS UPON NOTICE

Questions submitted on notice were answered as follows—

1. Hospital for Dirranbandi District

Mr NEAL asked the Minister for Health—

What progress has been made in relation to the provision of a new hospital for the Dirranbandi district?

Answer—

Bids were sought from the following companies for the management of the construction of a new hospital at Dirranbandi to a budget of $2,000,000—

Barclay Bros Pty Ltd;
G.H.O. Pty Ltd; and
Watkins Pacific (Qld) Pty Ltd.

The closing date for receipt of these bids is 19 April 1985, following which the bids will be evaluated and a decision made on acceptance of a firm to carry out the project managership.

Further detailed information concerning the content of the redevelopment will not be available until after the closing date of the bids. The honourable member will be advised when this is received.

2. Electric Train Collision, Beenleigh Line

Mr CASEY asked the Minister for Transport—

With reference to grave public concern over the recent Trinder Park railway disaster and considerable opinion that it would never have occurred if the electric train line in that area had been duplicated—

(1) What is the total distance of single track in use on Queensland's electric train system, and where are the single tracks located?

(2) Since the introduction of electric trains in Queensland, how many reports have there been of electrical problems, including operational, control and signalling faults, in each year, and how are they recorded?

(3) What have been the distances of (a) duplicated and (b) single, electric railway track commissioned in each year in Queensland since the commencement of electrification?

Answer—

(1) The total distance of single-line track in operation in the Brisbane suburban electrified system is 28.8 km. The sections are: Mitchelton-Ferny Grove, Kuraby-Trinder Park, Woodridge-Beenleigh, Sandgate-Shorncliffe, and Manly-Thorneside.

(2) Electric trains commenced operations in Brisbane in November 1979, and the number of reports since that date on problems and faults would be very considerable. The clerical work involved in analysing and collating all of these reports would be extremely time-consuming, and it is not proposed to extract such information merely to determine the number.

All faults, failures, etc., are properly reported, entered in the train-controller's log, electrician's log, etc., and subsequently entered onto a fault form for attention. Information recorded shows the date and time of the fault, the person reporting it, the nature of the fault and eventually the corrective action taken. These fault forms are sent to the appropriate engineering sections for analysis and any further action if necessary. The majority of these failures are of a minor nature but, nevertheless, they are attended to promptly. If the fault is in the signalling or interlocking system, the protecting signal automatically goes to red or is in accordance with regulations acted upon as a danger signal.

(3)

	Opening Date	Duplicate Track Kms	Single Track Kms
Ferny Grove-Darra	17-11-79	26.87	5.50
Darra-Ipswich	22-9-80	22.62	
Exhibition Loop	3-8-82	4.00	. .
Kingston-Shorncliffe	18-9-82	41.14	4.14

	Opening Date	Duplicate Track Kms	Single Track Kms
Corinda-Yeerongpilly (Down track)	30-9-82	..	..
Northgate-Petrie	23-9-83	17.59	..
Park Road-Thorneside	13-10-83	19.00	3.96
Kingston-Beenleigh	3-11-84	..	13.70
Corinda-Yeerongpilly (Up track)	15-10-84	3.85	..
		135.07	27.30

QUESTIONS WITHOUT NOTICE

Capital Works Expenditure

Mr WARBURTON: In asking a question of the Premier and Treasurer, I refer to the Co-ordinator-General's co-ordinated plan of works that is now available and has been made available to the Opposition. It shows the true position relative to the State capital works expenditure. I now ask: Will the Premier and Treasurer explain why the estimated total capital works budget was underspent by $425m in 1983-84, and by $316m in 1982-83, making a total underspending of $741m? Will he also explain the reasons for that gross underspending?

Sir JOH BJELKE-PETERSEN: The honourable member must realise that, to answer his question, I will have to do some checking. However, I do point out that the co-ordinated plan of works represents an increase in funding of 15 per cent overall, which is 8 per cent in real terms. In his question yesterday, the honourable member took into account the spending of local authorities, over which the Government has no control, and I draw his attention to that fact. If the honourable member wants me to give more detailed figures in answer to his question, I will do so on the next day of sitting.

Mr WARBURTON: I ask that my question be put on notice for tomorrow.

Electricity Authorities Industrial Causes Tribunal

Mr WARBURTON: In directing a question to the Minister for Mines and Energy, I refer to reports that indicate that the Chief Justice (Sir Walter Campbell) advised the Queensland Government that members of the Supreme Court are unwilling to serve on tribunals such as the one set up under the Electricity Authorities Industrial Causes Act. I now ask: Will the Minister advise whether that is correct? Will he inform the Parliament who will comprise the Electricity Authorities Industrial Causes Tribunal, or when he will be in a position to announce the Government's appointments to that tribunal?

Mr I. J. GIBBS: I have no knowledge of the allegation made by the honourable member. No decision has been taken as to who will comprise the tribunal, but whoever is appointed will be well able to carry out those duties. It is a very important position. Cabinet, not the Opposition, will make the appointment.

Proposed Reforms to New South Wales Industrial Commission

Mr NEAL: I ask the Premier and Treasurer: Has his attention been drawn to a statement by the president of the New South Wales Industrial Commission (Mr Justice Fisher) in which he attacked the Wran Government and the New South Wales Labor Council for bureaucratic secrecy in their plans to abolish the commission and stated that the commission was threatened more radically than its Queensland counterpart, which would at least survive? In view of criticism by the ALP in Queensland of this

Government's moves, does the Premier believe that, in the light of the plans to reform the Industrial Commission in New South Wales, that criticism is hypocritical?

Sir JOH BJELKE-PETERSEN: I have no doubt that Opposition members are fully aware that Mr Wran has a great deal of trouble with unions; it could be said that he is driven round the bend by their lawlessness and general actions. Statements have been attributed to Mr Wran that he will take action on strikes and dismissals.

As honourable members probably know, information has filtered through to me this morning that a big blow-up has occurred relating to the leaking of information from the arbitration court. The New South Wales Government is contemplating action that is far more drastic than anything that this Government has considered or has brought into being. It is good for Opposition members to know that their colleagues in New South Wales are taking action along the same lines as that taken by the Queensland Government, or are blazing a similar trail. I wish Mr Wran good luck, because I know that he needs it.

Electricity Tariffs

Mr BURNS: In directing a question to the Premier and Treasurer, I refer to Comalco's decision not to proceed with stage 2 of the Boyne Island smelter and ask: Is it true that Comalco did not proceed with stage 2 because of the rapid rise in Queensland electricity costs to the point at which, despite having the cheapest coal, Queensland now has the highest electricity costs in Australia? Those costs have made the project uneconomic. Is it also true that high electricity costs are the stumbling-block for the Quest iron and steel mill and the Oekono Oei pulp and paper mill proposal?

Sir JOH BJELKE-PETERSEN: I understand that Comalco's decision is not final. As to the high price of electricity—I point out that the honourable member forgot to mention the recent electricity dispute. Of the 1 500 men who dismissed themselves, over 140 were shop stewards. The unions have loaded the electricity industry down to an amazing degree. It is no wonder that costs are so high.

Mr Burns: Will electricity get cheaper now that you have got rid of those men?

Sir JOH BJELKE-PETERSEN: Obviously, electricity will cost—

Mr Burns: Will it get cheaper?

Mr SPEAKER: Order!

Mr Burns: You are blaming them for the rise.

Mr SPEAKER: Order!

Mr Fouras: Let him ask the question.

Mr SPEAKER: Order! I warn the honourable member for South Brisbane. The member asking a question is allowed a certain latitude, but I will not allow other honourable members to interject after a question has been asked.

Sir JOH BJELKE-PETERSEN: I know that it hurts the honourable member for Lytton when I tell him of the way the electricity industry has been loaded down by his colleagues in the unions. I am sure that from now on he will find that the price of electricity will stabilise. That will be the result of stability in the industry.

Mr Burns: Will the price go down?

Sir JOH BJELKE-PETERSEN: Because there is a certain set of conditions, electricity charges cannot be made lower. However, the prices can be stabilised, which will ensure that they do not increase further.

Mr Burns: They won't go up, then?

Sir JOH BJELKE-PETERSEN: The Government believes that the charges will be stabilised to a fair degree. As the honourable member knows, there has not been an increase. The Government has no control over that.

The honourable member for Lytton should wait and see, and make his judgment at a later date. I think that electricity charges will stabilise and will become more consistent and more uniform. That is an added benefit to consumers. The honourable members should not wipe the other companies off the slate, because he might find that in a very short time he is made a fool of.

Chairmanship of Totalisator Administration Board

Mr BURNS: I ask the Minister for Justice and Attorney-General: Will he table in this House all opinions issued under the authority of the Acting Solicitor-General (Mr Ken Mackenzie) relating in any shape or form to Sir Edward Lyons in his capacity as chairman of the Totalisator Administration Board? Can he advise whether Mr Mackenzie has issued advice, either orally or in writing, that suggested that Sir Edward Lyons was ineligible to continue as the chairman of the board because of his age but, at a later time, either orally or in writing, changed his legal opinion to suggest that Sir Edward could continue in office? Will the Minister seek this information and table it in this House as a matter of urgency? Will he also advise which officer of his department provided him with the rulings on the TAB minutes and the Rothwells Ltd matter, which he gave in his ministerial statement this morning?

Mr HARPER: I have continuing discussions with all officers in my department, particularly those at a senior level, and more particularly with the Acting Solicitor-General (Mr Mackenzie), the Acting Crown Solicitor (Mr Sammon) and other senior officers within my department. I have no intention of tabling in this House private correspondence or memorandums that pass between officers of my department and me.

Mr Burns: You are ducking the issue.

Mr SPEAKER: Order!

Mr HARPER: In the last part of his question, the honourable member asked with whom I had consulted in regard to the matter that I agreed yesterday morning to investigate. The Acting Solicitor-General (Mr Mackenzie), who is the most senior legal officer within my department, waited on me at Parliament House immediately after lunch yesterday. We discussed the matter. He returned to his office at Comalco House. Later in the day, at about 4.30 or 5 o'clock, he again waited on me in my Parliament House office on the sixth level. We discussed the matter again and he gave me a verbal report, which he put in writing this morning. As a result of those discussions, I have answered the honourable member's question.

Collapse of Power Pole, Bowen Hills

Mr STONEMAN: In asking a question of the Minister for Mines and Energy, I refer to the widespread media publicity about the collapse of a low-voltage power pole at Bowen Hills last week-end, which was followed by claims from sacked Electrical Trades Union workers that it was evidence of faulty power poles throughout the system. I now ask: Can the Minister give details of the incident and assure the House of the safety of the electricity supply system generally?

Mr I. J. GIBBS: Let me outline the details of this incident which, as the honourable member says, was given very wide publicity. The pole in question at the corner of Cowlishaw and Victoria Streets, Bowen Hills, collapsed at about 10.45 on Sunday night, 24 March.

SEQEB responded quickly to the call and, by midnight, the power lines had been disconnected and made safe. About 20 consumers were blacked out. By 10.30 next morning a new pole had been erected, power lines attached to it and power supply

restored. However, not all consumers were able to be supplied immediately as some house installations were damaged by overvoltages caused as the wires fell and slackened. The re-erection of this pole was carried out in very quick time considering that the pole was set in solid rock, and, to avoid blasting a new hole, the new pole had to go back in the same hole.

The pole that collapsed was inspected on 4 July last year and passed by an inspector as not needing a recheck until 1989. The pole inspector concerned is one of the employees who refused to return to work. I assure honourable members that the local electricity authority pole inspection procedures are the best in Australia, and it is rare for faulty poles to escape detection if the inspector carries out his duties efficiently.

Australian Broadcasting Corporation Television Program, "The National"

Mr STONEMAN: I direct a question to the Minister for Industry, Small Business and Technology. Having heard his statement to the House this morning, and following the tabling of documents by him, I ask: Are many complaints being received from country residents about the inadequacy of the Australian Broadcasting Corporation news and current affairs program, "The National", in relation to local content? Will the Minister support any proposals for the possible use of the Aussat satellite to give country centres a better deal?

Mr AHERN: Considerable disquiet has been expressed about the new arrangements in respect of Australian Broadcasting Corporation news delivery in respect of local news items and weather reports. That concern has been manifest in country editorials in the "Queensland Country Life" newspaper, and so on, and rightly so. The ABC program has cut back severely the services to country people, and that is just not satisfactory.

The Government has been aware of that situation for some time and has been trying, through its agencies, to do something to improve it. I am happy to report that this will be achieved. The Government has had discussions with Aussat representatives and the regional television stations of Queensland with a view to providing, on the same small dish that will receive the ABC television program, a commercial service with local ownership and local content. Following initial discussions, and in order to facilitate delivery of a reasonable program, it was thought that the Government might be able to rent a transponder from Aussat for Government use during the day and commercial television use during the 4 p.m. to midnight period. However, as the regional networks got together, examined the matter and did their sums, they realised that this was something that they could profitably undertake themselves. The Government's bringing together of those persons has led to a situation in which the homestead broadcasting service will be provided by Aussat on a small inexpensive dish at an approximate cost of $1,500. People will be able to receive an ABC television service plus a regional broadcasting commercial service provided directly from Queensland. It will be owned by Queenslanders. It will provide an opportunity for regional input. As well, six radio channels—two stereo and two mono—will be provided. The program has been excellent. It is unique in Australia. It has led to envy being expressed to me by the other States of Australia.

The Western Australian Government has sent representatives to the Queensland Government to ask how the program was put together to see whether a similar proposal could be developed in Western Australia. I am pleased that Queensland has been able to do that, because the ABC service is now considered completely unsatisfactory by a great number of Queenslanders who, in the past, had that and nothing else. Now, through the satellite service, and because of the Government's intervention, a commercial service with regional ownership and regional input will be provided inexpensively. I am very happy with that. I think that the honourable member endorses my action. I acknowledge his help in these overall deliberations.

Mr D'ARCY: I had a question without notice for the Minister for Transport but, as he is absent, I will place it on notice.

Brisbane City Council Advertisements

Mr KAUS: In directing a question without notice to the Minister for Local Government, Main Roads and Racing, I point out that today's "Daily Sun" carries another double-page feature by the Brisbane City Council, funded by the rate-payers of Brisbane, about the so-called achievements of the council. As the frequency of such advertisements has noticeably increased during the last month, is the Minister satisfied that rate-payers' funds are being used for legitimate advertising and not as propaganda designed to prop up the ailing council administration? Will the Minister consider amending the appropriate legislation to ensure that, in future, local authorities cannot use rate-payers' funds for covert political purposes?

Mr SPEAKER: Order! I call the honourable member for Sherwood.

Mr INNES: Mr Speaker——

Mr KAUS: Mr Speaker, that question to the Minister for Local Government, Main Road and Racing was without notice.

Mr HINZE: I did not hear it.

Mr KAUS: I will state my question again.

Mr SPEAKER: Order! As the honourable member for Mansfield did not make it clear whether his question was on notice or without notice, I ask him to repeat the question.

Mr KAUS: I will repeat it.

Mr SPEAKER: Order! Whilst I am on my feet, the honourable member for Mansfield will resume his seat.

Mr KAUS: Today's "Daily Sun" carries another double-page advertisement by the Brisbane City Council, funded by the rate-payers of Brisbane, about the so-called achievements of the council. As the frequency of such advertisements has noticeably increased during the last month, is the Minister satisfied that rate-payers' funds are being used for legitimate advertising and not as propaganda designed to prop up the ailing council administration? Will the Minister consider amending the appropriate legislation to ensure that, in future, local authorities cannot use rate-payers' funds for covert political purposes?

Mr HINZE: I understand the honourable member's question. Today's "Daily Sun" contains a double-page lift-out which cost many thousands of dollars of Brisbane rate-payers' money. In it the people of Brisbane are asked to support the Labor administration. Of course, that is in keeping with the attitude of the Brisbane City Council throughout its present term. It squanders rate-payers' money to bolster its own image in the area of Greater Brisbane. People who occasionally watch television are forced to watch five and 10-minute programs put on by the Brisbane City Council, which must cost rate-payers millions of dollars.

There is no need for me to do anything about it. The rate-payers of the city of Brisbane are not dills. Brisbane rate-payers will know that the ALP council administration is squandering their money on double-page lift-outs in newspapers. In the two days remaining prior to the Brisbane City Council elections, the people of Brisbane will wake up to the ALP council administration and the way that it throws away the funds that it collects in the form of rates.

Rain Damage to Roads, North Queensland

Mr KAUS: I ask the Minister for Environment, Valuation and Administrative Services: Is he aware of media reports of damage to the Cape Tribulation road? Is that the only damage to roads and bridges in far-north Queensland and, if not, does the Minister believe that the media are biased towards conservation groups?

Mr TENNI: I thank the honourable member for his very sensible question, and I have great pleasure in answering it. Undoubtedly the media are biased on that issue. If the media were honest with the people of Queensland, they would have also told Queenslanders that the heavy rain in far-north Queensland in the last week has closed the road from Normanton to Chillagoe via Dunbar to all vehicles, including four-wheel drive vehicles; the Burke development road from Normanton to Burketown is closed to all vehicles, including four-wheel drive vehicles; the Peninsula Developmental Road from Laura to Weipa and north of Weipa is closed to all vehicles, including four-wheel drive vehicles; the road from Mossman to Daintree is closed; the Aloomba bridge over the Mulgrave River has been completely swept away——

Mr De Lacy: Why don't you spend more money on those roads?

Mr TENNI: This hurts the honourable member for Cairns.

The six families on the other side rely on that bridge for their food supplies. The so-called environmentalists are not worried about that. Owing to heavy rock slides, the Cairns-Kuranda railway has been closed for some time. Alderman Ron Davis, the mayor of Cairns, claims that Cairns ought to be declared a disaster area because of the flood damage. Damage has been done to numerous roads throughout north Queensland. Tremendous cost will be involved for the Government, which no doubt will assist the cities and shires to upgrade their roads to their standard prior to the heavy wet.

As usual, the environmentalists are playing up, drawing attention to the 29 km section of the Cape Tribulation road. I am reliably informed that a D6 bulldozer and a grader used for three or four days, at a cost of between $3,000 and $4,000, would be able to return the road to its standard prior to the first drop of rain. Since 1 January, the Cape Tribulation road has had over 7½ ft of rain on it. In the circumstances, only minor damage to the road is remarkable.

Again I say to the honourable member for Cairns that the environmentalists are attempting to use this issue. They must have something to hide. I do not know what it is, but I have no doubt that the truth will come out one day. I thank the honourable member for his question.

Toowong Railway Station Development Project

Mr INNES: In directing a question to the Minister for Transport, or the Minister who is acting for him, I refer to the continuing problem of proposed developments that involve substantial benefit to a developer, require legislative assistance and impinge on the established rights of private land-owners who are smaller than the developers. I ask: Is the Minister aware that the proposed development site of the Toowong Railway Station project includes land in private ownership other than that of the development company and that one or more of those owners have not consented to the land's being included in the development site? If his answer to that is "yes", is he prepared to remove them from the operations of the Bill?

Mr SPEAKER: Order! I suggest that that be put on notice, if the Minister agrees.

Mr LANE: Although I did not hear all of the question, I think I understand it. I wonder whether the honourable member would mind repeating it.

Mr INNES: It is an urgent matter, Mr Speaker. I will not repeat the preamble. I ask the Minister: Is he aware that the proposed development site at the Toowong Railway Station includes land in private ownership other than that of the development company and that one or more of those owners have not consented to their land's being included in the site? If he is aware of that, is he prepared to exclude their land from the proposed development site?

Mr LANE: Mr Speaker, I understand the question. I was absent from the Chamber to discuss this very matter in the Cabinet-room with the Acting Commissioner for Railways and the project manager.

Clause 9 of the Bill provides for the inclusion or exclusion of any land shown on the plan attached to the Bill presented to the Parliament.

Mr Fouras interjected.

Mr SPEAKER: Order! I warn the honourable member for South Brisbane for persistent interjection.

Mr LANE: The developer has a letter, of which my department has a copy, giving approval for the rezoning of the land, which has already taken place by Order in Council. That authorises the developer to seek building approval over the land. On the basis of that acquiescence to the proposed action, the National Bank land and the land owned by Brinette, which I think is the name of the company—the Gibson family, in any case—was included in the plan contained in the schedule to the Bill.

Because of the objections raised by Mrs Gibson, I have instructed the project engineer to assure her that as soon as the Bill is proclaimed, her land will be removed from the plan. That procedure is provided for under the legislation, so no suggestion can be made that the matter will affect her rights in any way.

The matter was originally raised with me by the honourable member for Toowong about a week ago, and since that date, attempts have been made to resolve the misunderstanding—indeed, that is what it is—with the owners of the land since that time. I wrote to Mrs Gibson yesterday giving the assurances that I have outlined to the House, and I do not expect that further problems will arise. Mrs Gibson's rights, the rights of her company and the rights of the National Bank are not affected in any way by the legislation, and the land will be excluded as soon as the legislation is proclaimed.

Rothwells Ltd, Merchant Bank

Mr DAVIS: In directing a question to the Premier and Treasurer, I refer to the raging controversy associated with the involvement of the unelected Sir Edward Houghton Lyons in the affairs of State Government. As Sir Edward Lyons is chairman of the Rothwells merchant bank, I ask: Can the Premier and Treasurer give an assurance that neither he nor members of his family have had any dealings with the Rothwells merchant bank and, in particular, that no special concessional loans in any shape or form have been forthcoming from the bank to the Premier and Treasurer or members of his family?

Sir JOH BJELKE-PETERSEN: The honourable member for Brisbane Central thinks that he has a right to pry into the private affairs of any Government member or myself. What we do and what we do not do is our business.

Opposition Members interjected.

Sir JOH BJELKE-PETERSEN: Of course, it is. That is the answer I give to the honourable member for Brisbane Central, because next time he will ask me, "Have you got money in this bank? Have you got money in that bank, and have you got money in any other bank, or what are you going to do?" That is the answer I give him.

Mr DAVIS: He is obviously guilty.

Mr SPEAKER: Order! The honourable member will withdraw that remark.

Mr DAVIS: What? "Guilty"?

Mr SPEAKER: Order! The honourable member will withdraw the remark.

Mr DAVIS: Righto, I will withdraw the remark.

Mr SPEAKER: Order!

Mr DAVIS: I wish to protest to you, Mr Speaker, because the Minister——

Mr SPEAKER: Order! Does the honourable member wish to ask a question? If so, he should put the question immediately.

Mr DAVIS: Although I wanted to ask a question without notice of the Minister for Transport, I will put the question on notice.

Public Servants' Right to Strike

Mr ELLIOTT: I ask the Premier and Treasurer: Has his attention been drawn to the article published in "The Bulletin" on 19 March that sets out a letter written by Mr Clyde Cameron in which he outlines the reasons why public servants should not have the right to strike?

Sir JOH BJELKE-PETERSEN: I have been carrying that article with me for a number of days, hoping that I might use it to reply to a question asked by Opposition members. The article is very interesting, and I commend it to all honourable members opposite who seem to think that there is something very sanctimonious about going on strike.

In the article, Mr Cameron outlines why public servants should not have the right to strike. Mr Cameron has gone the other way from the Opposition in his extreme view, because he talks about the "scandalous plundering of the public purse" that is the result of public servants going on strike. Part of the article reads as follows—

"I defend the ordinary worker's right to strike—"

no doubt Mr Cameron means for a legitimate reason or over a substantive issue—

"but a permanent public servant—"

or someone who has a permanent job—

"has no more right to strike than has a soldier serving his country on the battlefield. Public servants must be told bluntly that they cannot have it both ways."

The article goes on to say that Mr Cameron maintains the right of people to strike. Although the article is quite interesting, I will not take up the time of the House by reading it in detail. I take it that Opposition members already have read it.

I point out that Mr Cameron is a prominent member of the Labor Party—or was and, no doubt, still is. He has stated his attitude clearly because he, too, can no longer tolerate the attitude that supports militant union action.

Provision of Health Services

Mr ELLIOTT: I ask the Minister for Health: Has his attention been drawn to an article that was published in the first edition of yesterday's "Telegraph" and headed, "Blow to health services"? If so, are the allegations contained in the article correct?

Mr AUSTIN: Yes, the article has been drawn to my attention. As Health Minister I was quite concerned about the allegations made by the honourable member for Windsor in that article. I am a civil engineer, not a veterinary surgeon or a medical practitioner but, since the honourable member for Windsor has entered this Assembly, I would say that he has suffered from foot-in-mouth disease. Every time that he opens his mouth, he puts his foot in it.

It is unfortunate that the honourable member did not take the opportunity to contact one of my staff regarding the issue over which he tried to get some cheap publicity in the media. The article did not appear in the later editions of the "Telegraph", and I must say that it was not the only thing that did not appear in the later editions.

The article did the honourable member little credit. Had he bothered to contact my office, he would have found that the funds that were being made available to the Postgraduate Medical Education Committee which, incidentally, operates under the

auspices of the University of Queensland and not the Health Department, used to come from that section of my budget which allows me to make grants and endowments to charitable institutions. However, it was felt that money given to the Postgraduate Medical Education Committee ought not come from that part of the budget which traditionally makes funds available to charitable institutions so, to that end, when the adjustments were made the Medical Board of Queensland agreed to make funds available to the committee. Incidentally, the Medical Board further agreed to increase the funding. So not only is the headline "Blow to health services" totally incorrect, but also the funding has been increased from $9,600 to $15,000. So if the honourable member had had his way, the Postgraduate Medical Education Committee would have received only the lower amount. The honourable member has made a good deal of noise about many issues and, in most cases, he has been totally incorrect. He appears to be making a determined effort to undermine the Opposition spokesman on health matters. Every time he gets the opportunity, he digs a knife into his back, but the knife must be pretty rubbery because it is not working too well.

As I said, the honourable member has raised many issues in this Chamber and on every occasion he has been proved wrong. In this instance, he is making a great deal of noise about helping so-called charities. Members might recall that he recently made unsubstantiated allegations, based on a stolen report which was 18 months old, about something that he said was happening there and then. Funds to assist educational institutions and the people involved in them have been coming out of the budgetary heading devoted to charitable institutions, yet the honourable member is now objecting to my rationalisation of it to provide more funds to the people who need them.

Petition for Release of Mrs Birch from Prison

Ms WARNER: I ask the Minister for Justice and Attorney-General: As the appeal by Mrs Birch has been rejected and the case is no longer before the courts, and justice does not yet appear to have been done in this case, will the Minister state whether he will support a petition calling on the Governor to grant a pardon? Can the Minister comment on Mrs Birch's current position?

Mr HARPER: At this stage I would not be prepared to indicate whether I would recommend to the Governor in Council that a pardon be granted. I previously called for investigations to be made into the matter and for reports to be made. At that time I noted that the family of the lady concerned appeared not to feel that she had been unduly mistreated by the decision of the court. The decision of the court has been confirmed, and the only other avenue of relief available, as the honourable member suggests, is a royal pardon. As to whether that should be sought will be a matter for consideration if such an approach is made.

South-east Queensland Driver Education School

Mr STEPHAN: I ask the Minister for Education: In view of the need for driver education and the wish of an ever-increasing number of people in the community that, from pre-school on, students be instructed in road safety, will he continue to give support to driver education through schools and enable students to receive instruction from a centre such as the South-east Queensland Driver Education School? Will he also consider appointing a primary, secondary or TAFE teacher full-time to this centre, to cater for the 2 000 students who have shown enthusiasm about attending courses before next year?

Mr POWELL: I thank the honourable member for the question. The interest he has displayed in the South-east Queensland Driver Education School is commendable. The school has done an excellent job in the area. Without doubt, it needs to be expanded. The department is arranging for a teacher to be placed there full-time so that the co-ordination of the work throughout the schools in the Gympie area can be extended to the Wide Bay region and to the northern part of the north Brisbane region. I am hoping

that that person will be selected and appointed in the near future to expedite the matters referred to by the honourable member.

Cape Tribulation Road

Mr COMBEN: I ask the Minister for Lands, Forestry and Police: Relative to the Cape Tribulation road—will he please advise whether he has conducted an unpublicised inspection of the road since its completion and will he also advise whether, as a result of his inspection, he formed the opinion that the Daintree track does not meet even the minimal environmental specifications for stream-crossings and drainage ordinarily required on a Forestry Department harvesting road? Further, as a result of his inspection, does it surprise him that the road is now washed out and impassable?

Mr GLASSON: Any queries about the Daintree road have been answered adequately by the Minister for the Environment, Valuation and Administrative Services. He referred to the severity of the rain that has fallen in that area and the severity of the damage that had been caused to other roads that have been constructed for a long time. If any road were to remain undamaged after such heavy rainfall, it would need time to consolidate and compact after construction. It is regrettable that, in such a short time, very heavy rain has fallen.

National Milk Plan

Mr BOOTH: I ask the Premier and Treasurer: In the light of the immense economic hardship that will be imposed on Queensland dairy farmers if the Federal Government's national milk plan is introduced, will he apply the utmost pressure to Canberra to have this financially calamitous plan withdrawn? Alternatively, can the Government take any steps to counter the move?

Sir JOH BJELKE-PETERSEN: Many people, particularly dairy-farmers, are concerned about the plans to reduce the price of milk.That is the policy of the Labor Party, which has no regard for primary producers who work twice the number of hours worked by the average person working under awards. Primary producers have a very difficult job to make their concerns profitable.

Concern has also been expressed at the attitude of the Federal Minister for Primary Industry (Mr Kerin). Many people and organisations have expressed their concern that Queensland subsidises the milk industry in Victoria. It is incredible that Queensland is expected to contribute so that the problems in that industry in Victoria can be solved. Queensland has not asked Victoria to pay 3c or 4c more a kilogram for sugar to help the sugar industry.

It will not be easy for milk-producers in Victoria to sell their milk in Queensland. I do not believe that it will actually get here and, if it does, very little of it will come onto the market. Woe betide large organisations, such as the hypermarket, if they try to capitalise on cheap milk from Victoria or any other State. The Government will ensure, in one way or another, that they will not be able to destroy the milk-producers in Queensland with such action. This is not a warning to them, but I simply explain the cold hard facts of the Government's attitude towards Queensland milk-producers.

Second-hand Dealers and Collectors Act

Mr BOOTH: I ask the Minister for Lands, Forestry and Police: Is he aware of some disquiet amongst electrical traders regarding the Second-hand Dealers and Collectors Act 1984? Are negotiations taking place? If so, is the matter likely to be resolved?

Mr GLASSON: I am aware that some disquiet has been expressed about the Second-hand Dealers and Collectors Act relating to electrical goods, and also about the provisions of the Pawnbrokers Act and the Hawkers Act, which were introduced at the same time. I am aware that there is some misunderstanding about the application of those Acts. Representations have been made by dealers in electrical goods, and my department has

endeavoured to enlighten them as to where they stand within the confines of the Act. If the honourable member knows specifically of traders who are having problems, and informs me, I assure him that my officers will be pleased to meet with those people and endeavour to explain to them where they stand under the legislation.

Community Services Legislation

Mr MENZEL: I ask the Minister for Northern Development and Aboriginal and Island Affairs: Is he aware of the legal challenge issued by the Commonwealth-sponsored Aboriginal legal aid office in Cairns in an endeavour to stop the election for the Mulgrave Shire Council proceeding on Saturday, on racial grounds under the provisions of the community services legislation?

Mr KATTER: I am pleased to say that my critics have fallen on their faces. A challenge was issued by the legal aid officer in Cairns that effectively challenged the community services legislation. That officer claimed, as the honourable member for Mount Isa (Mr Price) frequently does in this House, that he should have two votes; one for the Yarrabah council——

Mr PRICE: I rise to a point of order. Yesterday, I took a point of order on exactly the same issue. The Minister keeps harping on an incorrect statement that I want to give Aboriginal people two votes. Obviously, the Minister cannot understand what I have been trying to say since the Act came into force. I ask him to withdraw that statement.

Mr SPEAKER: Order! I bring to the attention of the honourable member for Mount Isa the point that how a question is answered is the prerogative of the Minister. I have repeated that so many times and I do not want to have to repeat it again.

Secondly, the honourable member has asked the Minister to withdraw certain statements, of which I am not aware. However, because the honourable member finds them offensive, I ask the Minister to withdraw them.

Mr KATTER: To save wasting the time of the House, I will withdraw them. I will be presenting statements by the honourable member at a later stage.

An Opposition Member: You said that yesterday.

Mr KATTER: Yes, and I will do it.

Mr SPEAKER: Order! I ask honourable members to listen to the Minister in silence.

Mr KATTER: I am very pleased to be able to say that the three complaints taken to the Human Rights Commission were thrown out because they were ridiculous. One council that had lodged a complaint has now agreed with the legislation and withdrawn the complaint. The Federal Government has moved very strongly to the Queensland point of view. The Burke Government has adopted the same point of view. Mr Paul Everingham, a Liberal, who introduced the utterly disastrous legislation in the Northern Territory, also appears to have changed his position. The recent challenge in the courts was by a Mr Smallwood, who recently wrote to Ronald Reagan and asked that a rocket ship to the moon be lauched from Yarrabah. His legal challenge was handled by the legal aid officer in Cairns. That wasted public money. I am very pleased to be able to say that, when the judge threw the case out of court, he made some fairly scathing remarks, which could be applied equally to statements made by members of the Opposition when the community services legislation was under debate. I am very pleased that the judiciary has passed its own very favourable judgment on the legislation. The judge found for the department and awarded it costs.

Finally, I take advantage of the opportunity to refute the argument that my department has been advising Mr Burke in Western Australia. That is not the case. I

believe that he now has some enlightened attitudes, but my department has not been specifically advising him.

Royal Festival Performance Program

Mr BRADDY: I ask the Minister for Tourism, National Parks, Sport and The Arts: Is it correct that the artistic director retained by the Queensland Government to prepare the Royal Festival Performance Program to commemorate the opening of the Lyric Theatre at the Performing Arts Complex on 20 April this year submitted a program to Cabinet which included a performance by the Aboriginal and Islander Dance Theatre of Queensland? Is it correct that Cabinet deleted that performance from the program and, if so, why? How many items representative of the culture of the Aboriginal and Islander people have been included in the concert program to commemorate the opening of the two theatres in the Performing Arts Complex?

Mr McKECHNIE: No. There was no submission taken to Cabinet.

Sugar Industry

Mr RANDELL: I ask the Premier and Treasurer: In view of the continuing serious economic position of the sugar industry and the necessity for growers to be assisted to remain viable, will he investigate the possibility of relaxing the guide-lines applying to Rural Reconstruction Board funding so as to enable funding to flow through to needy growers so that they can weather this period of economic downturn?

Sir JOH BJELKE-PETERSEN: Perhaps the question should have been directed to my colleague the Minister for Primary Industries. On the other hand, I can say to the honourable member that naturally I will check again. Last week I checked on the amount of money that is still held. I am aware of the rate at which it is going out at the moment. There probably will not be sufficient money to last until the end of June. The money is being sent out fairly freely now. On the other hand, if it is possible and if the need is there, I am sure that my colleague and I can organise something. Again and again and again we have asked Canberra to put a little more weight and a little more effort into it. All the deceitful and deceptive allegations about this Government doing something that it should not have with those funds are completely and utterly wrong. They are another example of the untruths that are told in Canberra from time to time and by their colleagues opposite. The Government will contine to do all that it can.

Commonwealth and State Housing Agreement

Mr HAMILL: In asking a question of the Minister for Works and Housing, I refer to the arrangement under the Commonwealth and State Housing Agreement whereby each State may nominate for funds for public housing a portion of its Loan Council borrowings on concessional loan terms and conditions. Does the fact that, in 1984-85, Western Australia nominated $96.5m, South Australia nominated $135.9m, and Queensland nominated a miserable $30m, indicate that Queensland has a more adequate supply of public housing than those other States?

Mr WHARTON: There is no doubt that the honourable member's statements about the amounts of money are correct. The matter must be examined objectively. I am not familiar with the systems that are operated by the Commonwealth or by South Australia. However, I know that they borrow all their money through the Loan Council. Queensland borrowed $30m through the Loan Council. The honourable member should not forget that an additional $50-odd million is provided through funds generated by the Queensland Housing Commission. Queensland has a very good record of spending $105m this year. A great deal of money is provided in assisting individuals to obtain their own homes. If the revenue from rental is added to the assistance that is provided to individuals to obtain their own homes, the honourable member will find that 5 000-odd homes are provided every year. The wait-list has been reduced by 11 per cent.

Sir Joh Bjelke-Petersen: And hundreds to the Aborigines, too.

Mr WHARTON: The money provided for Aboriginal housing is separate from that. More than $6m is provided each year for Aboriginal housing.

The wait-list is being reduced. The wait-list in Queensland is better than that in the other States. New South Wales has five times more persons on its wait-list than we have on ours, and Victoria has more persons on its wait-list than Queensland has. Except for Tasmania, Queensland has the most favourable wait-list of all States.

With the funds that have been borrowed and created, Queensland's position is better than that of any other State. Queensland intends to maintain that position. On a per capita basis, Queensland does far better than any other State. Queensland has only 16 per cent of the population of Australia. It is providing more houses than any other State in Australia.

Housing

Mr HAMILL: I direct a further question to the Minister for Works and Housing. I thought I heard the Minister say that Queensland was spending $105m this year on housing. I understand that Western Australia is spending $126m and that South Australia is spending $194m. I draw the Minister's attention to the fact that Western Australia, with approximately 9 per cent of Australia's population, has a stock of public rental housing totalling 28 200 homes. South Australia, also with 9 per cent of Australia's population, has a public rental housing stock of 52 000 homes. I ask the Minister: Given that Queensland has over 16 per cent of Australia's population, does this State's total stock of rental housing, totalling 24 000 homes, which is slightly less than that of the other two States, reflect the Queensland Government's neglect of the housing needs of the people of Queensland?

Mr WHARTON: Of course it does not reflect any neglect of the housing needs of the people of Queensland. The figure of 24 000 referred to by the honourable member is correct. The honourable member should examine Queensland's wait-list. Approximately 10 000 persons are on Queensland's wait-list. About 60 per cent of those persons are needy cases and have priority. That means that Queensland has a wait-list of about 6 000 persons.

Mr Hamill: Are not people discouraged from going onto the wait-list, because there is no chance of getting a home?

Mr WHARTON: That is not so. The matter should be viewed objectively. A number of applications are made for housing for the simple reason that Housing Commission houses are cheaper, better, and so on. A certain amount of housing is provided by the public sector. The Housing Commission provides accommodation to many needy persons. Queensland has a record of providing the most accommodation to needy persons. Queensland's wait-list is reducing.

Mr Hamill interjected.

Mr WHARTON: They might need them in Western Australia.

Mr Hamill: They need them here.

Mr WHARTON: Of course they are needed here. The number of people on Queensland's wait-list is the lowest in the Commonwealth. Even though Queensland has 24 000 rental houses, Queensland is better off than the other States. Queensland wants more houses, and more will be built when it is possible to do so. The number of persons on the wait-list is being reduced by about 5 000 per year.

Acquired Immune Deficiency Syndrome

Mr McPHIE: I direct a question to the Minister for Health. Further to his statement in the House on Tuesday in relation to Acquired Immune Deficiency Syndrome, I notice that it was reported in the newspapers that the Federal Government has announced a grant of $115,000 to Queensland for AIDS education, counselling and support services. As a total of $4.88m has been allocated by Federal authorities to the States and Territories to fight AIDS, I ask: Is Queensland's share of that Federal assistance limited to the relatively paltry amount of $115,000, or is a further grant to follow?

Mr AUSTIN: I thank the honourable member for his question. I am concerned that the Federal Government and some other States appear to be taking a different direction in relation to the control of the spread of AIDS within Queensland and Australia.

On Tuesday morning, I made a ministerial statement which answers the major part of the honourable member's question. I am obligated to point out to the House that recently specialists from the disease-control centre in Atlanta, Georgia visited Australia. Their advice should be sought if the programs currently being pursued not only by the Federal Government but also by other State Governments are to be effective. The Queensland Government does not believe that they are effective. The spread of AIDS in the United States is quite catastrophic. Those scientists have advised the Queensland Government that this year——

Mr SPEAKER: Order! The time allotted for questions has now expired.

INDUSTRIAL (COMMERCIAL PRACTICES) ACT AMENDMENT BILL

Suspension of Standing Orders

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs), by leave, without notice: I move—

> "That so much of the Standing Orders be suspended as would otherwise prevent the immediate presentation to the House of a Bill to amend the Industrial (Commercial Practices) Act 1984 in certain particulars; and the passing of such Bill through all its stages this day."

Question put; and the House divided—

In division—

Mr SPEAKER: Order! I appoint as tellers for the "Ayes" the honourable member for Balonne and the honourable member for Sherwood and, as tellers for the "Noes", the honourable member for Brisbane Central and the honourable member for Port Curtis.

Mr INNES: I rise to a point of order. I think that you have made a mistake, Mr Speaker. You called me as a teller for the "Ayes" I am voting with the "Noes"

Mr SPEAKER: Order! I appoint the member for Mansfield as the second teller for the "Ayes"

Sir JOH BJELKE-PETERSEN: Mr Speaker, I thought that I heard some type of statement. I did not think that you made that statement. What is your ruling?

Mr SPEAKER: My ruling is that the member for Mansfield and the member for Balonne be the tellers for the "Ayes", although in the first place I called the member for Sherwood. He objected to being a teller.

Sir JOH BJELKE-PETERSEN: Is it possible to object?

Mr SPEAKER: Order! As the member for Sherwood has objected, my decision is that another teller take his place.

AYES, 41	
Ahern	Lester
Alison	Lingard
Austin	Littleproud
Bailey	McKechnie
Bjelke-Petersen	McPhie
Booth	Menzel
Borbidge	Miller
Cahill	Muntz
Chapman	Newton
Cooper	Powell
Elliott	Randell
FitzGerald	Row
Gibbs, I. J.	Stephan
Glasson	Stoneman
Goleby	Tenni
Harper	Turner
Harvey	Wharton
Henderson	
Hinze	
Jennings	*Tellers*
Katter	Kaus
Lane	Neal

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

Resolved in the affirmative.

First Reading

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs): I present the Bill and move—

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

Question put; and the House divided—

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

NOES, 31	
Braddy	Warburton
Burns	Warner, A. M.
Campbell	Wilson
Casey	Yewdale
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Gibbs, R. J.	
Goss	
Hamill	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Price	
Scott	
Shaw	
Smith	
Underwood	*Tellers*
Vaughan	Davis
Veivers	Prest

Resolved in the affirmative.

Second Reading

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs) (12.36 p.m.): I move—

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

The Industrial (Commercial Practices) Act was passed in 1984 in the context of the then stated intention of the Federal Government to repeal sections 45D and 45E of the Trade Practices Act. To date, those sections have not been repealed, but the evidence suggests that the provisions in the State Act and in the Federal Act have been extremely effective in bringing about prompt resolutions of industrial disputes.

On each of the four occasions on which proceedings have been implemented by Queensland instrumentalities recently, the conduct complained of has ceased prior to the hearing of an application for an interlocutory injunction. In related proceedings in the High Court, a similar result occurred.

The Government's legal advisers in these matters, however, have proposed certain amendments to the legislation to cover some additional situations and to clarify the intention of some sections. The Government has decided to adopt these proposals.

The Bill extends the operation of the Act to cover, in addition to secondary boycotts, damage caused by three types of primary boycott, namely—

(a) demarcation disputes;

(b) strikes called without reasonable notice; and

(c) strikes called to enforce preference to members of a union.

The Bill also extends the Act so as to include, within the scope of the persons protected, Government departments and State authorities. A definition of a strike is included to ensure that that word has the same meaning as it does in the Industrial Conciliation and Arbitration Act.

Where the purpose of a person is relevant in determining whether or not the Act applies, the Act is amended so that, unless the contrary is proven, a person is presumed to intend the probable consequences of his act.

The exclusions from the provisions of the existing Act of employment-related disputes are narrowed so as to exclude disputes in employment conditions where those conditions are fixed by an Act of Parliament or where those conditions relate to the employment conditions of a third party.

I commend the Bill to the House.

Debate, on motion of Mr McLean, adjourned.

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

"That the resumption of the debate be made an Order of the Day for a later hour of the sitting."

Question put; and the House divided—

In division—

Mr SPEAKER: Order! I appoint as tellers for the "Ayes" the honourable member for Balonne and the honourable member for Sherwood and, as tellers for the "Noes", the honourable member for Brisbane Central and the honourable member for Port Curtis.

Honourable Members interjected.

Mr SPEAKER: Order! I should correct that. I ask the honourable member for Sherwood to return to his seat.

The tellers for the "Ayes" will be the honourable member for Balonne and the honourable member for Mansfield.

AYES, 41	
Ahern	Lester
Alison	Lingard
Austin	Littleproud
Bailey	McKechnie
Bjelke-Petersen	McPhie
Booth	Menzel
Borbidge	Miller
Cahill	Muntz
Chapman	Newton
Cooper	Powell
Elliott	Randell
FitzGerald	Row
Gibbs, I. J.	Stephan
Glasson	Stoneman
Goleby	Tenni
Harper	Turner
Harvey	Wharton
Henderson	
Hinze	
Jennings	*Tellers*
Katter	Neal
Lane	Kaus

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

Resolved in the affirmative.

BUILDING SOCIETIES BILL

Second Reading—Resumption of Debate

Debate resumed from 7 March (see p. 3933) on Mr Harper's motion—

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

Mr R. J. GIBBS (Wolston) (12.47 p.m.): This is an important piece of legislation that will affect the ability of many Queenslanders to borrow money to purchase and establish their own homes in the future. It could be said fairly that, although the Bill contains a number of innovations, in many ways——

Honourable Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! The Chamber will come to order. Far too many members are chatting in the aisles. I ask them to resume their seats or to leave the Chamber.

Mr R. J. GIBBS: Many of the provisions in the Bill are a consolidation or reconciliation of existing legislation, and the Opposition welcomes it.

I state publicly that the operations of the SGIO Building Society need to be re-examined in the public interest. The society has two classes of shares, which give ordinary share-holders no say in its administration should any issue arise at its annual general meeting. The State Government Insurance Office has a stranglehold on one class of shares that enables it to out-vote, on a huge bloc basis, any group of ordinary share-holders, assuming that ordinary share-holders can gain access to the annual general meeting of the society.

Under the society's rules, members must give a week's notice in writing that they propose to attend the meeting. No other building society in this country has such undemocratic procedures. The SGIO Building Society is basically another arm of government in Queensland. Its voting procedures are as undemocratic as the procedures that have been adopted in recent times in this Parliament.

Because of subsidies provided by the State Government Insurance Office, the operations of this society are costing Queenslanders huge amounts of money. Public servants employed by the insurance office are required to do large volumes of loan-processing work for the society, work that should, in fact, be done by the society's

employees at no cost to the tax-payer. As many complaints have been made—to no avail—the attitude of the public servants to undertaking this work is well known. I say to the Minister that a number of those complaints have come to me from time to time. That work is having a deleterious effect on the morale of people employed by the State Government Insurance Office.

The terms of the agreement between the building society and the insurance office should be public knowledge so that Queenslanders know what fees are paid by the building society, not only for loan-processing but also for transactions made by members in State Government Insurance Office branches, which provide facilities for the building society. These are being subsidised extensively by the insurance office at a significant cost to its own policy-holders and, therefore, to the people of Queensland. The Government should make the terms and conditions of these arrangements known. They should be disclosed in the annual reports of both the insurance office and the building society.

These arrangements are resulting in great inefficiencies in the SGIO Building Society. The money that is saved from insurance office subsidies is being spent in a huge advertising campaign, which runs all year and exceeds that of any other financial institution operating in Queensland. Surely this campaign could be conducted in a more cost-efficient way, without affecting the marketing program, to permit some benefits to flow to society members by way of lower running costs. Not one member of this Chamber could possibly disagree with that.

One only has to sit down in front of his television set and watch it for a few hours to realise the indisputable fact that the amount of advertising by the SGIO Building Society on television, in newspapers and on radio far outstrips that of any other building society in this State. It is my contention that that is costing Queensland tax-payers hundreds of thousands of dollars per year and is giving a very unfair advantage to the SGIO Building Society.

As I said before, the staff of the SGIO Building Society is certainly not benefiting from the arrangement. That society has the worst staff morale of any financial institution in Queensland. That results in a continual turnover of employees at all levels. That is easily substantiated by the continuing flow of SGIO Building Society advertisements for staff in the week-end press, both in Queensland and nationally.

The arrangements of the employment contract for the general manager of the SGIO Building Society (Mr Ashley Goldsworthy) should also be disclosed, in line with any such position involving the Government. Mr Goldsworthy is a former employee of the insurance office, in its computing section, and was not an applicant—I stress that; not an applicant—for the job he now holds. The insurance office ensured that he was placed in his current position for reasons which have become very well known within the industry.

For one thing, it is a fact that Mr Goldsworthy has political ambitions. He is currently a vice-president of the Liberal Party of Queensland. He is heir apparent to the presidency of the Liberal Party in Queensland and, furthermore, he has made no secret of his ambition to occupy a seat in Federal Parliament. One has only to speak to the Federal member for Moreton (Mr Don Cameron) to realise that Mr Goldsworthy not only holds that ambition now but also held it at the time of the retirement of Sir James Killen, when he flaunted himself in the Liberal Party to try to gain preselection for that seat.

From the SGIO Building Society advertising and general promotion program, it is obvious that Mr Goldsworthy has been using the society to promote his personal profile and his ultimate aim to be a member of Federal Parliament.

He appeared extensively in SGIO Building Society advertisements up till late last year, when his photograph mysteriously disappeared from press advertisements, presumably following action by the Government.

I notice that the Minister for Justice and Attorney-General is trying to hide a smile because he knows what I am saying. In 1983, the National Party in this State won the right to govern in its own right and went to great pains to ensure that Mr Goldsworthy's political ambition was cruelled to a great degree, because it did not want him using that position to promote the Liberal Party in this State.

It is now history that Mr Goldsworthy has also benefited from his role and position as general manager by obtaining a housing loan of $120,000 at very favourable terms and conditions, which are not available to the staff of his building society.

If my interpretation of clauses 68, 69 and 70 of the Bill is correct, in the future the police will have power to deal with such action by persons such as Mr Goldsworthy. A suggestion has been made that Mr Goldsworthy may even have a second loan. What does the Government know about that and what does it propose to do about curbing those excesses? If these matters are part of his contract with the SGIO Building Society, other employees of other Government-related bodies would be interested to know whether those terms and conditions are available to them.

Mr Goldsworthy's latest attempt to lift his profile has been to sponsor an award for financial journalism in Queensland. He obviously knows little about the subject, as it is against the policy of the Australian Journalists Association to support such awards. In the first place, Mr Goldsworthy did not bother to consult the AJA on the type of award that he proposed. I am reliably informed that Mr Goldsworthy was so concerned about his image publicly and within the Liberal Party that he employed, at his own expense, a small team of public relations management consultants, who advised him that his reputation with Queensland newspapers was such that, to promote himself a little, he should attempt to make such an award.

Mr Goldsworthy is constantly overseas. It would be interesting if the Government provided information on how many trips he has undertaken since he has been general manager of the SGIO Building Society. How many of those trips have been at the society's expense? What were the costs involved? What have been the benefits to the society? Has he provided reports to his board on the results of those trips? I understand that Mr Goldsworthy is overseas again. I call on the Minister for Justice and Attorney-General to make all those details available to this Assembly. I want to know exactly how many trips Mr Goldsworthy has made, particularly in the last two years. I stress to the Minister that I want to know whether those trips were at the expense of the SGIO Building Society. As I said, I want to know how much those trips cost the SGIO Building Society.

It has been reported that the SGIO is finding him increasingly difficult to control. At the moment, it is freely tipped in financial circles that Mr Goldsworthy wants to change the building society's name and run it himself. The State Government Insurance Office has responded by increasing the number of members it has on the SGIO Building Society board. The SGIO now has three members on the board. If the seat of Eric Riding, who is a past chairman of the State Government Insurance Office, is counted, it has four members. I understand that when Leo Hielscher, who is very high up in Treasury, retires ultimately from his position in the not-too-distant future, he will make a sideways shift into the financial empire of the State Government Insurance Office. That is one of the reasons why the Premier and Treasurer (Sir Joh Bjelke-Petersen) has been advised not to be led by Mr Goldsworthy into changing the name of the State Government Insurance Office or the name of the SGIO Building Society.

The Commonwealth Savings Bank of Australia Agreement Act is due to be renewed soon. That is an important piece of legislation for Queensland, as it provides for funds from the Commonwealth Bank to be furnished to the Government on favourable terms and conditions for developments throughout the State. However, the Act provides for the State to undertake, and to agree with the savings bank during the currency of the agreement, that "so long as the Savings Bank or its successors carries on savings bank business in the State of Queensland no savings bank will be established or conducted

in the said State by or under the State" That is a very important quotation. What will be the attitude of the Commonwealth Bank to the growing role in banking by the State Government through the operations of the State Government Insurance Office?

Sitting suspended from 1 to 2.15 p.m.

Mr R. J. GIBBS: Before the recess for lunch, I was saying that the Commonwealth Savings Bank of Australia Agreement Act is due to be renewed soon. The Act stipulates—and I will read it out again—that it shall continue to give money to the States—

> " . . so long as the Savings Bank or its successors carries on savings bank business in the State of Queensland no savings bank will be established or conducted in the said State by or under the State"

In other words, there shall not be a State bank in competition with the Commonwealth Savings Bank in that regard.

I ask: What will the attitude of the Commonwealth Bank now be to the growing role in banking of the State Government through the operations of the State Government Insurance Office, which recently has moved to control the Bank of Queensland? The interest in the Bank of Queensland gives the State Government Insurance Office access to a savings bank, a trading bank, a finance company (Permanent Finance Corporation), and another building society (Security Permanent). That is in addition to other parts of its growing financial empire, which includes a merchant bank, a stockbroker and the SGIO Building Society.

The public could be forgiven for thinking that the Queensland Government will have a "Claytons" bank, that is, a State bank you have without having a State bank. It is unquestionable that the Government is planning a de facto banking operation through the Bank of Queensland. Obviously, it hopes to maintain its relationship with the Commonwealth Savings Bank at the same time, saying that it has in effect not established a State bank under the terms of the agreement. However, whether the Commonwealth Savings Bank feels that that is in the spirit of the agreement is another matter, and it will be interesting to see the results of negotiations to renew the Commonwealth Savings Bank of Australia Agreement Act. Preparatory talks to renew that arrangement should be under way shortly. Meanwhile, it seems likely that, in the near future, the Bank of Queensland will be permitted to extend its office network through the State Government Insurance Office branches.

The next question that arises is: in view of the obvious conflicts involved, what will the State Government Insurance Office do with all the groups that it has now inherited in its empire? Specifically, it has a savings bank, a trading bank and a building society, through the Bank of Queensland and the SGIO Building Society. That is wasteful and sheer empire-building. Great cost efficiencies could be produced for SGIO policy-holders and Queenslanders generally if these financial institutions were rationalised. Undoubtedly, that is in the mind of the Under-Treasurer, Mr Leo Hielscher, who, with only a couple of years to go to retirement, has made known his interest in the chairmanship of the State Government Insurance Office and a consolidated financial empire over which to preside in his later years. The Government has an obligation to inform the public about its plans for the future and, specifically, about its intentions in regard to a State bank, or in this case, as I said before, a "Claytons" bank.

Again the question must be asked: What will the attitude of the Commonwealth Bank be to the now very evident game plan being unfolded by the State Government Insurance Office on behalf of the Queensland Government? What will the effects on Queensland's economy be if the Commonwealth Bank declines to renew the agreement? Currently, a court case brought by the Commonwealth Bank in relation to a similar matter is under way in New South Wales. The bank has shown that it takes such matters very seriously.

Every morning in this House, the Premier and Treasurer and the Deputy Premier and Minister Assisting the Treasurer talk about the free enterprise policies of the

Queensland Government. On the one hand, the Government talks about free enterprise; on the other hand, it indulges in financial empire-building through the State Government Insurance Office and the SGIO Building Society in the many games that it plays in financial matters in Queensland. It seems to me that Queensland does not enjoy the type of free enterprise policies that the Queensland Government espouses. In fact, it could be thought that it is socialism under a national socialist Government.

Mr Fouras: It is pure State capitalism.

Mr R. J. GIBBS: Of course it is. It is empire-building at its very worst.

It is obvious why Queensland was not provided with the opportunity of hosting one of the overseas banks that were recently permitted to enter Australia. The Federal Treasurer (Mr Keating) has expressed reservations about the State Government Insurance Office move on the Bank of Queensland and its implications on banking operations generally. How serious was the State Government in seeking to host an overseas bank when it was so busy establishing its own banking operations, through the back door, against which an overseas institution would have provided competition?

The Bill is a very interesting document. The Opposition does not propose to amend or oppose the Bill in any way. We intend to support its passage through Parliament as rapidly as we can.

It is interesting to note some provisions in the Bill. It distresses me that so many provisions depend on the Minister's discretion. For instance, if a building society desires to take advantage of the secondary mortgage market, it will be a matter of ministerial discretion whether it is allowed to do so. This morning, the honourable member for Sherwood (Mr Innes) gave notice of a question about Queensland's secondary mortgage market. His was a very soft-shoe approach, but I intend to approach it head-on.

The dogs have been barking—and it ought to be said in the House—that, after the secondary mortgage market was established, none other than the trustee of the National Party, chairman of the TAB and director of various companies in Queensland, Sir Edward Lyons, received a kick-back, or a commission, of an amount in the vicinity of $100,000 as a cash payment for his so-called expertise in the establishment of the secondary mortgage market. I am advised that he did very little work for its establishment. Did he receive any payment? If it was not $100,000, was it half that amount, $50,000? If a payment was made, where did the money come from? Did it come from the Treasury?

Mrs Chapman: You are telling us.

Mr R. J. GIBBS: I cannot tell the House, because the National Party keeps these matters so secret and close to its chest that the financial dealings of the Government are not able to be ascertained in any shape or form. If the money was paid to Sir Edward Lyons, did he receive it from Treasury? If not, where did the money come from?

I am unable to find included in the Bill a provision allowing building societies to issue their own cheques. I am aware that that is allowed in other States. In South Australia recently, by arrangement with the National Bank, building society cheques became available. Dealings through the building societies would be expedited if they were able to issue their own cheques. I ask the Minister to give that matter his consideration.

I noted with interest that part of the Minister's second-reading speech in which he referred to turning a house into a home. The Opposition warmly welcomes the proposal that will enable people who have home loans with building societies to obtain further sums for home improvements such as for the purchase of furniture or curtains or the construction of a swimming-pool.

I welcome the provision that allows building societies to establish agencies not only within the State but also interstate. I welcome also the introduction of credit card

facilities and machines in the operations of building societies. The Opposition approves of the innovation making it compulsory for building societies to explain in detail to their clients the monthly interest component in loan repayments. That is a healthy provision.

I also believe that it is healthy that the charges made for loan borrowings will now be known. All honourable members would agree that, all too often constituents report or complain that interest rates rise and they are not aware of the amount by which their repayments will increase. In many cases, because of a lack of desire of people to take an interest in those kinds of financial arrangements, the constituents have not budgeted for the increase. The Opposition welcomes all such innovations that have been included in the legislation.

Although this is a fairly minor point, I refer to page 116 of the Bill, where clause 135 (2) relates to the contingency fund. Honourable members will agree that credit for the establishment of a contingency fund can be attributed directly to my former colleague the late member for Archerfield, who exposed many of the weaknesses of building societies in the 1970s.

Mr Simpson: He caused a run on them.

Mr R. J. GIBBS: He did not cause a run on them at all. He cleaned them up, and that was a severe embarrassment to the Government.

I ask the Minister how much money is in the contingency fund at the present time, and what the average interest rate that the money is invested at would be. I note that the Minister referred to the provisions that set out the terms and conditions of borrowings. Subclause (2) of clause 135 states as follows—

> "The terms and conditions of borrowing of moneys referred to in subsection (1) (c) shall be the best available terms established by negotiation by the Contingency Fund Committee at the time of borrowing."

I realise that interest rates can change in various financial areas in which moneys are invested. I ask the Minister to give the House an indication of the overall interest rate which the money will earn at the present time.

The Opposition welcomes the introduction of the legislation. I reiterate that, in many ways, the Bill is a consolidation of the provisions contained in the original Act, about which the Opposition, by and large, has not been unhappy since its introduction. The Opposition will not oppose the Bill, and other Opposition speakers will speak in support of it at a later stage.

Mr FITZGERALD (Lockyer) (2.27 p.m.): It gives me pleasure to speak in support of the Bill. As has been stated by the Minister in his second-reading speech, it is a consolidation of the provisions contained in the original Act that is presently in force. The Bill consolidates legislation that was first passed in the House in 1886 and has been the subject of various amendments from that time to the present. The legislation before the House is a result of representations that have been made over a lengthy period by people engaged in building society operations. I know that the Minister and his departmental officers have been negotiating with members of the building societies about what the legislation should contain.

In the annual report of the Queensland Association of Permanent Building Societies Limited for 1983-84, reference has been made to the legislation that was to be brought before the House, and apparently members of the society were looking forward to the changes that have been proposed in the Bill. Part of the report reads as follows—

> "The Association has worked closely with the Minister for Justice and Attorney-General, the Honourable Neville Harper, MLA, and his departmental officers to achieve amendments to the Act. It is pleasing to note that the Minister intends to introduce his Amendment Bill to the Queensland Parliament during its current session."

That reference indicates that the building societies are in favour of the Bill in principle, and that they welcome the consolidation of the Act. That has probably occurred because, over a number of years, honourable members have witnessed a decrease in the number of building societies. Terrific competition has taken place in the market-place to attract funds into the societies and in relation to the rates of interest that are charged on loans.

The Opposition spokesman complained bitterly about the amount of money that a certain building society has spent on advertising. I would have thought that any operation that advertises extensively would not waste money by doing so. A firm advertises only if it achieves results. If the honourable member for Wolston had any commercial knowledge at all, he would have realised that a firm stops advertising if that advertising is not achieving the desired results. The amount of advertising taking place indicates only that building societies operate in a very competitive field.

I understand that there are now 11 operative permanent building societies in Queensland. A reduction in the number has occurred following the amalgamation of some societies over the past few years. I instance the amalgamation of two Toowoomba-based societies, the Toowoomba Permanent Building Society and the Darling Downs Building Society, to form what is now the Heritage Building Society. Those two societies undertook lengthy negotiations and decided that an amalgamation would work to the mutual benefit of their share-holders. It is interesting to note that, of the 11 building societies in Queensland, three are based in Brisbane and the other eight are regional based. That is an indication of how building societies serve their local communities. People can identify with their local building society. A building society will receive sufficient money from depositors to enable it to serve its borrowing clients only if the local community has confidence in it. Although societies can invest their money in buildings anywhere in the State, it is the usual practice for a building society to operate only in its local area. I pay tribute to the building societies, particularly the Heritage Building Society that is located in my electorate, that have a proud record of achievement over the years.

These changes to the Act will benefit not only the building societies but also, in a very direct way, the people who borrow money from them. Very recently, major changes have occurred to the financial arrangements of major institutions throughout Australia. A secondary mortgage market is in the process of development; overseas banks have gained access to Australia; and technology has caused changes in the banking industry with the advent of the electronic transfer of funds and cash cards—which have become known as plastic money. Credit cards are readily available to more people than ever before. People, particularly young people, are taking advantage of the ability to transfer funds from one account to another. Through the use of savings and credit cards, young people are becoming aware of how easy it is to transfer money from one account to another, and how important it is to save money. When one walks down the street and sees the large number of people operating automatic teller machines with their cash cards, one realises how widespread this phenomenon is. It is not a bad thing. Young people are becoming aware of their financial responsibilities and how to handle money.

Mr Simpson: They are very convenient.

Mr FITZGERALD: Yes, they are very convenient and make cash readily available at any hour of the day or night.

As I said, young people are learning financial responsibility. Building societies have seen the importance of making transfer facilities available. People are learning the importance of money management. Young people, in particular, are learning how important it is to save money and invest it for the future.

For some time, building societies have felt that the legislation that covers their operations is, in some areas, rather grey, and that certain points were not clearly spelt out. They felt that they could be disadvantaged if their interpretation of certain sections was not correct.

The legislation sets out exactly what building societies can and cannot do. Basically, their role will not be changed. They will be permitted to lend up to 75 per cent of the value of a property on first mortgage. Unless the borrower has 100 per cent mortgage insurance cover, a society will not be able to advance more than 75 per cent of the value of a home.

The Bill will permit building societies to lend funds for fencing, garages, car-ports, swimming-pools and furniture. That will help turn a house into a home. Quite often people with a building society first mortgage loan are forced to use hire-purchase at a higher interest rate to furnish their homes. Although an owner may have adequate equity in the property, and the building society wants to lend funds, it is not allowed to advance the money. It does not benefit societies to have large sums of money tied up not earning interest. This provision will benefit both the building societies and the customers.

Building societies are to be allowed to participate in the secondary mortgage market. Honourable members will recall that the legislation establishing the secondary mortgage market was passed recently. Clause 288 of this Bill provides that building societies will be able to put packages together. It is in these terms—

> "Building societies may be registered issuers or packagers. A permanent building society may, notwithstanding its rules, be registered under the Mortgages (Secondary Market) Act 1984 as a registered issuer or packager within the meaning of section 4 of that Act and carry on business as such in accordance with the provisions of that Act."

That will facilitate greater flexibility when building societies have large sums of money to invest.

The honourable member for Wolston referred to a former member's exposé on a building society. At the time, a feeling of insecurity was created for the investors and they made a run on the society. That did not do any building society or the general public a service. If a building society has problems, the registrar should be made aware of them. He can then make the Minister aware of them so that they can be rectified. The registrar should be made aware of the problems so that he may let the Minister know what is happening. If there are problems associated with a society the Minister can then act to clean them up.

Societies are to be given trustee status by way of Order in Council. That will eliminate one of the problems confronting societies when they are short of funds. Many trustee funds could be lodged with societies. I can visualise why an Order in Council is necessary to give a building society trustee status. I presume that the major building societies will be seeking trustee status as soon as possible. It is excellent that building societies will have more funds available to them in this way. Solicitors have trust funds and they will now be able to invest, even in the short term, with building societies.

For some time, building societies have been operating in certain fields in which they were unsure of legal backing. Competition in the finance field has become intense, and the rapid changes that have occurred in the industry have been of concern to them. Many of the changes have been initiated by building societies, and they have been in the vanguard of those changes.

Clear guide-lines are important in this industry, mainly because societies have a great deal of money to invest. This consolidating legislation establishes those guide-lines. The annual report of the Queensland Association of Permanent Building Societies Limited shows the amount of money invested in loan approvals from 1 July 1983 to 30 June 1984. Over that year, the amount invested totalled $563,379,000, which is a significant amount. Building societies approved 2 595 loans amounting to $104,982,000 for new construction. For newly erected homes, such as spec homes, 1 220 loan applications for a total value of $50,581,000 were approved. For existing buildings, $363,062,000 was approved in 9 468 loans. The report states that 772 applications for alterations and additions, totalling $10,108,000, were approved. That is an indication to the public as

to how important building societies are and demonstrates the significance of the role that they play in providing finance for home-building.

It has been said that home-building is an economic indicator. I understand that, over a number of years, the rate of new home construction in Queensland has been far in excess of Queensland's percentage of the national population. In fact, the rate of home-ownership in Queensland is high. Any moves that the Government can make to facilitate the efforts by young people to build or buy homes so that they can have a roof over their head should be applauded.

This Bill will assist building societies to smooth out their operations and to clarify their position in the world of finance. In the long run, home-buyers will be the significant beneficiaries of the legislation that is before the House, so I support the Bill.

Mr GOSS (Salisbury) (2.43 p.m.): By way of preliminary comments, I say that my perusal of the Bill indicates that it is a comprehensive and appropriate piece of legislation. Those measures that the Minister is trying to achieve—as set out in this second-reading speech—and as I see them reflected in the Bill, are positive and commendable. They will consolidate the law and provide a modern statutory framework for this important section of the finance industry.

I will deal with some aspects of the Bill and, in particular, I will stress those aspects and principles that protect the industry and the public. In raising some matters, I will seek clarification from the Minister, because it is evident, from his speech and from the legislation, that considerable thought has been given to providing a stable framework for the industry and to protecting the public, and that is how it should be.

The first provision that I wish to raise, and in respect of which I seek some clarification, relates to the provisions that determine registration and, in particular, the provision for the requirement of not less than $2,000,000 being available to the company. The prescribed formula in that regard is set out. The clause also makes reference to the fact that, during the period of 10 years from the date of registration of a society, the registrar may permit the person who lodged certain moneys to withdraw the shares or, as the case may be, be repaid the loan or deposit if the registrar is satisfied that the withdrawal or repayment will not have the effect of reducing the amount required to be lodged in the society's funds under the said subsection.

I ask the Minister to clarify what happens with inflation. Perhaps I have missed it, but I cannot see any specific provision in the Bill that regulates that amount upwards or downwards as would be appropriate, I would think, to provide, depending on inflation and changing circumstances, a comparable level of monetary safety in relation to the security of an individual society.

Further, in relation to the provision that the Governor in Council can vary the sums of money specified in the registration section, I seek clarification that any variation would in fact be across the board.

Another provision, which is commendable but in respect of which I seek some clarification, relates to fidelity guarantee insurance. Quite appropriately, every building society is required within one month of its registration to effect and continue in force at all times a fidelity guarantee insurance policy. However, the provisions of the Bill go on to say that, as an alternative to that very acceptable mode of insurance, a society can have "such other arrangement as is approved by the Minister on the recommendation of the Advisory Committee". I do not say point-blank that that is bad, but it seems to me that the Minister has quite a specific safeguard and that the legislation opens another gate that seems to have no limits or criteria attached to it other than that it would be approved by the Minister on the advice of the advisory committee.

So that there can be some certainty that there is security and that there are the sorts of safeguards that there should be, the sorts of safeguards that the Minister indicated in relation to the insurance policy, what I seek from the Minister in his reply is some

outline of the criteria, or the grounds, on which he would approve another arrangement and what other arrangement is contemplated.

The next matter I raise is the question of review of the registrar's decisions. The Bill provides for decisions of the registrar to be reviewed where, for example, the registrar refuses to register a society or modifies the rules. The Bill provides that, within one month of the receipt by the building society of notification of the refusal or modification, it can require the grounds and various other information for that refusal. Within one month thereafter, the society can apply to the court for a review.

What I raise for the Minister's consideration and comment is whether or not that part of the Bill should contain a provision by which a certain period of delay would activate a right to require information from the registrar and a right to seek a review. I see that that is provided in the part of the legislation that relates to the alterations of rules. I wonder whether the delay provision should perhaps be included so that, if there is a delay, a society can apply for a review.

I now turn to the part of the Bill that deals with objects and powers. The clause that relates to advances gives societies a fairly general power over purchasing, developing or improving the land upon which accommodation for residential purposes is, is to be, or is being constructed.

I commend the Minister for those provisions that relate to indirect financing of accommodation for residential purposes. That is a concession to which the industry is entitled and has been properly extended by the Minister in this legislation.

I question whether or not the provision in relation to the general purchase, development or extending of loans in relation to land on which residential accommodation is to be built puts at risk the proper priority that should be given to the individual housing loan applicant.

The legislation provides that a corporation can be a member of a building society. If a corporation acquires very substantial advances from a building society and either builds a large-scale residential subdivision or, subsequently, through a change of plans or through no fault of its own, decides that it cannot proceed, does the land acquired become land that is held simply for the purpose of speculation, or is there some other provision that would retain that provision of priority in relation to individual applicants?

Providing an emphasis whereby priority or absolute priority is given to individual home loan applicants is the best, most efficient, cheapest and most competitive means of extending to the public loans for housing purposes. After all, that is or was the primary purpose of building societies. Any provision that allows a substantial departure from that purpose would, I think, be a backward step.

The Bill sets out various provisions relating to advances to borrowers. The Bill provides—

> "It is lawful for a building society to charge and recover from a prospective borrower a fee fixed by the building society to cover the cost of processing an application by the prospective borrower for an advance by the building society of certain moneys, such fee not to exceed 0.75 per centum of the amount of the advance. . ."

Why cannot the processing fee charged by a building society be a fixed amount? The same amount of paperwork and other work must be undertaken whether a loan is for $10,000 for an extension to a home or $50,000 for a new home. For example, a $50,000 advance would attract a fee of approximately $375. On top of that the borrower has to pay legal fees, valuation fees, stamp duty, and so on. The only protection that a borrower has is that building societies will be competitive with that processing fee. I do not think that that is enough. If somebody has prospects of obtaining a loan from a building society, quite often he will be so keen and desperate to obtain that loan that he will pay the necessary processing fee.

Provision is made for legal documents to be prepared by an officer of a building society. Whether or not that officer must be a solicitor, what provision will there be in relation to the calculation of legal fees? How are they to be determined?

Provision is made whereby a building society can enter into agency contracts, but the prior written approval of the registrar is required. If the registrar refuses to approve such an agency contract, the building society may make representations to the Minister. As happens in other cases, why not have the representations in this instance made to the court? If the representations are not to be made to the court but to the Minister, on what grounds would the Minister see himself as overruling the objections of the registrar? The criteria should be set out. If the registrar feels so strongly about such an agency contract that he refuses it, his decision should be reviewed openly.

I turn to the provisions in relation to directors of building societies and the circumstances under which they would be required to vacate their office. The legislation sets out quite extensive provisions in relation to that particular aspect. Those provisions seem to me to be comprehensive and should be supported in the interests of the building society industry, in the interests of the public having confidence in the industry and in the interests of those people who have moneys invested with building societies and therefore have a direct interest in having those moneys properly administered and invested.

I quote a couple of provisions in the legislation. Clause 67 (1) reads—

> "A director of a building society vacates his office in such circumstances, if any, as may be prescribed by the rules of the building society and in any of the following circumstances:—
>
> (k) if he or his associate has a direct or indirect pecuniary interest in any agreement with the building society otherwise than—
>
> (i) as a member of, and in common with the other members of a corporation consisting of more than 20 persons;
>
> (ii) as a partner in a body of persons that provides the building society with secretarial or administrative services; or
>
> (iii) as a person who provides the building society with secretarial or administrative services;
>
> (l) if he or his associate receives in advance or makes any purchase from the building society otherwise than in accordance with a special resolution;
>
> (m) if he or his associate is a party to any of the following dealings with the building society other than a dealing made in good faith in the ordinary course of business of the building society and on such conditions and terms as are usual and proper in similar dealings between the building society and its members:—"

One of the dealings is described as follows—

> "(iii) any other dealing . between the building society and a director or his associate, which under its objects the building society may have with its members;"

That type of provision is most important, and it has been adverted to already in relation to the Racing and Betting Act. Such provisions are quite properly included in legislation, because the directors or the corporate body in question, whether it be a building society or the Totalisator Administration Board, must be above reproach and must be seen to be above reproach.

It is interesting to compare the provisions in the legislation with those in the Racing and Betting Act. In some respects the provisions are similar; but there are important differences. Section 181 of the Racing and Betting Act reads—

"Vacation of office. (1) The office of a member of the Totalisator Board shall become vacant if the member—

(f) accepts or holds an office of profit under the Totalisator Board or is directly or indirectly concerned in any contract with the Totalisator Board or is entitled to a benefit directly or indirectly from work done or to be done for or goods supplied to or to be supplied to the Totalisator Board."

On a first reading of those provisions, it seems to be quite plain that, in the circumstances, Sir Edward Lyons is clearly disqualified, that he clearly vacates his office and that he is clearly in breach of the law. A similar provision will operate under the Building Societies Bill. However, the Racing and Betting Act contains an additional provision, which has some features that compare with those in the Building Societies Bill. Section 181 (2) (b) of that Act says—

"Notwithstanding subsection (1) (f)—"

which I have referred to previously—

"the office of a member of the Totalisator Board shall not become vacant by reason only that the member or a firm in which he is a partner is appointed to or acts in a professional capacity for or on behalf of the Totalisator Board or that the member is a shareholder, director or creditor of a body corporate consisting of not less than 20 members that contracts with or does or undertakes to do work for or supplies or undertakes to supply goods to the Totalisator Board."

I should think that a firm in which the member or director, depending on the institution, acts in a professional capacity—and obviously that could be a firm of solicitors, accountants or financial advisers—would be covered and protected by the Building Societies Bill, as it is by the Racing and Betting Act.

Similarly, if one of the directors or a member of the board was a partner or shareholder in a company with another family member who did cleaning work for the society, common sense dictates that that should not require the director or member of the board to vacate his office. That would be ridiculous. The consequences of the legislation are not designed to be invoked if merely an obvious minor association is involved in the provision of genuine service.

Different circumstances apply under the Racing and Betting Act, as they do, I would say, with building societies. It is quite clear that the purchase of a building or real estate would bring into play the provisions of the legislation, as would the advance of $14m, which I understand was the amount advanced by the Totalisator Administration Board to the Rothwells merchant bank. That would be regarded as exceptional and would bring into play the operation of legislation designed to prevent any improper conflict of interest.

Under clause 67 (1) (m) a director "vacates his office"—

"if he or his associate is a party to any dealings... other than a dealing made in good faith.. "

One of the dealings referred to is—

"any other dealing .. between the building society and a director or his associate, which under its objects the building society may have with its members ..."

It seems to me that an advance could probably be made in such circumstances, but a significant difference between the building societies legislation and the Racing and Betting Act is the provision that a dealing may be "made in good faith in the ordinary course of business". The Racing and Betting Act has no such provision. I commend the Minister for including that provision in his legislation.

The provision in the Racing and Betting Act is strict. It is a strict and absolute requirement, and that is as it should be. Because of the vast sums of money generated through the custom of the public, it is probably more important for an institution such as the Totalisator Administration Board that there be such a provision. That is why I say that the sort of impropriety that has occurred in the case of Sir Edward Lyons should be prevented, and should be prevented by the Building Societies Bill. Sir Edward Lyons is clearly in conflict with section 181 of the Racing and Betting Act. It is very sad that a body corporate could be involved in such improper dealings.

I refer to a general principle that summarises the matter. I quote from page 526 of Gower's third edition of "Principles of Modern Company Law"—

> "As fiduciaries, directors—"

and it applies similarly to members of a board such as the TAB; it applies across the board to corporate bodies—

> "must not place themselves in a position in which there is a conflict between their duties to the company and their personal interest. Good faith must not only be done but must manifestly be seen to be done, and the law will not allow a fiduciary to place himself in a situation in which his judgement is likely to be biased and then to escape liability by denying that in fact it was biased.
>
> By the middle of the last century it had been clearly established that the trustee-like position of directors vitiated any contract which the board entered into on behalf of the company with one of their number. This principle receives its clearest expression in Aberdeen Ry v. Blaikie—"

which is an 1854 case referred to in Gower's work—

> "in which a contract between the company and a partnership of which one of the directors was a partner was avoided at the instance of the company notwithstanding that its terms were perfectly fair. Lord Cranworth L. C. said . .
>
> 'A corporate body can only act by agents, and it is, of course, the duty of those agents so to act as best to promote the interests of the corporation whose affairs they are conducting. Such agents have duties to discharge of a fiduciary nature towards their principal. And it is a rule of universal application that no one, having such duties to discharge, shall be allowed to enter into engagements in which he has, or can have, a personal interest conflicting, or which possibly may conflict, with the interests of those whom he is bound to protect.
>
> So strictly is this principle adhered to that no question is allowed to be raised as to the fairness or unfairness of a contract so entered into . .
>
> It may sometimes happen that the terms on which a trustee has dealt or attempted to deal with the estate or interests of those for whom he is a trustee have been as good as could have been obtained from any other person—they may even at the time have been better. But still so inflexible is the rule that no inquiry on that subject is permitted.' "

Later cases have added little to the general principle that has been thus enunciated. The principle applies not only to contracts directly or indirectly with the directors, but also to those in which the directors are in any way interested, whether because of personal benefit, however indirectly, or because the directors will be subject to a conflict of duty. That is why it is important to have the provisions included in the Building Societies Bill.

The provisions to which I have referred that relate to a person being ". a member of, and in common with other members of a corporation consisting of more than 20 persons" also makes reference to a person or body that provides secretarial and administrative services. It demonstrates quite clearly what is intended by subsection (2) (b) of the Racing and Betting Act. That Act has provisions that relate to goods or services of the type to which I have referred, and it does not contemplate the placing

of millions of dollars—$14m—by way of advance—with a particular merchant bank that appears to be favoured.

As I understand the relevant Minister, the Minister for Local Government, Main Roads and Racing (Mr Hinze), Rothwells merchant bank has offered the best terms. I am sure that that is not the case; but it would be obvious to anyone that, even if it were the case at a particular time, it would be incorrect to say that that is the general situation.

The purpose of the rules, both in respect of the directors and the body that is the subject of the Act—whether a building society or a board—is to make the operations and conduct of both beyond reproach. In the case of the example to which I have referred, similar operations can be envisaged in the conduct of a building society in which a close personal or financial relationship exists between two individuals, and provisions should be included in the Act to protect the public interest and the institution. It appears that that type of protection is not provided by the Racing and Betting Act. It is very important that those protective provisions be included in all relevant legislation.

The Building Societies Act makes reference to dealings that are undertaken in good faith. No similar let-out provision exists in the Racing and Betting Act. Disclosure of good faith does not get a person such as Sir Edward Lyons off the hook. Sir Edward Lyons has clearly contravened the legislation and vacated his office in legal terms. It would be interesting to see whether the Minister would be prepared to table the advice obtained from the Acting Solicitor-General—it applies not only to the legislation that is before the House but also generally—and the material that laid the basis for the conclusion that no conflict of interest existed.

The Racing and Betting Act contains similar provisions relative to the types of services that might be provided by a firm of solicitors or accountants or financial advisers for the supply of goods. A similar provision is contained in the Building Societies Bill, but the Bill does not make any provision for the placing of substantial sums of money with a favoured institution, whether the best rate of interest can be obtained or not. I am sure that many other merchant banks would be interested in tendering for the sort of largess that the Totalisator Administration Board would be dealing in, and there should be protection against exclusive financial dealings.

The provisions of clause 67 (2) are complemented by other provisions that have been brought forward under the building societies legislation, in particular by clause 69, which states—

> "69. Disclosure of interest. (1) Subject to this section, a director of a building society who is in any way, whether directly or indirectly, interested in a contract or proposed contract with the building society shall, as soon as practicable after the relevant facts have come to his knowledge, declare the nature of his interest to the board in accordance with this section."

That complementary provision is very important. I am sad to say that such provisions do not operate across the board in Queensland.

I urge the Minister to take it upon himself, as the State's senior legal officer, to ensure that the proper thing is done in those other realms in which these kinds of provisions do not apply. Reference was made this morning, I think by the member for Brisbane Central, to the existence or otherwise of a close financial relationship between Sir Edward Lyons of the Rothwells Ltd merchant bank and the Premier and Treasurer. The Premier declined to go into that matter, expressing the view that it was a matter that he did not have to disclose—that it was personal. With respect, it is not, and a person in the position of the Premier is not entitled to take that stance, just as a director of a building society is not entitled to take that stance.

The public can only be suspicious of something untoward happening. They can only be suspicious when they see provisions under which a person is kept in a particular

position by extending the retirement age, or overcoming the objections of loyal and long-standing colleagues such as Mr Hinze. It seems to me that there has to be some special reason, certainly in the minds of the public, for doing such a thing. They would look at the chairman or director of a board such as the Totalisator Administration Board or a building society, and say, "There is something suspicious here." Provisions for disclosure of interest and vacation of office are most important to protect Queenslanders. It is a great pity that similar adequate provisions that this Government is prepared to enforce are not contained in the Racing and Betting Act. Clearly such provisions have been breached by Sir Edward Lyons, but for some reason no action has been taken.

Generally, in relation to the legislation, it is quite pleasing to see that careful attention has been given to securing a legal framework that is in the best interests of the long-term security of investors and the industry itself and, to that extent, I commend the Minister. I would like those principles to be extended further. I have raised queries in relation to the operation of a number of other provisions, and I look forward to the Minister's reply.

Mr STONEMAN (Burdekin) (3.12 p.m.): I am delighted that this Bill has the general approval of all members, particularly those opposite, who do not always agree with legislation. That seems to be a tendency of parties in Opposition. I wonder whether, if the Chamber was debating the tiddly-wink reorganisation and support Bill, Opposition members would still have a shot at a supposed link between Sir Edward Lyons and Mr Hinze. It seems to me that Opposition members have devised a framework through which they can find a link between those two people in any respect. I have no doubt that they will continue to do so.

I want to deal with the objects and powers of the Bill. As has been noted by everyone, the Bill is physically very large. It clarifies the legislation that covers building societies. I am very pleased to see that it permits a broadening of the application of funds of building societies, particularly in relation to non-members. It removes many ambiguities and, as the Minister said in his second-reading speech, grey areas.

The Minister said—

> "The aim of the Bill is to provide necessary guide-lines for the industry as well as protection for the interests of the community to allow for a degree of flexibility for building societies and yet maintain statutory control to ensure protection for investors."

That paragraph outlines very simply the aims of the Bill. It has been introduced to meet the demands of modern society, and particularly the needs of people who are served by building societies.

The widening of the scope of lending is to be commended and will certainly very much lessen the need for people, particularly young people, to be hamstrung by hire-purchase and other charges that they have to incur when they go out into the market-place and borrow money, as the Minister said, to make a house into a home. That is a very commendable move.

Another positive spin-off will allow home-owners to increase the value of their asset within the framework of their borrowings by constructing swimming-pools, fences and so on. Probably very few young people will be able to take advantage of that provision, but the flexibility is provided for them to do so. This legislation puts borrowing in the area of home-ownership under what I might term the one roof. People who borrow money from a bank or building society to buy land and build a home often have to take out hire-purchase with Waltons or David Jones to furnish it. In many instances, they also have cars on hire-purchase. Of course, they will not be alloweed to buy cars under this legislation.

Young people need security for their children. They need fences to keep the children in and undesirables out. Unfortunately, fences are becoming increasingly necessary for

security purposes. The legislation will enable home-buyers to enter into one borrowing arrangement for most home needs.

As I said earlier, young people should have access to flexible finance to buy a house and improve it gradually. They should be able to buy an old home and extend it or repair it as needed. Under this measure, they will also be able to buy furniture with money borrowed from a building society.

I understand that the legislation permits money to be borrowed from building societies for the purchase of refrigerators, washing machines and so on. Those amenities are vital in home-making, particularly when both parties to a marriage are working.

Under the legislation, borrowers will not be forced into a vicious circle or on to a treadmill that they cannot get off.

The Bill provides that a building society shall not make advances in excess of 75 per cent of the value of a security to be mortgaged. That 75 per cent could very well become 50 per cent of the value of the asset in a very short time. I should be interested to know a little more about the possibilities under that provision.

I commend the provision by which a third party will have the capacity to give a charge over an insurance policy or an investment placed with a society. In this way anyone can secure the borrowings of those who may not have sufficient asset backing. Parents with money put aside to earn income often wished to assist their children to build up a home. Unfortunately, they could not do that through a building society. They had to convert the investment to cash and pass the money over. Too often, in the family situation, it is very easy for young people to lean on close relatives and say, "We are a little short of money. Will you forgive our interest and redemption payments for a while?" This enables young people, particularly, to get off the hook because their parents or grandparents help them. In that way, hard-earned savings are not compromised.

The effect of interest rates must be considered. The involvement of banks in providing finance for hire-purchase will be only marginally affected by the provision in this Bill, which permits building societies to lend money on a similar basis. In many instances, furniture and white goods such as refrigerators are bought on hire-purchase at interest of 18 per cent or higher, which is a tremendous hurdle for many people to overcome. The lower level of building society funding, which ranges from 13 per cent to 15 per cent, will give a margin of relief.

The Bill will be particularly beneficial for those young people who wish to get out of the flats or units that they are renting and to build up an asset that can, in the future, be converted into a further asset, which can, in turn, be mortgaged against a business that they may wish to start or will enable them to further secure their own future. That is a very commendable aspect of this Bill and it will be of substantial benefit to the community.

I commend the Minister, his departmental officers and those who have been involved in bringing forward this legislation. It obviously has the support of all honourable members, and I am sure that it will be supported by everyone in the State. I look forward to seeing the positive results of this legislation flowing immediately through to the community.

Mr PRICE (Mount Isa) (3.22 p.m.): The honourable member for Burdekin discussed the services that will be provided by building societies. The provisions in the Bill are commendable, and I will use my time to discuss those provisions.

Mr R. J. Gibbs: A bit longer than Mr Stoneman. Three minutes is just unforgivable.

Mr PRICE: I hope that, with your indulgence, Mr Deputy Speaker, I will be permitted to take time to get my point across.

In the few minutes that the honourable member for Lockyer (Mr FitzGerald) spoke, his business acumen became apparent. He stated that people advertise only when things

are going well. I do not think that the advertising industry would take too kindly to that statement. That industry attempts to instil the reverse principle into the business community by endeavouring to get people to advertise when things are bad.

When speaking to several provisions in the Bill, I will raise a ghost or two from the past. I suspect that this Bill contains moves to point the financial structure of Queensland in the right direction. If that is so, it is extremely important that this legislation be correct in all its provisions. Other members who have spoken have dealt fairly comprehensively with its content, and the clauses will be discussed at the Committee stage. In the light of recent changes in Australian financial circles, the grey areas in the Bill must be clarified. Many of the measures that have liberalised the financial world have been welcomed.

I accept that the Bill will make more money available for housing, and it may even bring interest rates down in the long term. This will be attained through the attachment of building societies to the secondary mortgage market. That is not an original move and it is very late in coming. However, it is a good move and will liven up the money-market, and it will free up and activate sleeping assets.

Allowing building societies to enter into agency arrangements with banks from both within and outside the State, with other societies, financial institutions, corporations, insurers and credit organisations to provide additional facilities and additional services for depositors augurs well for competition in the financial arena. The provisions will be a great boost for the SGIO Building Society, which will be allowed to broaden its role and improve its efficiency.

The similarity of the Bill to the New South Wales building society legislation must be more than coincidental. I do not offer that as a criticism, as it will increase competition. The SGIO Building Society seems to have an unfair advantage over its competitors. It is a fact that the general public's concept of the SGIO Building Society is that it is a part of the State Government Insurance Office, thereby being a part of a statutory body and having the prime security of 10 or 11 other societies in the State. The SGIO Building Society does not endeavour to contradict that belief. It well and truly knows the value of that and capitalises on it—the others say, unfairly.

The State Government Insurance Office controls the SGIO Building Society. Its board approves all loans, and not only does it appoint three of the society's six directors but it holds all of the voting shares. The Government's stake in this is that, by not forcing the SGIO Building Society to accept a name change, it encourages the falsehood. If the SGIO Building Society fails or weakens, that will surely reflect on its perpetrator. For that, I condemn this Government, which purportedly champions the free market.

I do not believe that the favouritism ends there. I have been told that the society's contingency fund contributions are discriminatory.

In his second-reading speech, the Minister said that the increased competition that the societies face is evident in the recent admittance by the Commonwealth Government of 16 foreign banks into Australia. I do not really believe that those banks will have much impact on Queensland. They will not go into country areas. The costs of that sort of courage are astronomically high and the rewards are just not there, particularly in the present state of the Queensland economy. The foreign banks will be more interested in the large and the small corporation loans. I cannot see them moving into the retail money field, which will be left to those in the present banking system—who already have the coverage—Westpac, the National Australia Bank and the ANZ Bank. Those are the institutions that will be competing with the building societies. They will service the general public—that is, other honourable members and me and our neighbours.

Other competitors from interstate will be allowed to practice in that field. That is happening now. Last week, I spoke to the principal of a Brisbane firm who had just negotiated a loan with the State Bank of South Australia. Interestingly enough, that bank owns Beneficial Finance Corporation Ltd, a corporation that is covered by the definitions

contained in the Bill. As well, other State banks are revving up and moving into Queensland.

It is the policy of this State's alternative Government to establish a State development bank. In recent years, calls have been made, particularly by the former leader of the parliamentary Labor Party, for the Government to enter the commercial field with its own State bank. The time is now ripe for the establishment of such a facility in Queensland, which is the only State without a State bank. That lack precludes Queenslanders from maximising their participation in resource and developmental projects and prevents access to an important avenue for finance for housing, building and construction, rural industries and small business.

I will take a little of the time of the House to read part of a document that was published on 10 June 1983—

> "My support for a Queensland-based State bank is well known, and on sundry occasions I have spelt out the benefits to be won from creating our own State bank to serve Queensland interests.
>
> Indeed, during recent years the Government has conducted a number of investigations into the creation of a State bank.
>
> A State bank is most certainly within the reach of the State Government.
>
> The benefits are obvious.
>
> Other States are reaping benefits which we are not.
>
> One report to hand lists some 20 specific political and economic benefits.
>
> Included in these benefits are such things as an increased ability to direct advances to areas of specific need, greater independence in the setting of priorities, annual contribution to consolidated revenue as now experienced in other States, the stimulation of competition, an independent credit creation mechanism for the State Government, and a degree of financial and banking independence for the State. There are many other benefits which this State cannot now exploit because it lacks a State banking capacity.
>
> It has long been my belief that the State Government should build up a body of technical expertise in banking and related fields to provide a counter to Federal decision-making which has a negative influence on Queensland.
>
> The public is still calling for lower costs, lower interest rates and a fall in inflation.
>
> The State Government is also considering the problems facing local government very carefully."

Mr DEPUTY SPEAKER (Mr Row): Order! I remind the honourable member that he is moving a long way from the Building Societies Bill. I am obliged to ask him to return to the subject under discussion.

Mr PRICE: Mr Deputy Speaker, I take your point. In a round-robin fashion, I am doing that.

The statement to which I have referred was made by the Premier and Treasurer (Sir Joh Bjelke-Petersen) and was taken from the publication entitled "Personally Speaking" dated 10 June 1983.

Mr Borbidge: Do you agree with it?

Mr PRICE: I definitely agree with it.

Why has the Government not moved in that direction? Again, it is not new. It has been around since the State's inception. The principle allowing a State bank to be formed is enshrined in the Australian Constitution. The High Court of Australia supported the exception of State banks from the Federal sphere of influence with a statement in a case in 1947. Again, with your indulgence, Mr Deputy Speaker——

Mr DEPUTY SPEAKER: Order! I am not going to indulge the honourable member much further.

Mr PRICE: I wish to refer to that case because it has extreme relevance to the Building Societies Bill. A State bank would extend some of the facilities already being offered to the general public by this Bill. Those matters can be extended through the provision of a State bank and also provide to the people of this State some of the facilities and advantages that I have mentioned already.

I refer to a judgment in a bank nationalisation case that was heard by the High Court of Australia in 1947. It states—

> "The exception of State banking means that a general law of the Commonwealth governing the business of banking cannot affect the operations of a State Bank within the State concerned. The express inclusion in the federal legislative power of State Banking extending beyond the limits of the State concerned gives added point to the exception. For it shows that State Banking was contemplated as a possible function of government which should be excluded from the operation of federal law within the territorial limits of the authority concerned "

In the facilities being offered and in the consolidation of the facilities brought forward by the Building Societies Bill, I see a move in the direction of a State bank. Particular emphasis should be placed on the benefits that are obtained not only from the Building Societies Bill but also from the lead into the premise of having a State bank.

The Premier first promised Queensland a State bank in 1974. It seems no closer now than when it was first promised. Or is it? Are honourable members, through this legislation, seeing the lead-up to such an institution? Have the Keating initiatives shown the way? Has the fear of it being a socialist plot been dissipated? Has the Premier and Treasurer finally outgunned his leader, Sir Robert Sparkes, who, honourable members might remember, opposed such a move?

The machinery is there. I would say that a decision has been made to forget about the Bank of Queensland, although recent moves have indicated that perhaps, in time, the Bank of Queensland will be taken over and called a State bank and used for such a purpose. In its present form, unless it has the help of the SGIO, it will not be able to afford to set up State-wide banking facilities and attack the retail market. On the other hand, if the SGIO does take over the Bank of Queensland, it will have the necessary expertise and there will be no need to set up a bank from scratch.

In 1966 Sir Gordon Chalk, in dismissing the idea, cited the high cost of setting up the facilities to serve the public adequately. He said that it was impracticable and that it would place a heavy drain on State funds. If, as the Premier and Treasurer and the Deputy Premier and Minister Assisting the Treasurer keep saying, the State's economy is rosy, and if the provisions contained in the Bill are revving up the SGIO, which has a State-wide coverage, the time is now. The State of Victoria introduced a State bank under a Liberal/National Party Government. Why cannot the Queensland Government do so? Certainly a State Government with any intelligence would adopt the tactics of New South Wales and Victoria in its own philosophy instead of protesting in effect that rape is inevitable.

The benefits are many and, as I mentioned previously, surely the State could patronise its own bank rather than resort to the money market. That would save Queensland large sums in interest and service charges. It could provide funds for local government, essential State works and capital programs of semi-government authorities.

Electricity boards and the Railway Department would also benefit from greatly reduced rates on loans.

The best reason to begin now, of course, is the frightening condition of the Queensland economy. The Queensland State debt shows an astronomically fast rate of growth. With your permission, Mr Deputy Speaker, I wish to include in "Hansard" figures cited by the Australian Bureau of Statistics on the public debt in the State of Queensland from 1950 to 1983. I will not bore honourable members with the details. In 1951, for instance, the total debt was $323.3m, giving a figure of $275.28 per head of population. In 1982 the figure was $2,122,100,000 and $885.50 per capita.

Mr DEPUTY SPEAKER (Mr Row): Order! I understood the honourable member to say that he wished to incorporate the document in "Hansard". I am afraid that, as I have not sighted the document, I cannot accept it. There are certain limitations upon the incorporation of documents in "Hansard" I know those requirements and, as I have not sighted the document, I will not take the responsibility.

Mr PRICE: I would like the figures incorporated in "Hansard", not the total document. I table them for your perusal, Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! I will accept that.

Mr PRICE: The latest figures that I could obtain on the public debt in the State of Queensland are for 1984. The figure is $2,290,950,705 and the debt per head of population is $920.80.

The picture is similar in relation to local authorities. In 1971 the debt was $488.5m. Ten years later, in 1981, it was $1,336,000,000, which is a 277 per cent increase. I can update those figures for "Hansard". I will table the rest of the figures. Those figures are indicative of the state of the public debt in Queensland and how the freeing up of Queensland's banking system through the provisions contained in the Bill—and idealistically if a State bank is introduced—could help.

Surely there is enough reason there. If the National Party Government does not do it, I am sure that the Labor Party, when it is in power in 1986, will. A Labor Government would establish a State bank, which would provide housing loans; personal finance; infrastructure development; funds and sophisticated financing techniques for the development of natural resources; employment-creating ventures in small and medium-sized companies by giving advice on funds control; new technology in small and medium-sized companies; and advisory services on investment opportunities and potential.

Legally, the Queensland Parliament has absolute power to establish and operate a trading bank within the State. After the end of 1986, when the 20-year agreement with the Commonwealth Savings Bank concludes, the Government could operate a savings bank as well, without interference from the Commonwealth. The Federal Government could block the Government's move through the SGIO to take over the Bank of Queensland, but it cannot interfere with the State bank. All other States have one. All have succeeded in vigorous competition.

Mr DEPUTY SPEAKER: Order! I consider that the honourable member's speech is a long way from the Building Societies Bill. Perhaps I have allowed him to go much further than I should have. If he does not deal with the provisions of the Bill, I will have to ask him to discontinue.

Mr PRICE: The further exciting of the money market by the inclusion of a State bank in Queensland would benefit us all. I rest my case.

Whereupon the honourable member laid on the table the documents referred to.

Mr GYGAR (Stafford) (3.42 p.m.): The Bill forms part of an extensive group of legislation being introduced all over Australia to free up the regulation of financial institutions. It is worth noting that this type of legislation—we are all aware of the

thickness of the Bill and appreciate the time that it would have taken to compile—could not come into being without a great deal of forethought and farsightedness on the part of Governments. It should be noted by all honourable members that the Bill would not be before us were it not for the activities of Liberal Treasurers and Ministers in former Governments of this State. I do not detract from the contribution made by the Minister or from the extensive series of consultations and advice that he has taken in recent months, but it must be recognised that the process started long before that. The Bill has taken years to compile.

The Bill reflects years of work by the Government and departmental officers to give the Queensland building societies the tools that they need to survive, prosper and provide service, which is most important in these days of deregulation. It must be noted also, however, that the Bill contains many restrictions—valid restrictions, admittedly—on what building societies can and cannot do. I urge the Government to be prepared to move quickly if in future, as new banks come on stream and as more changes are undoubtedly made to financial arrangements within Australia, building societies need more powers or different powers to remain competitive.

Over recent years building societies and their activities have expanded greatly in Queensland. They have done so to the benefit of consumers—home-builders and home-owners—particularly young people, who otherwise would have had no opportunity to own their homes on reasonable and equitable terms. The building society industry is now a bastion of savings and investment of the little people in this State. Building societies deserve the greatest consideration by Governments and the greatest assistance, and the Bill is a good example of what can and must continue to be done to assist this thriving and worthwhile industry.

It is also interesting to note that the Bill is the first update of powers that will be introduced in the eastern States of Australia under new arrangements that will be introduced. That will be the first good review that has been undertaken, and it is a credit to the Government and the Minister for Justice and Attorney-General (Mr Harper), and the Minister's predecessors, that the Bill has been presented in such a timely manner.

The Bill involves giving a number of new powers to building societies. The important ones relate to consumer durables and home improvements. No doubt most people find it more comfortable and convenient to have all of their borrowing power concentrated in one financial institution. Up till now, people have had to face what is really a ludicrous situation. They have had to apply to consumer credit organisations for finance to buy white goods for a house that had been purchased with assistance from building society finance. When it came to making certain improvements, such as extensions, landscaping, inclusion of a swimming-pool or ancillary buildings, people were unable to go back and apply for finance from the major lender. That meant that home-owners were involved in a series of loans across three and perhaps four different financial institutions in order to obtain the finance that was needed. In contrast to that, the Bill will allow them to apply to the institution in which the bulk of their financial power is concentrated, namely, a building society. It will allow people to continue to deal with a financial institution that makes them feel most comfortable because of the duration of dealings they have had, and also to concentrate in one institution all of their credit arrangements that revolve around acquiring a home. That is to be applauded.

Clause 32 makes provision for building societies to make home-improvement loans. In seeking clarification, I ask the Minister to turn his attention to the provisions of clause 32. I think all honourable members would understand the difficulty associated with reading, co-ordinating and understanding the 177 pages contained in the Bill. On my reading of clause 32—although other clauses in the Bill probably limit its operation, I have not discovered any in my perusal—it appears that the board may resolve to make advances to members and to "any person who is not a member".

In the definitions in the Bill, no definition of "person" is given. The Bill does not state whether a person is a natural person or a person in the legal sense of the term. I

point out that the standard interpretation of the word "person" that is used by courts nowadays relates to both real people and people in the legal sense. The first point of clarification I raise with the Minister is whether "person" means only real people. Or does "person" also have a legal connotation?

Clause 32 (2) (iii) states that such loans may be made for the following reasons—

"(iii) purchasing, developing or improving the land upon which accommodation for residential purposes is, is to be, or is being constructed; or"

If the term "person" includes a legal connotation, one could read that as providing that a building society can advance moneys to development companies. I realise that that is not the intention of the formation of building societies; nonetheless I wonder whether it is the intent or effect of the provisions. I ask for clarification by the Minister of that matter.

I do not think that any honourable member would want to see building societies become the repositories of funds for speculators, and I hope that will not be the case, either intentionally or accidentally, because of the provisions that have been drafted into the Bill.

Another power given to building societies is power to act as recipients of approved trustee investments. The inclusion of that provision is logical and excellent. An amendment to the Trusts Act will allow trustees to deal directly with building societies when making investments. Because of the method of operation of building societies nowadays, with the multiplicity of savings plans that are offered—term, on-call, fixed deposits and attractive rates—that provision will be a boon to trustees, particularly in the cases of transient trusts that are involved in the winding-up of estates or moneys that have to be temporarily deposited in, for instance, small amounts.

I am sure that a number of trustees will take advantage of this amending provision, and will find that provision extremely helpful in the administration of small trusts. That is also to be applauded, and will be of great benefit to consumers all round. If trust funds are to be invested, what better place to put them than in building societies, where the money will become available for the housing of their fellow-Queenslanders?

I also applaud the inclusion of such things as funds transfer arrangements, because funds transfer will become bigger and bigger in days to come. Building societies certainly have a definite need to be involved in that field. That has already been demonstrated by the fact that 10 of the 11 building societies have already established their own funds transfer service, which they intend to take advantage of at the earliest opportunity.

The other improvements that allow societies to have access to credit card organisations and the rest of it fall into line with the philosophy of one-stop financial shopping that building societies will now be able to offer. It is a progressive step; it is a developmental approach and one which, I am sure, will meet with the approval of the vast majority of Queenslanders.

I can find no difficulty with the Bill overall, and no errors or problems apart from the clarification that I seek in relation to clause 32. I am sure that, buried in the Bill somewhere, will be a provision that makes sure that the funds go only to people seeking homes and not to speculators.

Naturally the Liberal Party supports the Bill. After all, we were one of its architects, and we are delighted to see that it has been developed in such a comprehensive way.

In talking of building societies and lending funds, however, I raise just one point, and it relates to ballooning loans. In recent years, in the United States there have been developments that must cause considerable concern to young people in the purchase of homes. Up till now, the standard practice in Australia has been that people will be lent money at repayment schedules that do not exceed 25 per cent of their gross income. That means that they will not go broke paying off their house.

Many people find that restriction onerous. They say that they are prepared to make sacrifices and pay more than 25 per cent in an interim period. To get over that problem, building societies and other lending institutions in Australia have calculated lending schemes which allow lower repayments at the start and a build-up in the expectation of higher inflation and advances in salary. There is nothing wrong with the present practice in Australia.

I hope, however, that the Government and the institutions will make sure that it stays that way and that they do not follow the United State practice, by which ballooning loans increase repayments to enormous proportions very quickly. That happens when people are sold a pup by slick salesmen. They take out loans on which the repayments may very well be only 25 per cent of their gross salary, but within two or three years, they find themselves committed for over 50 per cent of their gross salary, and they just cannot pay that sort of a percentage. To date, Australia's lending institutions, the banks and the building societies, have shown themselves to be extremely responsible. I hope that, with the increased competitiveness that is entering the financial market, they are not tempted to seek to use those American practices here.

One hears too many horror stories from the United States of people purchasing homes as a result of slick salesmanship, beginning by paying a reasonable percentage of their gross salary and then, two or three years down the track, finding themselves completely losing their equity because a depressed housing market has reduced the price of their home. They cannot afford the repayments; they get out and the house is sold at auction. That usually generates only just enough to cover the loan. Some people find that the auction price does not even cover the loan, so, after three or four years of scrimping and saving, they end up not only with no home but also with a debt hanging round their neck for years to come.

As I have said, Australia's present practices, as administered by the banks and societies, have been eminently responsible. However, competition is deemed to be somewhat grimmer these days with the entry of other banks, and I hope that elements of the Government will keep an eye on that aspect to ensure that that problem does not occur.

Mr Milliner: Don't you think a lot of the real estate agents are to blame for the way they get people into houses by making arrangements for other loans through finance companies so that people appear to have deposits and that sort of thing?

Mr GYGAR: I have not struck a great many complaints about that. I know what the honourable member means, though. People are told, "Whip down and get a Bankcard and that will get you $4,000, and hop round the corner and hock your car and that will get you another $6,000." Regrettably, because people are going to other sources of finance, I do not know that there is much that can be done about that sort of thing. There is an old saying about a fool and his money being soon parted.

I should hope that the ethics committee of the Real Estate Institute of Queensland will keep its eye on such practices. I do not know that there is much that Parliament can do about them. If someone is crazy enough to get two bankcards, with a limit of $8,000, a personal loan for a further $6,000, and a deal round the corner covering a few more thousand dollars, realistically, what can we do? If there is a solution, I should like to hear it. I am well aware of the problem, and I think that it should be raised, but what can be done? What can be done is being done in this Bill and similar legislation to ensure that the responsible lenders have a clear and set framework in which they can operate and a set of rules that they and the public can understand and that Queensland has a further development of responsible home-financing institutions that are given the support and encouragement of Governments and political parties of all colours—I was glad to see that happen today—so that the maximum finance, on the most beneficial terms, is available to the people of the State to help them own their own homes.

I applaud the Bill.

Mr D'ARCY (Woodridge) (3.56 p.m.): I support the Bill and I realise the necessity for it. As has been said by other members, the freeing up of financial institutions in Australia is a sign of the times. Building societies that deal at street level and are, to some extent, middle-money managers, should have the same technical facilities that are available to the rest of the industry. The Bill will move building societies fairly quickly into a wide technical age that they have been trying to enter. To that extent, members must be even more vigilant of the rights of their constituents, the people who are using the money system. Money management is the name of the game. It is referred to in all newspapers. I note that today's "Gold Coast Bulletin" contains an investment guide.

Some of the matters raised by the member for Stafford were to the point. When legislation of this nature is introduced to extend a right in this modern age of technology, within a short time somebody is just a little smarter and is able to use it for his own purposes. We should ensure that safeguards are provided to protect our constituents against the slick operator.

The Minister has been ever vigilant in this area. I highly commend what he has done, particularly in the security area. The Ministerial Council of the National Companies and Securities Commission has introduced many changes in recent times. Some of them will come into effect on 15 April this year. The Minister has had much to do with them. He has been well aware of some of the loopholes in the securities industry. The Corporate Affairs Commission in Queensland and the National Companies and Securities Commission were able to present a very good case which was accepted at the last two meetings of the ministerial council. The building societies will be affected, and property trusts will be more directly affected. Some of the recommendations applied to building societies and property trusts. The projected performance of property trusts will come under much closer scrutiny in the new arrangements to be introduced on 15 April.

The building societies have left much to be desired in the way of property valuations. To a large extent, the defects have been cleaned up, but the NCSC, through the corporate affairs commissions, will insist that the trustees of the various property trusts will be responsible for appointing a valuer. The arrangements concerning the repurchase obligations of those organisations will also be tightened.

The proliferation of investment advisers has been of concern to investors. The Minister was very aware of that concern. Virtually unqualified people could be licensed as investment advisers or could set themselves up as investment advisers. Now they must meet stringent criteria. Trustees will give greater cognisance to what managers are doing and will have more control over investment advisers.

Advisers are now liable in law for the advice that they give. Secret commissions have always been outlawed but have always been easy to get round. With the new measures, transactions will be more open, and the chance of an adviser being caught out will increase. Because investment advisers have become more liable, they will be much more careful about taking such commission from the top, bottom and both sides. The practice adopted by building societies and property trusts of taking properties from both ends of the market hurt the community.

Over the years, many businesses that have been involved in the property market have gone bust, and I refer to the Mainline Corporation, Cambridge Credit and the Korman group. One of the reasons for their failure could be found in valuation. The main reason was that they became greedy and charged high management fees. They also creamed money off the top, whether it was from building contracts or from the sale or purchase of properties. Such companies also operated with the happy thought that property values always increase and that it would not matter how much money was taken out of the trust. They believed that, after 10 years had elapsed, the investors would not notice and would think that they had been done a favour. When a downturn occures in the property market, as has happened over the last couple of years, the people who have taken the public for a ride realise what they have done.

The community seems to believe that building societies and property trusts cannot go bust and that they are Government-guaranteed. People seem to think that, because trusts can advertise in the paper and on television, they are gilt-edged securities. That is not the case. The security of a person's investment in a trust relates to how it is managed and how it performs. A trust must meet the guide-lines of the Commissioner for Corporate Affairs and of the National Companies and Securities Commission. Security also depends on the honesty of the people who are running it.

Recently, difficulties have been experienced because a number of trusts have gone to the wall. One such trust was the Balanced Property Trust, which owned properties on the Gold Coast. Many of its investors, mostly elderly people, were locked in to the trust. They want to know when they will see some action.

Some time ago I sought information from the New South Wales Commissioner for Corporate Affairs about who was responsible for the prospectus of the Balanced Property Trust group. The group was recently taken over by Telfords, which is involved in motels and hotels. Because trading was suspended, it was intended to lump 10 trusts into one trust and list that trust on the stock exchange. The New South Wales CAC has not been able to do that under Telford's management of the trust. In fact, a trustee has not yet been appointed. Queensland people have inquired about what is happening. Because of the suspension in trading, the listed trust is not expected to hit the market this year. As most people who read financial magazines would be aware, at the present moment the appointed manager has trouble with some of its own listed property trusts. Because of that, there has been a time-lag in setting up both the trustee and proper management facilities.

The fact of life is that those elderly investors—thousands of Queenslanders have small investments in Balanced Property Trust—cannot expect any action this year. When something happens, their money will be tied up in one listed property trust that will deal on the market.

I am informed by the solicitors for the New South Wales Corporate Affairs Commission that there is a good chance that, at the time of listing on the stock exchange, the people in Balanced Property Trust may have a moratorium even on the selling of those shares on the market.

That such a large number of elderly investors, many of whom will probably pass on before they can get access to the moneys they have invested in that group, are involved is a tragedy. Quite a few of those people are constituents of mine.

In relation to the problems with the Telford group—I was rather shocked that, in October last year, when I mentioned some of those problems in the House, I was described by the chairman of that group as being "unbelievably irresponsible". Just by looking at financial journals most members would be aware that that institution owes many millions of dollars in back rents to its property trust funds.

Some of the clauses, such as the one that provides for loans for home improvements, swimming-pools, etc., are very sensible. That should have been allowed some time ago.

What I am concerned about are the technical changes affecting investment. I am sure the Minister will keep pace with that, because in that area we must be ever vigilant. There are people and societies, and people within societies, who will take advantage of any loopholes. All honourable members are aware of how rapidly the technical knowledge within the investment industry is changing.

In the last few years, building societies have lost any stigma that attached to them a decade ago. At the present time, they are a trusted investment for the small investor in this State. It is up to the members of this Parliament and especially the Minister and the Corporate Affairs Office to give those people full protection.

At the same time, however, the investors should be warned. The member for Mount Isa (Mr Price) warned of the connotation attaching to the name of the SGIO Building

Society. He also advocated a State bank, which is something that the Labor Party has been advocating in this State for some time. It would be a tremendous advantage to the securities industry of this State. I commend the Minister for taking the initiative in changing the technical aspects of this part of the industry, and I hope that the Parliament can continue to protect the rights of the small investor of this State.

Mr SCOTT (Cook) (4.8 p.m.): I add my support to what my colleagues on this side of the House have said. I will add a phrase of my own—it is good old socialist legislation. It is great to see such legislation brought forward again by the National Party Government.

Mr R. J. Gibbs: The national socialists.

Mr SCOTT: Yes. I had forgotten that party's proper title.

It really is socialist legislation, and it is lovely to see it espoused in such a thick document as the Bill. The Government has dotted every i and crossed every t to make sure that socialism works in the areas in which it wants it to work. The Bill is a progressive one, probably for the reason that I have just mentioned. Today the Opposition is offering a rarely deserved compliment to the Government on this legislation.

I do not wish to say much about the Bill. It has been covered very well by the Opposition spokesman (Mr R. J. Gibbs) and following speakers. I think Mr Gibbs handled it particularly well.

Mr McPhie: What about Mr Price?

Mr SCOTT: I said, "and following speakers" The member for Mount Isa (Mr Price) made a very good contribution.

I wish to speak about the impact of the Bill on a community such as Thursday Island. I ask members on the Government side to take the smiles off their faces, because housing is a very important matter on Thursday Island. I notice that the Minister for Works and Housing has come into the Chamber.

Mr Harper: You brought him in.

Mr SCOTT: Yes.

Mr Wharton interjected.

Mr SCOTT: No, it was not that that brought the Minister in. It is just that lately the Minister for Works and Housing has done so much for me that I know I am very much on his mind. I am very happy about that.

On Thursday Island, there is a concern about a lack of popular housing and a lack of land for housing. I am interested in some clauses of the Bill. A privilege has been extended to housing societies to use all the means that are available to modern lending institutions to extend financial facilities to areas such as Thursday Island. I urge the building societies to open at least one agency on Thursday Island.

I am using the time allotted to me in this debate because very often I am asked, "Is what honourable members say in this Chamber of any use?" I know that it is. Having made speeches in this Chamber, I have almost immediately been contacted by a member of the Government, a departmental officer or some other person who has said, "We have already received a copy of what you said in Parliament. We are very interested in what you said." I hope that building society representatives who read the speeches in "Hansard" will take some note of the needs of the people on Thursday Island.

It is interesting to note the reason why the need for building society facilities has arisen on Thursday Island. The Minister for Works and Housing (Mr Wharton) would be very much aware of what his department has done on Thursday Island. Inside my desk, I have a question that I have drafted. I hope that an opportunity presents itself

for me to ask that question before the House adjourns for the winter recess. The question is: How many accommodation units does the State Government have on Thursday Island? I am not going to put it in such a way that the Minister for Works and Housing will say, "I do not need to answer the honourable member's question because he has answered it already." However, I can say that a vast number of accommodation units on Thursday Island are taken up by the Queensland Government. The effect of that has been to deprive ordinary people, particularly the working people, of accommodation on Thursday Island. Newly married young couples are anxious to establish their own homes on Thursday Island. Because of the high housing costs that have been brought about by the activities of the Queensland Government, they are unable to do so.

The population of Thursday Island is largely made up of necessary administrative State and Federal public servants. The people on Thursday Island who are looking south seem to be at the wrong end of the Cornucopia, the horn of plenty. The people who seem to be at the right end of the horn of plenty are those who benefit from Government activities in the area.

Governments are able to spend handsome sums in buying houses and land. The price of land and houses has been forced up, and land and housing are very limited. The Government—I must use the generic term—seems to have a plan to develop housing areas on Horn Island. I have never known a Government to have so many things in the pipeline and be able to talk about so many things that it is doing without achieving any result. A multidepartmental committee is supposed to be examining development on Horn Island. It takes in the ambience of many Government departments that are involved in the Torres Strait. Representatives from that committee are supposed to be considering the expansion of a housing area on Horn Island. A dormitory area would be serviced by speedy water transport. Land would be provided and the opportunity for building would also be provided. That is where building societies may be able to fill a gap that the Queensland Government does not seem able to fill.

In this Chamber, I have often stressed the need for Housing Commission houses in remote parts of my electorate. On just as many occasions I have been told that it is far too expensive to build in that area. I do not know what sort of an argument that is. If it is too expensive for the Government to build houses in that area, goodness knows how it is possible for ordinary people to build there. People are needed on Thursday Island. Young married couples should not have to leave Thursday Island and go looking for jobs in the southern part of Australia. That only adds to the depopulation of the area that has occurred over a number of years. The Government has been extremely narrow-minded in its policy by buying land and building what must be fairly expensive housing. Although it has denied those people that right, it has not opened any other doors. The Government is very remiss in not recognising the problem and not taking some action to come to grips with it.

In my opinion, subsidised housing should be provided on Thursday Island. Cheap land is needed. It is an old cry from many people in Australia that Governments should provide cheap land. I know that the Government simply cannot provide land that is too cheap. Land that is too cheap is worth what is paid for it. However, it is essential that land be made available to young people on Thursday Island. I do not know why the Government is not doing anything about it; I do not know why the Government does not recognise the problem. I hope that, as a result of my plea to the Government and the building societies, action will be taken.

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (4.16 p.m.), in reply: I thank honourable members for their contributions to the debate.

The legislation is proof of the Government's ability to respond to community and industry needs. It should stimulate existing encouragement to people who are prepared to do something for themselves. That is a philosophy; but it is not a socialist philosophy, as has been suggested by some Opposition members. Unlike the socialist element in the Opposition—admittedly, not all Opposition members are socialists; the honourable

member for Mount Isa indicated clearly that he is really a capitalist—the Government believes in encouraging people to do something for themselves, not giving them everything. People appreciate something when they have a hand in providing it for themselves. That is what the Bjelke-Petersen Government is all about—encouraging people to do something for themselves.

The honourable member for Wolston, who is the Opposition spokesman, referred to advertising. Again, the Bill adopts a democratic attitude—again a response by the Government—by adopting a device of putting the onus on the societies. Until the present time, the advertising of building societies has had to be approved. I have agreed to give them an exemption from that requirement. As long as the building societies play the game, they will be given a free hand. In my opinion, most people respond to that sort of approach. I believe that the building societies will be no exception and that they will act responsibly.

The processing of loan applications and approval to the SGIO Building Society by the State Government Insurance Office, to which the honourable member referred, is a contractual arrangement between the State Government Insurance Office and the SGIO Building Society. They are two entities. I understand that the contract has about three years to run, although I am not privy to the terms of that particular contract.

The reason why Queensland was not afforded the opportunity to host an overseas bank is very obvious. The honourable member referred to the fact that his comrades in Canberra have seen fit not to allow Queensland an opportunity to host an overseas bank. I suggest to the honourable member that the reason is quite obvious. The socialist attitude of his comrades in the Federal Government decrees that that should not be, that a democratic Government such as the Queensland Government should not be allowed that privilege. I say to the honourable member that that was a case of centralism at its very worst.

The honourable member asked a direct question about payments made in regard to the establishment of the Mortgages (Secondary Market) Board. I will give the honourable member a direct answer. I am not aware of any payments made to Sir Edward Lyons of the type suggested by the honourable member. Sir Edward Lyons, in common with other members of the board, will receive payment as a member of the board at rates prescribed for such board members—no more and no less.

I will correct one statement made by the Opposition spokesman. Building societies may be registered as a registered issuer or packager—this is under the terms of the Mortgages (Secondary Market) Bill—but it is not at the discretion of the Minister under clause 228.

Another point made by the honourable member related to the issue of cheques by building societies. I suggest that that is facilitated by clause 60, which allows agency contracts and agreements with corporations, including banks.

The final point of the member for Wolston to which I reply relates to the present balance in the contingency fund. I am advised that at present it is $8.9m and that it is earning an average of approximately 13 per cent. The most recent investment made through the Treasury was at 13.75 per cent.

The honourable member for Lockyer (Mr FitzGerald) contributed to the debate. Because of a comment made by the Opposition, I point out that the honourable member for Lockyer is a senior member of my parliamentary committee and has been a member of that committee ever since his election to the Parliament. The understanding of the Bill that he demonstrated is not surprising, considering the involvement that my committee has had with the development of the legislation.

The Opposition spokesman on Lands, Forestry and Police (Mr Goss) asked a number of questions. He referred to the registration of building societies and referred to clause 11. The Government set out to provide a degree of flexibility in the Bill. The sum of money to be made available in accordance with clause 11, either prior or

subsequent to registration, may be varied under subclause (5), to which I direct the member's attention, by which the sums specified "may be varied by Order in Council" That will take into account any future inflationary trends and allow a degree of flexibility.

The honourable member for Salisbury also asked about fidelity guarantee insurance. Again, a degree of flexibility is provided. As to the matter of approval by the Minister and the grounds on which such approval is made—I direct his attention to lines 30 and 31 on page 13 of the Bill and point out that the clause is identical with section 29 of the present Act. No grounds on which a discretion may be made have been predetermined. It would be a matter of determining individual cases.

If the registrar fails to take action to register an applicant—this is another point raised by the member for Salisbury—the corporation may enforce action by issuing the appropriate writ requiring the registrar to take action.

The honourable member for Salisbury referred also to a matter covered by clause 38 (4). I put forward the same argument for a fixed fee for documentation by a building society as that which is used by the legal profession for its documentation. As he well knows, the profession applies a scale of fees depending on the degree of liability, should it arise. I mention that at the Committee stage I will be amending that provision.

Mr Goss: You say it is the same liability that applies to the legal profession in conveyancing. What is the comparison? What is the same liability that the building societies have?

Mr HARPER: The building societies have the same liability in regard to the fixed fee for documentation. However, I will be amending that provision and I will not comment further until the Committee stage.

The honourable member for Salisbury raised a matter that related to clause 60. I point out that it was not intended to have the Minister's decision reviewed, as he is virtually the source of appeal from the registrar's decision.

Clause 15 makes provision for appeals from a registrar's decision on registration, rules and change of name of building societies, to be lodged with a court, and I have previously referred to that. Although no general provision relating to appeals has been included, decisions made summarily can be referred to the Minister.

Mr Prest: Do you realise that in the House at the present time there are no Liberal Party members and only one National Party member?

Mr HARPER: It is an incredible situation, and that is probably the reason why the Opposition spokesman for Lands, Forestry and Police entered into the debate so strenuously, and did not leave the debate to the Opposition spokesman for Justice. It is incredible that the Racing and Betting Act has been discussed at considerable length and in great detail.

However, it is pleasing to note that, during the course of the harangue of the honourable member for Salisbury, he advocated the exercise of common sense in determining the disqualification or otherwise of committee or board members.

The honourable members for Burdekin (Mr Stoneman) and Lockyer (Mr FitzGerald) are members of the parliamentary committee that was involved in development of the legislation that is presently before the House. I mention that the Bill, as the honourable member for Burdekin said, will enable people to own a home rather than merely a house. Moreover, people will be able to borrow, on terms of an uninsured loan, up to 75 per cent of the value of the property. That is provided for in clause 34. Naturally enough, as the property value increases, so does the borrower's equity in the property. The borrower is therefore in a position to seek increased loan funds and have the mortgage increased.

The honourable member for Mount Isa made a contribution, and it should be remembered that he is one of those odd factions of the Opposition. In thanking him

for his contribution, I point out to him that the SGIO Building Society is not part of the State Government Insurance Office.

Mr Lee: That is true.

Mr HARPER: I thank the honourable member for Yeronga.

The honourable member for Stafford (Mr Gygar), who is not in the Chamber at present, unfortunately, referred to the part played by the Liberal Party in the preparation of the Bill. That was also referred to by the honourable member for Yeronga. I understand that the preparation period extended over approximately 12 years, so the honourable member for Stafford was correct in saying that preparation began years ago. However, it was not until the Bjelke-Petersen Government discarded the fetters of Liberal Treasury administration that the objectives were able to be attained. In 18 months, the National Party Government has been able to bring to fruition the hopes held by the industry.

Mr Lee: That is a bit rude. The Minister is being a bit rude today.

Mr HARPER: Not to the honourable member for Yeronga.

The honourable member for Stafford also raised the question of the definition of "person" Whereas a trend has emerged in other jurisdictions that allows building societies to develop housing estates—and I think Western Australia is a typical example—or at least to provide multiple housing units, clause 39 of the Bill provides that a loan may be made to a corporation as a special loan. Any such advance, though, is limited to the provision of residential accommodation. At the Committee stage I propose to amend clause 39 to clarify the requirement that special loans be available only for residential purposes.

The honourable member for Woodridge (Mr D'Arcy) participated in the debate, and I am appreciative of that. I am aware of his concern about property trusts. I have appreciated the responsible attitude adopted by him to problems in that area, of which he has become aware. It may be appropriate to mention that the newly appointed chairman of the National Companies and Securities Commission lunched with me today, albeit very briefly because of the necessity for me to be in the Chamber. I point out that, naturally, during luncheon, we discussed initiatives that have been and are being taken in the area of property trusts.

The honourable member is correct when he refers to the need for honesty in the management of building societies, property trusts, credit unions and the like. The Bill seeks to free the industry while retaining adequate controls to ensure the protection of investors. The Government is aware of technological advances that make that protection more difficult but, with the assistance of the industry and our determination, I am sure that investors in building socieities will continue to be adequately protected.

At the Committee stage it is my intention to move a number of amendments. They have been necessitated by a number of factors, including printing errors and further input from interested parties. With regard to the latter—four proposed amendments should be brought to the attention of the House, and I invite the attention of the Opposition spokesman in particular to them.

Firstly, clause 32 (4) (b) is to be enlarged to ensure that insurance policies issued by the State Government Insurance Office and like statutory insurance bodies of other States or Territories are included. Similar amendments are proposed to clauses 42 and 123.

Secondly, clauses 38 and 43 are proposed to be amended following discussions with both the building society industry and the Queensland Law Society. The amendments propose that building societies shall not be able to charge fees for legal documentation prepared by in-house solicitors. Where private solicitors are employed, however, they may charge for costs incurred.

The third proposed amendment to which I invite attention is the deletion of clause 84 (2), under which each member would have one vote, irrespective of his share-holding. In retrospect, it was considered that that could lead to the stacking of meetings in order to have a person appointed to the board irrespective of the number of shares that he might hold. The deletion of the subclause will mean that voting rights will depend on the rules of each individual society as at present. I repeat that the existing provisions will be retained, and that is in accordance with normal commercial business practice.

Finally, I refer to a proposed new clause 236 dealing with the validation of rules of a building society. After the introduction of the Bill it was found that some existing rules of a society were in conflict with the existing Act, and therefore invalid. As the rules were necessary to maintain the status quo, this clause will validate those rules and deem them to be valid for the purposes of this Bill.

Motion (Mr Harper) agreed to.

Committee

Mr Randell (Mirani) in the chair; Hon. N. J. Harper (Auburn—Minister for Justice and Attorney-General) in charge of the Bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—Interpretation—

Mr HARPER (4.36 p.m.): I move the following amendment—

"At page 4, line 31, omit the words—

'formed and'."

The reason for the amendment is that the Building Societies Bill is meant to deal only with permanent building societies. Under clause 16 of the Bill terminating societies registered under the Act are deemed to be registered for the purposes of their administration. To ensure that the deeming provisions would not enable a terminating building society to become a permanent building society under the Act, the words "formed and" must be deleted.

Amendment (Mr Harper) agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 11, as read, agreed to.

Clause 12—Incorporation—

Mr HARPER (4.37 p.m.): I move the following amendment—

"At page 13, line 14, after the expression '(e)' insert the words—

'be capable of'."

This is simply a drafting amendment.

Amendment (Mr Harper) agreed to.

Clause 12, as amended, agreed to.

Clauses 13 to 31, as read, agreed to.

Clause 32—Employment of funds for residential purposes—

Mr HARPER (4.38 p.m.): I move the following amendment—

"At page 23, line 7, omit the expression—

'comprise—'

and substitute the expression—

'comprise one or more of the following:—'."

This amendment is being made to clarify that the securities under this section can consist of one or more of those listed under subclause (4).

Amendment (Mr Harper) agreed to.

Mr HARPER: I move the following further amendment—

"At page 23, omit all words comprising lines 10 to 13 and substitute the words—

'(b) a charge upon, and appropriate assignment of, a life insurance policy issued by—

(i) a company registered under the Life Insurance Act 1945 of the Commonwealth (as amended and in force for the time being); or

(ii) the State Government Insurance Office (Queensland) or a body constituted under a law of another State or a Territory to carry on the business of insurance;'."

This amendment is to enable policies taken out with the State Government Insurance Office (Queensland) or any like insurance company or a State or Territory to be utilised as security for this section.

Amendment (Mr Harper) agreed to.

Clause 32, as amended, agreed to.

Clause 33—Employment of funds for other purposes—

Mr HARPER (4.41 p.m.): I move the following amendment—

"At page 23, line 29, after the expression '(a)' insert the words—

'or a special loan'."

This amendment has been inserted to ensure that a loan referred to in this part does not include a special loan. The amendment has been introduced purely to clarify the provisions of the Bill. Special loans are dealt with under clause 39.

Amendment (Mr Harper) agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 36, as read, agreed to.

Clause 37—Building society to advise borrower of interest, charges, etc.—

Mr HARPER (4.42 p.m.): I move the following amendment—

"At page 25, line 10, after the word 'society' insert the words—

', or deliver to the applicant'."

Rather than all notices having to be sent by post to the applicant, the amendment will allow the notice to be hand-delivered to the applicant at the time of his making the application.

Amendment (Mr Harper) agreed to.

Clause 37, as amended, agreed to.

Clause 38—Restrictions concerning interest on loans—

Mr HARPER (4.43 p.m.): I move the following amendment—

"At page 26, omit all words comprising lines 15 to 19 and substitute the words—

'(i) paid or payable by the building society in respect of the preparation by a solicitor or conveyancer in private practice of documents properly evidencing or securing the contract for the advance;'."

This amendment was suggested by the Queensland Law Society and returns the Bill to what existed under the existing Act. Building societies will still be able to charge for legal work performed by a private solicitor or conveyancer, as they can presently do, but they will not be able to charge legal fees if they should employ their own legal officers.

Mr R. J. GIBBS: I find the amendment a little bit contradictory—perhaps "puzzling" would be a better word. The Minister has said that, under the amendment, building societies will not be able to charge fees for legal documentation prepared by in-house solicitors. I accept that. However, he said also that, when private solicitors are employed, they may charge for the costs incurred. Is the Committee to believe that the following could happen? Applicant A, who lives in the same street as applicant B, might be granted a loan from a building society and might find that the in-house solicitors, because they were not too busy that day, were able to handle the documentation for the loan. On another day, applicant B might be granted a loan by the same building society. He might find that the in-house solicitors are snowed under with work and that, because of that, the society has to engage outside solicitors to do the work on the contracts, etc. Applicant B will therefore be charged a fee for the legal work. That seems to me to be a somewhat unfair practice. I am speaking about an ordinary person in the community who makes an application for home loan funding from a society. Because of the work-load at the time or for some other reason—I do not know what other reason there could be other than a heavy work-load—solicitors in private practice will do the work and, consequently, applicants will be required to dip into their pockets for even more money to pay the private practitioner's fee. Is that what the Minister is saying?

Mr HARPER: I have received quite extensive representations from the Queensland Law Society on this matter. The proposition was that the larger building societies, in particular, might employ qualified solicitors to carry out this work in house. The question then arose as to charges. Following more detailed consideration of the question, it was decided to bring forward this amendment, which indicates quite clearly that when a society employs in-house qualified solicitors, it will not have the capacity to charge legal fees for that work. If, on the other hand, as is usually the practice—particularly in the smaller building societies—that work is carried out by a private solicitor, the building society will have the capacity to pass on that charge.

Before amendment, the Bill would have had some advantages for the larger building societies. Those advantages would have been limited to the larger building societies because, quite obviously, the smaller societies would neither wish nor have the capacity to employ in-house solicitors.

For that reason, I have moved the amendment. I do not believe that it will have the effect that concerns the honourable member. I do not believe that a society will one day not charge for this service because it is done by an in-house officer and the next day charge for it because it is done by an outside solicitor. The honourable member's concern is unwarranted. That would be a business practice. I suggest that any society that adopted that approach would soon gain a reputation for not having an even-handed approach to its customers and would suffer accordingly.

Mr R. J. GIBBS: I accept what the Minister is saying. Although the Minister obviously believes what he is saying, the fact is that the amendment still paves the way for that practice to take place.

I gather from what the Minister said that his interpretation of an "in-house solicitor" is a person who is actually employed by a building society and working on the staff of the society in that capacity. What I have outlined could very easily happen. At a particular time when a building society is not charging a specified legal fee to the client who is availing himself of that service, there could be a rush on loan applications and the in-house solicitor could easily find himself snowed under with work. It is understood that persons who are able to have their applications processed by the in-house solicitor will not be required to pay legal fees. On the other hand, persons who are able to have their

applications processed by the in-house solicitor may be told by the building society, "We are snowed under with work. We will have to give 20 applications to solicitor A and 20 applications to solicitor B." These persons will have to pay legal fees. That is very unfair, but, theoretically it could happen under the legislation. I will not cause a vote to be taken on the matter. However, I am certainly not happy with the clause. I would be opposed completely to the inclusion of such a provision in the legislation.

Mr HARPER: I realise the honourable member's concern about this matter. As I indicated earlier, the amendment was moved only after considerable thought by me and after discussion with officers from the building societies and the Queensland Law Society.

As I said previously, it is a matter for management. I believe that management would not respond in the way suggested by the honourable member. To support my opinion, I indicate that the present position will not be changed. Although building societies have the capacity at present to do exactly as the honourable member suggests, the fact is that they have not exercised such a method of making fish of one and fowl of the other. The amendment leaves the position as it is. Management within building societies has been such, and, I believe, will continue to be such, that the events suggested by the honourable member just will not occur.

Mr GOSS: I raise two matters in relation to this clause, and I oppose the amendment. It seems that, under the proposed clause, documents could be prepared by an in-house solicitor. However, under the amendment moved by the Minister, there is a positive disincentive to have documents prepared in-house. Obviously, the building society must pay the wages and bear the costs associated with having an in-house solicitor who might do the work. The applicant cannot then be charged for it. If the work is briefed out to a private firm of solicitors, fees can be charged. It is a positive disincentive to do it in-house; it is a positive incentive to brief it out. The consequence is that all home-purchasers, particularly first home buyers, must bear an excessive and unnecessary charge in the form of solicitors' fees for the preparation of building mortgages.

Anybody who has worked in that field knows that mortgage documents are standard in form. A few blanks are filled in as the information is provided by the word processor. All the searches, care, skill and consideration are usually performed at the level of the solicitors acting for the purchaser. The solicitors acting for the building society, in their usual high-handed fashion, seek payment of an exorbitant and unjustifiable account for legal fees in relation to their work, and demand also from the purchaser and his solicitors copies of all searches and all the other documentation necessarily undertaken in the course of purchasing a property.

The fees are clearly outrageous. They are an unnecessary and unjustifiable burden on home-purchasers. The Minister should revert to the original legislation so that there is some incentive to do the work in house, and so that there is some competition between building societies to provide such a service to make one building society more attractive than another. The building societies that would be more attractive would be those that prepare their mortgage documents in house.

The second point that I raise is a matter that I raised previously in relation to the fee that building societies can charge for processing applications. The legislation prescribes a rate of 0.75 per cent. The same amount of work is involved in processing an application at a building society. Therefore there should be a prescribed fee to prevent the situation, for example, in which, on a $50,000 loan, a processing fee of $375 would be payable. The Minister justifies that by comparing it to the situation that applies in relation to solicitors' conveyancing fees. He says that it is a comparable situation, that the building society has the same liability. When I pressed the Minister as to what the liability was, he said, "Wait till I speak later." Of course, he has not addressed that problem.

There is no equivalent liability. The solicitors acting for the purchaser at the purchase stage incur substantial liability in relation to that transaction if something goes wrong, for example, if there is a failure to discover an easement, some other defect in

title or something which could detrimentally affect the property, such as a highway proposed by the Main Roads Department. The building society does not incur the same liability, because that liability has already been met by the solicitors acting on behalf of the purchaser. No liability is incurred by the building society in relation to the property. That is incurred at another stage. The building society merely hands over the money and, in exchange, receives a mortgage. The building society obtains a security over the property in question. It incurs no liability at all.

Again I ask the Minister to make provision for mortgage documents to be prepared in house rather than farmed out pursuant to some cosy relationship between the building society and a few firms of solicitors, and also to fix a prescribed fee so that unreasonable processing fees will not be charged in relation to the consideration of a loan. If the Minister adopted those suggestions, they would reduce by hundreds of dollars the amount of money that home-owners have to expend. In my opinion, it is unnecessary expenditure, in one case going to the building society and in the other case going to the solicitors who have arrangements with building societies.

Mr GYGAR: I endorse many of the remarks made by the honourable member for Salisbury in regard to in-house versus non in-house solicitors. There seems to be no good reason for the amendment. What is being discussed is the freeing up of competition, the removal of restrictions on financial markets. Unless the Minister has an explanation that he has not yet provided, here is an opportunity for building societies that seek to be competitive to offer the same standard of service to the client at a lower price. As the honourable member for Salisbury said, these are bread-and-butter issues.

If an in-house solicitor, who is doing this sort of thing day in and day out, were set up, he could churn out the necessary documents and carry out the checks that are required very quickly and easily and far more economically than an outside solicitor who is handling a mixed practice. If a building society is allowed to establish an in-house legal division for carrying out such work, I have absolutely no doubt that it would be able to do it at a far lower cost than outside solicitors would.

If a building society wants to take it upon itself to say, "Well, in this competitive financial environment we want to offer a better and cheaper service to our clients", or if it wants to shout from the rooftops, "Deal with building society A and we will cut your legal costs by $300", why should it not be able to do so? No suggestion has been made that the work would not be done properly. The suggestion is that if the amendment were not made to the Bill, the building societies would be able to offer an additional service to their clients and the borrowers would benefit sometimes quite significantly. There seems to be no logic to the amendment.

Mr GOSS: Following my earlier comments and those made by the honourable member for Stafford—it is quite clear that the amendment, which has been moved at the instigation of the Queensland Law Society, is designed to enforce and entrench the conveyancing monopoly granted to the legal profession. Leaving to one side the argument of whether or not that is justified across the board, if ever it was unjustified it is in the preparation of mortgage documents for building societies. It is totally unnecessary. In-house solicitors—indeed, in-house clerks operating on occasional legal advice—could quite adequately handle that legal documentation. By entrenching and enforcing the monopoly of the legal profession with the amendment, the Minister is perpetuating the cosy arrangement between building societies and a few select firms of solicitors, thus adding hundreds of dollars to the costs incurred by home-purchasers.

Question—That the words proposed to be omitted from clause 38 (Mr Harper's amendment) stand part of the clause—put and negatived.

Question—That the words proposed to be substituted in clause 38 (Mr Harper's amendment) be so substituted—put; and the Committee divided—

AYES, 42		NOES, 37	
Ahern	Lane	Braddy	Palaszczuk
Alison	Lester	Burns	Prest
Austin	Lingard	Campbell	Price
Bailey	Littleproud	Casey	Scott
Bjelke-Petersen	McKechnie	Comben	Shaw
Booth	McPhie	D'Arcy	Smith
Borbidge	Menzel	De Lacy	Underwood
Cahill	Miller	Eaton	Vaughan
Cooper	Muntz	Fouras	Veivers
Elliott	Newton	Gibbs, R. J.	Warburton
FitzGerald	Powell	Goss	White
Gibbs, I. J.	Row	Gygar	Wilson
Glasson	Simpson	Hamill	Yewdale
Goleby	Stephan	Innes	
Gunn	Stoneman	Knox	
Harper	Tenni	Kruger	
Harvey	Turner	Lee	
Henderson	Wharton	Lickiss	
Hinze		Mackenroth	
Jennings	*Tellers*	McElligott	*Tellers*
Katter	Neal	McLean	Davis
Kaus	Chapman	Milliner	Warner, A. M.

Resolved in the affirmative.

Mr HARPER: I move the following further amendment—

"At page 26, omit all words comprising lines 33 to 39 and substitute the words—

'(b) The costs, fees and charges that may be charged and recovered pursuant to paragraph (a) (iii) (where the valuation is carried out by an officer of the building society) shall be only in respect of such matters as are prescribed and shall not exceed the amount prescribed in respect of those matters.' "

I point out that this amendment is made as a consequence of previous amendments.

Amendment (Mr Harper) agreed to.

Clause 38, as amended, agreed to.

Clause 39—Meaning of "special loan"—

Mr HARPER (5.10 p.m.): I move the following amendment—

"At page 28, line 24, after the word 'society' insert the words—

'pursuant to section 32'."

This amendment is necessary to ensure that the term "special loan" relates only to loans given for residential purposes. That point was raised by an Opposition member. In the past, that has been the meaning given to a special loan, but the amendment will clarify the position.

Amendment (Mr Harper) agreed to.

Clause 39, as amended, agreed to.

Clauses 40 and 41, as read, agreed to.

Clause 42—Valuation of security—

Mr HARPER (5.11 p.m.): I move the following amendment—

"At page 30, omit all words comprising lines 25 to 28 and substitute the words—

'(b) the surrender value of a life insurance policy issued by—

(i) a company registered under the Life Insurance Act 1945 of the Commonwealth (as amended and in force for the time being); or

(ii) the State Government Insurance Office (Queensland) or a body constituted under a law of another State or a Territory to carry on the business of insurance;'."

As I have previously informed the Committee, this amendment is necessary for the same reasons as those requiring the amendment of clause 32, that is, to include policies taken out with the State Government Insurance Office or other like offices of a State or Territory.

Amendment (Mr Harper) agreed to.

Clause 42, as amended, agreed to.

Clause 43—Investment of funds—

Mr HARPER (5.14 p.m.): I move the following amendment—

"At page 31, omit all words comprising lines 35 to 39 and substitute the words—

'(i) paid or payable by the purchasing building society in respect of the preparation by a solicitor or conveyancer in private practice of documents properly evidencing or securing the transfer and assignment of the mortgage debts;'."

This amendment is necessary for the same reason as the amendment to clause 38, that is, to ensure that building societies may not charge legal costs should they employ their own legal officers. However, it does not prevent societies from charging fees payable by them in preparation of their documents by private legal firms.

Amendment (Mr Harper) agreed to.

Mr HARPER: I move the following further amendment—

"At page 32, omit all words comprising lines 3 to 6."

This is a consequential amendment.

Amendment (Mr Harper) agreed to.

Clause 43, as amended, agreed to.

Clause 44, as read, agreed to.

Clause 45—Business premises—

Mr HARPER (5.16 p.m.): I move the following amendment—

"At page 33, line 42, after the word 'building' insert the words—

, or any part thereof;'."

This amendment was suggested by the Queensland Association of Permanent Building Societies to ensure that building societies could purchase, build, or take upon lease not only a whole building but any part thereof.

Amendment (Mr Harper) agreed to.

Clause 45, as amended, agreed to.

Clauses 46 to 67, as read, agreed to.

Clause 68—Prohibition of certain dealings—

Mr HARPER (5.17 p.m.): I move the following amendment—

"At page 50, line 31, omit the word 'the', first occurring, and substitute the word—

'a'."

This is a drafting amendment.

Amendment (Mr Harper) agreed to.

Mr HARPER: I move the following further amendment—

"At page 50, line 33, omit the word 'the' and substitute the word—
'a'."

This, also, is a drafting amendment.

Amendment (Mr Harper) agreed to.

Clause 68, as amended, agreed to.

Clauses 69 to 83, as read, agreed to.

Clause 84—Voting—

Mr HARPER (5.19 p.m.): I move the following amendment—

"At page 62, omit all words comprising lines 8 to 10."

As it was feared that clause 84 (2) may lead to a stacking of a meeting to vote into office a particular person, which may be against the wishes of the major share-holders, the deletion of the clause returns the Bill to the situation that currently exists.

Mr Davis interjected.

Mr HARPER: I repeat: by having the clause deleted, it returns the Bill to the situation that currently exists. That is, voting entitlement shall depend on the rules of each individual society.

Mr R. J. GIBBS: It is indicative that the Minister should refer to the term "stacking". That is a well-known National Party term, and it does not surprise me that he should use it in this Chamber. It would be a very serious mistake if this amendment were passed, and honourable members should be aware of exactly what is happening.

In my speech at the second-reading stage, I pointed to the very unfair practice that currently exists in the SGIO Building Society, which has two classes of shares. The ability of a share-holder to control the numbers, or stack the meeting, to use the Minister's terminology, depends on which class of share he holds.

The National Party supposedly believes in industrial democracy and rights for the community, although it certainly does not believe in the one vote, one value concept. Nevertheless, I was amazed to hear the Minister say that he was deleting clause 84 (2), under which each member would have one vote irrespective of his share-holding. The original clause reads—

"Every member of a building society entitled under the rules of the building society and this Act to vote at a meeting shall, irrespective of the number of shares held by him, have one vote."

It seems to me that that clause is fair and proper. I can list many examples of small share-holders of a society who, because of their common sense and ability, may be able to contribute far more expertise and professionalism to the board of directors than a person who may hold 10 000 shares.

Obviously, the Minister intended originally that the clause should remain in the Bill. It seems to me that this amendment indicates, firstly, that the State Government Insurance Office and the SGIO Building Society were extremely unhappy about the original clause, and, secondly, that the Minister must have come under pressure as a result of representations from a number of building societies throughout Queensland.

I draw that conclusion because the Minister stated that, by deleting clause 84 (2), voting rights will depend on the rules of each individual society "as at present"

One of the problems with the Bill, as the Minister is aware, is that it does not cover the rules, as at present—to use the Minister's terminology—of some of the building

societies in Queensland. Some rules are not only downright unfair, they are also undemocratic and do not allow share-holders a proper say at constituted meetings.

By amending this clause, the Minister is ensuring that the small share-holders who may have the ability to contribute constructively to the board will not be able to do so. He is also deliberately protecting the few major share-holders—the big guys who can afford a large number of shares—who may be concerned at the dissatisfaction felt by the large majority of share-holders.

It could in fact be a majority of share-holders who have minor share-holdings in the company. They could be in the majority at a meeting but would not have the constitutional right to be able to vote a person onto the board of that building society. That is undemocratic and unfair. It is indicative of the reactionary direction in which the National Party has been taking this Parliament in the last couple of weeks. I am opposed to the amendment.

Mr HARPER: I merely repeat that the amendment will retain the status quo. As I said previously to the Committee, it is in conformity with normal commercial business practice.

Amendment (Mr Harper) agreed to.

Clause 84, as amended, agreed to.

Clauses 85 to 96, as read, agreed to.

Clause 97—Directors of holding body to obtain all necessary information—

Mr HARPER (5.26 p.m.): I move the following amendment—

"At page 78, omit all words comprising line 20."

The amendment is to delete the penalty because it is covered by the general penalty provision.

Amendment (Mr Harper) agreed to.

Clause 97, as amended, agreed to.

Clause 98, as read, agreed to.

Clause 99—Persons entitled to inspect balance sheets, etc., of building society—

Mr HARPER (5.27 p.m.): I move the following amendment—

"At page 80, omit all words comprising line 19."

Again, the penalty is being deleted as it is covered by the general penalty provisions.

Amendment (Mr Harper) agreed to.

Clause 99, as amended, agreed to.

Clauses 100 to 109, as read, agreed to.

Clause 110—Duties of auditors—

Mr HARPER (5.28 p.m.): I move the following amendment—

"At page 92, line 19, omit the words—

'any such meeting'."

The words are being deleted to keep the clause in conformity with the Companies (Queensland) Code, from which the provision has been taken.

Amendment (Mr Harper) agreed to.

Clause 110, as amended, agreed to.

Clause 111, as read, agreed to.

Clause 112—Provisions indemnifying auditors—

Mr HARPER (5.29 p.m.): I move the following amendment—

"At page 93, line 14, omit the words—

'a building society or in any contract with'

and substitute the words—

', or in a contract with,' "

This is a drafting amendment.

Amendment (Mr Harper) agreed to.

Mr HARPER: I move the following further amendment—

"At page 93, line 28, omit the words—

'in respect of which are not'

and substitute the words—

', not being a contract of insurance the premiums in respect of which are'."

The words are being included in the clause to keep it consistent with the drafting of clause 72 (3) and with the Companies (Queensland) Code.

Amendment (Mr Harper) agreed to.

Clause 112, as amended, agreed to.

Clauses 113 to 122, as read, agreed to.

Clause 123—Power to suspend operations—

Mr HARPER (5.31 p.m.): I move the following amendment—

"At page 108, line 11, after the expression '1960-1976' insert the words—

', the State Government Insurance Office (Queensland) or a body constituted under a law of another State or a Territory to carry on the business of insurance'."

This clause is being amended in line with the amendments previously mentioned under clauses 32 and 42.

Amendment (Mr Harper) agreed to.

Clause 123, as amended, agreed to.

Clauses 124 to 126, as read, agreed to.

Clause 127—Documents of building society under an administrator to state fact—

Mr HARPER (5.33 p.m.): I move the following amendment—

"At page 113, omit all words comprising line 17."

The penalty is being deleted as it is covered by the general penalty provision.

Amendment (Mr Harper) agreed to.

Clause 127, as amended, agreed to.

Clauses 128 to 160, as read, agreed to.

Clause 161—Performance of Registrar's functions by authorized person—

Mr HARPER (5.34 p.m.): I move the following amendment—

"At page 132, line 22, omit the words—

', authority, duty' "

The words are being deleted to keep this clause in conformity with other like provisions in the Bill.

Amendment (Mr Harper) agreed to.

Clause 161, as amended, agreed to.

Clause 162—Inspection of books, etc.—

Mr HARPER (5.35 p.m.): I move the following amendment—

"At page 132, line 39, after the word 'as' insert the word—

'a'."

This is a drafting amendment.

Amendment (Mr Harper) agreed to.

Clause 162, as amended, agreed to.

Clauses 163 to 179, as read, agreed to.

Clause 180—Inquiry by Registrar or his deputy—

Mr HARPER (5.36 p.m.): I move the following amendment—

"At page 145, line 39, after the word 'extent' insert the word—

'to'."

Amendment agreed to.

Clause 180, as amended, agreed to.

Clauses 181 to 235, as read, agreed to.

Insertion of new clause—

Mr HARPER (5.37 p.m.): I move the following amendment—

"At page 176, after line 51, insert the following new clause to follow clause 235—

'236. Validation and operation of certain rules. (1) Where a permanent building society that was registered under the repealed Act and that was in existence immediately before the commencement of this Act, registered under the repealed Act a rule that was inconsistent with the provisions of the repealed Act then, notwithstanding the provisions of section 12 of the repealed Act, that rule, if the Minister prior to the commencement of this Act approved thereof, is hereby declared to be valid and shall be deemed always to have been valid.

(2) Where a rule is approved pursuant to subsection (1) and the permanent building society in question is registered under this Act by virtue of section 16 (1) that rule, together with the other rules of the society, shall be the rules referred to in that section in respect of that society.

(3) Any application for the alteration of a rule approved under subsection (1) shall be made in accordance with section 20 of this Act and that section shall apply thereto except to the extent that any approval or refusal of the application shall be made by the Minister.

(4) Any approval granted by the Minister pursuant to subsection (1) or (3) may be granted in such terms and made subject to such conditions as the Minister thinks fit.

(5) Notwithstanding the provisions of section 17 of this Act, where there is any inconsistency between any rule or alteration approved pursuant to subsection (1) or (3) and the provisions of this Act that rule shall prevail and it shall be deemed to conform with this Act.' "

Mr R. J. GIBBS: Although the amendment is fairly clear in its intent, I am sure that it is extremely unclear to people who are not reading the actual amendment before the Chamber. I realise that from time to time probably innumerable rules have been given special approval by the Minister, but what sort of special dispensation has the Minister given, as it were, for those rules to be registered?

Subclause (1) says—

> "Where a permanent building society that was registered under the repealed Act and that was in existence immediately before the commencement of this Act, registered under the repealed Act a rule that was inconsistent with the provisions of the repealed Act—"

that refers to registered rules that were inconsistent with the Act about to be repealed—

> "then, notwithstanding the provisions of section 12 of the repealed Act, that rule, if the Minister prior to the commencement of this Act approved thereof, is hereby declared to be valid and shall be deemed always to have been valid."

If such a hotchpotch of rules exists, why was it not possible to have allowances made or those rule changes incorporated somewhere in the legislation? As I said before, I realise that the various building societies have different rules. I am certainly not happy about that. However, it seems that the Government is asking for carte blanche and the passage through Parliament of rules, amendments or provisions in rules that the Minister or his predecessors may have approved but Parliament is not au fait with. Honourable members have never seen the rules. We could be agreeing to validate building society rules that members of the Opposition, members of the Liberal Party or any other member of the Parliament could be extremely unhappy about. I would like an indication from the Minister about the rules that his amendment applies to.

Mr HARPER: The rules relate to 8 910 building societies, which date back to the origins of the societies.

Mr R. J. Gibbs: That is what concerns me.

Mr HARPER: The Government considers that a degree of flexibility is required when, at the present time, the rules of almost 9 000 building societies apply.

I am sorry; I have misinterpreted a note handed to me. I do not have the number of building societies presently registered. The honourable member for Wolston correctly accepted that a great number of societies are registered. The Government feels that a degree of flexibility is required in administering those societies.

From time to time, it may become necessary, as is provided for under new clause 236 (2)—and it has become necessary in the past in the terms as set out in new clause 236 (1) for Ministers previously responsible for the legislation—to approve amendments to the rules. As was highlighted in earlier debate, the societies themselves adopt their own rules; so it is considered necessary not only to have a future ability to approve those rules but also to validate any provisions made in the past. I refer specifically to clause 65, which deals with the appointment of directors. This does relate to the SGIO Building Society.

Amendment (Mr Harper) agreed to.

New clause 236, as read, agreed to.

First and second schedules, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

Sitting suspended from 5.47 to 7.15 p.m.

INDUSTRIAL (COMMERCIAL PRACTICES) 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, the following times be allotted for the remaining stages of the following Bill unless the remaining stages be concluded sooner on this day's sitting:—
Bill: Industrial (Commercial Practices) Act Amendment Bill, conclusion of second-reading debate, and report from the Committee and third reading by 10 p.m. If the debate on any stage of the Bill be not concluded by the time so specified, Mr Speaker, or the Chairman, as the case may be, shall forthwith put the remaining questions on that Bill without any further amendment or debate."

Question put; and the House divided—

AYES, 41		NOES, 33	
Ahern	Lester	Braddy	Smith
Alison	Lingard	Campbell	Underwood
Austin	Littleproud	Casey	Vaughan
Bailey	McKechnie	Comben	Veivers
Bjelke-Petersen	McPhie	D'Arcy	Warburton
Booth	Menzel	De Lacy	Warner, A. M.
Borbidge	Miller	Eaton	White
Cahill	Muntz	Fouras	Wilson
Chapman	Newton	Gibbs	Yewdale
Cooper	Powell	Goss	
Elliott	Randell	Gygar	
FitzGerald	Simpson	Innes	
Gibbs, I. J.	Stephan	Knox	
Glasson	Stoneman	Kruger	
Goleby	Tenni	Lee	
Gunn	Turner	Lickiss	
Harper	Wharton	McLean	
Harvey		Milliner	
Henderson		Palaszczuk	
Jennings	*Tellers*	Price	*Tellers*
Katter	Kaus	Scott	Hamill
Lane	Neal	Shaw	Prest

Resolved in the affirmative.

Second Reading—Resumption of Debate

Debate resumed (see p. 4584) on Mr Lester's motion—

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

Mr McLEAN (Bulimba) (7.23 p.m.): Opposition members are not surprised by what has happened. In fact, they are becoming used to it. However, the stage is being reached when such action must become unacceptable to the people of Queensland. The rushing through of a Bill of this nature in a few hours only highlights the attitude of the Government to industrial relations. I take that a little further and say that it highlights the attitude of the Government to parliamentary proceedings under the Westminster system.

Some time ago I said that the Minister for Employment and Industrial Affairs had been holding committee meetings and other meetings throughout the State since becoming a Minister. Unfortunately, I made the mistake of asking him, "When are you going to bring anything before the House?" I emphasise that although at that stage he had held meetings throughout Queensland, no legislation had come before the House.

Mr Elliott: He did not disappoint you, did he?

Mr McLEAN: He surely did not.

I am sorry that I opened my mouth, because he was doing much better when he was holding committee meetings and legislation was not reaching the House. The industrial legislation that has been put before us for quite some time now will prove to be the most disastrous legislation to come before any Parliament in Australia. The legislation being debated tonight will certainly not improve the industrial relations scene in Queensland.

In November, the Minister for Employment and Industrial Affairs (Mr Lester) introduced the principal Act. In fact, the legislation was pushed through the House in three hours, in the same manner as this Bill. At that time, my colleagues, Liberal Party members and I stated that the legislation would prove unworkable, which is so, and that it was no way in which to bring forward that type of legislation. The Minister owes the people of Queensland an explanation because, during the power industry dispute, not one word was heard from him. Even now, with this legislation——

Mr LESTER: I rise to a point of order. I find the honourable member's remark most offensive. I spoke out on many occasions during the dispute.

Mr DEPUTY SPEAKER (Mr Row): Order! The Minister finds the remark offensive. I ask the honourable member for Bulimba to withdraw it.

Mr McLEAN: I will withdraw the remark. However, it can be supported by an article that appeared in "The Courier-Mail" on 25 March, which stated—

> "The Premier, Sir Joh Bjelke-Petersen, hinted last night he was not finished introducing anti-strike legislation to Parliament."

The Premier was reported as saying—

> "We have got them right down where we want them, and they know it."

The Minister's name was not mentioned in that article; yet this is industrial legislation. The people of Queensland are paying to support the Minister and his large department, which should supply him with information on industrial relations matters. The Government is nothing but a one-man band, and Cabinet, including the Minister for Employment and Industrial Affairs, is sitting back and allowing that one man to run rampant through industrial relations in this State.

Mr Yewdale: And the back-benchers.

Mr McLEAN: Yes, the back-benchers are doing the same—the whole lot of them.

Industrial relations are an important cog in the industrial structure of the State. I have quoted from the National Party's industrial policy in this place before, and I will do so again. The Minister is the chairman of the National Party's industrial relations committee. It was that policy that the National Party took to the people of Queensland at the last State election.

It states that the National Party will encourage industrial harmony. It reads—

> "The National Party stands for—
>
> The belief that sound relationships between employers and employees established upon mutual trust and integrity are essential to successful national development.
>
> The growth of understanding and co-operation in the workplace, by the encouragement of a continuing exchange of information between employees and employers with the aim of improving the job satisfaction productivity and working environment of the individual and to promote more harmonious industrial relations."

The policy also states that the National Party will support—

> "Encouragement of regular discussions between representatives of employees' and employers' organisations designed to further an understanding of their common

interests and problems and to provide a forum on manpower and industrial matters generally."

If that is not hypocrisy, I do not stand here tonight.

Mr Scott: Doesn't that same man back strikes when it suits him?

Mr McLEAN: Exactly.

Mr DEPUTY SPEAKER: Order! I remind the honourable member for Cook that he is not allowed to interject from other than his usual place.

Mr Scott interjected.

Mr DEPUTY SPEAKER: Order! I warn the honourable member for Cook under Standing Order No. 123A.

Mr McLEAN: The present Minister for Employment and Industrial Affairs was the chairman of the National Party committee that formulated the Government's industrial relations policy that was released to the people of Queensland prior to the last election. That policy continues—

> "The belief that it is contrary to the interests of employees, employers and the community for strikes and lock-outs to be tolerated before negotiation and conciliation have proceeded as far as possible without satisfaction and that strikes and lock-outs should not be tolerated after the relevant Industrial Tribunal has delivered an arbitrated decision upon the matter in dispute."

To say the least, that is hypocritical.

The Bill now before the House is further proof of the inability of the Government, and, in particular, the Minister for Industrial Affairs, to come to grips with the reality of industrial relations. This State has seen example after example of the Government, the Minister and his department stumbling from one crisis to another and from one conflict to another. The nasty piece of right-wing extremism now before the House is only a flow-on from the previous three months of extremism that this Parliament has seen. All this Bill will do is add further burdens to industry in this State at a time when stability is what is needed. The Government is providing quite the opposite, and industry is staggering from one uncertainty to another. At present, such uncertainty does not exist in other States. Evidence of that is contained in the economic and unemployment figures of the State. The people of Queensland have witnessed this type of lunacy day after day and week after week.

On this type of legislation, the Government has allowed only limited time for debate, but some members have had the opportunity to speak for a short time to express their points of view—I stress "some members" When the original legislation was debated last November, the Minister said in his reply that for two members from the Labor Party, two from the National Party and one from the Liberal Party to be allowed to speak in the debate was a fair go. That is an example of the grip the Minister has of industrial relations and fair play within the parliamentary system.

Because industry will not come to Queensland while this lunacy is going on, the southern States are laughing at us in Queensland. The uncertainty of the explosive industrial climate in this State is so evident that no industry, businessman or company would dare to begin business here. Industrial relations in Queensland are a time bomb that is ready to go off. Anyone with any brains or any knowledge of industrial relations knows that. I repeat that the southern States are laughing all the way to the bank.

The Bill is typical of the arrogance and contempt of the Premier and Treasurer, who with a group of yes-men behind him, is running the show in this State.

Mr Miller interjected.

Mr McLEAN: Don't you start, Mr Independent. You should be the last one to open your mouth.

The contempt that has been shown by the Premier and Treasurer for all the industrial relations principles that have been established and accepted in Australia over many years does not come as a surprise. The Opposition opposes this Bill, just as it has opposed every Bill introduced into this House on similar lines. Even in the short time that the Government allows for debate, the Opposition will continue to do that to the best of its ability. The Bill is a true example of the fascist thinking of the extreme right-wing that has been allowed to come to the fore in this State.

Mr Miller: Mr McLean——

Mr McLEAN: What members of the Opposition did not expect was the blind support from yes-men such as the member for Ithaca (Mr Miller).

Mr Miller: Will you answer a question?

Mr McLEAN: Yes, I will accept an interjection.

Mr Miller: Do you agree that the role has now been reversed? Rather than the unions dictating to the community, the community is now dictating to the unions.

Mr McLEAN: The honourable member has had his say. As I have accepted the interjection, I would like to answer it. The honourable member for Ithaca has taken two trips at the expense of the people of Queensland. Because he is a yes-man of the Premier and Treasurer (Sir Joh Bjelke-Petersen), he has taken two overseas trips. However, he has returned with less sense of parliamentary democracy than any other member of this Assembly. He voted for the motion that allows only two hours to debate this Bill. He is laughing. He ought to be ashamed of hiding under the table.

Let me deal with some of the legislation that has passed through this Chamber recently.

Mr Miller: That's the whole trouble with you.

Mr McLEAN: What?

Mr Miller: You don't like the truth. That is the whole problem with you.

Mr DEPUTY SPEAKER (Mr Row): Order! If honourable members do not come to order, this debate will not proceed.

Mr McLEAN: It has been cut half-way; you might as well go all the way.

When I became a member of this Assembly, the honourable member for Ithaca was very vocal about the privileges of Parliament and the right and wrong ways to conduct a democracy under the Westminster system. It is a shame to see a man slip so far.

Let me deal with the legislation that has passed through this Chamber in the last few weeks. It has passed through this Assembly in the same manner in which it is proposed to deal with this legislation. Opposition members and Government back-benchers have been allotted two hours to sift through a number of clauses in the Bill and to speak to it.

Mr Simpson interjected.

Mr McLEAN: The honourable member should not start; he is the clown prince of the Parliament. There has to be a village idiot, and he is it.

Only three hours was allotted for debate on building workers legislation. It was introduced at noon. That was the first time that the Opposition spokesman had seen it.

He had to reply to it immediately. It was pushed through in three hours. That was the first piece of jackboot-type legislation that was introduced.

Following that, the Industrial (Commercial Practices) Bill was introduced in November. It is now law and honourable members are tonight debating the Bill to amend it. The original Bill was rammed through this Chamber. Honourable members were able to speak to only six of its 32 clauses.

The same thing happened with the Electricity (Continuity of Supply) Bill. No-one on the back benches was given an opportunity to speak to the clauses. The same thing will happen tonight.

I am sure that the Minister would agree with me that the amendments to the Industrial Conciliation and Arbitration Act were very important. The Minister, Government back-benchers and Opposition members are given only two hours to debate the legislation.

A similar procedure was adopted with the legislation that established the Electricity Authorities Industrial Causes Tribunal. It is a shame that the Minister does not realise the implications of his actions.

The fundamental basis for sound industrial relations on a fair and equitable basis hinges on having a foundation of independent guide-lines and machinery. A safety valve must be evident. Somewhere along the line, the Minister's advisers must have told him about that. It is obvious that the Minister is not the person who has drafted the legislation. I believe that he was probably involved in the preparation of the 24-hour trading legislation, because it has been withdrawn. However, apart from presenting this Bill, I do not think the Minister has been involved in it, particularly its preparation.

What worries me about all of that legislation is that the Government is now in a position to interfere in just about every industrial situation. In my opinion, that is dangerous, regardless of which political party is in power. Governments should not interfere in the due processes of industrial affairs, and the extreme right-wing Government of Queensland has the opportunity not to interfere. I repeat that the legislation has the intent and the capacity to turn industrial relations in this State back 100 years.

The sustained attack against the unions by the Premier and Treasurer comes at a time, as I have said before—and it bears repeating—when the rest of Australia is benefiting from the very responsible approach taken Australia-wide to the very serious problems that Australia has faced in the last few years, particularly in the area of industrial relations.

During the seven years of the Fraser Government, Australia was in a desperate industrial and economic situation. The Hawke Government, in a sensible approach, took the initiative and called together business leaders, unions, Governments and the community in an endeavour to form a united front to attack the problem. That was done. The results are now evident in all of the other States.

At that time the Premier of this State was the odd man out, and he still is. The Queensland Government is the odd one out throughout Australia in the recovery that, at this stage, is well beyond expectations, considering the depth of the economic problems that existed in the economy. As I said, at that time Sir Joh Bjelke-Petersen was the odd man out.

The Premier and Treasurer is a one-man band. Government members have no say and, if they were honest, they would admit it. I find it very difficult to understand why the Premier and Treasurer is making such an attack at a time when unemployment is at a record high, when the current state of the economy is at its lowest for many, many years, and disputation in industry between employers and employees is running high.

I will not spend too much time on this subject, as I have raised it previously. The working days lost in Queensland per thousand employees as a result of disputations dropped from 624 in 1981 to 278 in 1984. Some of the other States have experienced

enormous reductions in the number of working days lost. That is because the Governments in those States are adopting a sensible approach and trying to fall into line with the principles of the prices and incomes accord. In 1981 in New South Wales the number of working days lost per thousand employees was 1 028. That number has fallen to 307. In South Australia the number has fallen from 320 to 43 and, in Victoria, from 865 to 142. They are quite dramatic reductions. That occurred because the Governments in those States were prepared to sit round a table and talk. The Queensland Government is not prepared to do that. It has taken the big hammer out and it is hitting people over the head with it. The Queensland Government has really not started yet and this State will face many more problems in the future.

Mr Elliott: You are helping to organise it.

Mr McLEAN: I cannot blame the people for objecting to the way in which Government members handle their positions. I would be even more vocal.

The famous scream during the recent power dispute in this State came from the Premier and Treasurer. He said that the unions would not accept the umpire's decision. I imagine that he was speaking on behalf of the Minister for Employment and Industrial Affairs, because nobody heard from him during the dispute.

I refer to an article on 12 August 1984 in "The Sunday Mail", following a decision by the Full Bench of the Industrial Conciliation and Arbitration Commission that preference would be given to the pubic service unions. At that time the Premier and Treasurer said that he was opposed to the commission's decision, as he was quite entitled to do. Everyone has that right. The report was in these terms—

> "... the commission's Full Bench ruled that union members should be given preference for jobs, in the state public service, over non-union members and that non-union members should be the first retrenched."

The Premier and Treasurer said—

> "We (the Cabinet) will be meeting first thing on Monday; every area will be looked at to see what can be done."

His statement continued until it came to the crunch line—

> "We will not be accepting this decision."

That was a decision of the Full Bench of the Industrial Conciliation and Arbitration Commission well before the power dispute and during a time when industrial disputation had fallen to the figure that I have just given. Anyone who sits down and thinks about the industrial scene in Queensland will realise that it is just a big set-up by the Government to stir trouble. The Government is doing so successfully. In the end, it will reap its harvest. The Bill is another example of the Government's arrogance and hypocrisy. The end result is a Government that has spent too much time reading its own propaganda. Millions of dollars of tax-payers' money has been spent on propaganda. I was quite amazed to hear this morning, in response to a Dorothy Dix question, a Government Minister saying that the Brisbane City Council ought to be ashamed of the amount of money that it spends on advertising. What hypocrisy! Surely no Government in the world could have spent as much money on propaganda as this Government. The worst problem is that it is starting to believe its own propaganda.

Mr Underwood: Do you think they will gaol themselves for harassing workers?

Mr McLEAN: They should all be locked up.

Workers will not be driven back into the nineteenth century by this type of legislation. The Minister and his Government ought to listen to their departmental advisers. I feel sure that someone in the department can approach industrial relations with sanity. It is not possible to leglislate for industrial relations. There must be negotiation, consultation and an understanding between employer and employee. This crazy system of hitting people over the heads with a hammer cannot be allowed to continue. Surely to goodness,

somewhere along the line, sanity must prevail. The State is sitting on an industrial powder-keg, waiting for it to explode.

While the Government's mentality prevails, industry in Queensland will suffer. The Bill will not help. In fact, it will add to the problems. It is all very well for the Premier and Treasurer to claim to the media that he has won the fight and that he will beat the unions; but anyone prepared to look at it in a fair light would agree that there ought not be a fight. If industry is to prosper, leadership has to be given. That is certainly not happening at the moment. The Government's recent display of nineteenth century mentality is not leadership. The workers will not accept it for long.

The Government stands condemned for its role in industrial relations. The Premier and Treasurer will be remembered for a long time because of recent events. Government members will be remembered as the yes-men who allowed it to happen. They may have a shock in store.

When the Act was introduced last year, the Minister said in his second-reading speech—

> "The purpose of this Bill is to curb secondary boycotts against traders and interference with trade and commerce. It has been made necessary by the actions of the Federal Government in repealing the secondary boycotts legislation of the Trade Practices Act."

The amendments in the Bill extend that aim to an unbelievable stage.

On the same day as he introduced the original Industrial (Commercial Practices) Bill, the Minister introduced the Superannuation Trust Funds (Protection of Employees Entitlements) Bill, which related to building workers. That Bill was pushed through all stages that day.

The legislation hinged entirely on the passage through the Senate of amendments to the Trade Practices Act. Unfortunately for the Minister for Employment and Industrial Affairs, he was foiled because the Australian Democrats in the Senate beat him to it. At that time, the Australian Democrats voted against the amendment, and although sections 45D and 45E of the Trade Practices Act remain in force in the Federal sphere, the Minister went ahead with the introduction of the previous legislation, despite the fact that at the time the Minister had been told by honourable members who spoke to that Bill that it was not properly constituted.

At that time, the Minister was told that amending legislation would have to be introduced because parts of the Act were defective. The Minister was told, not only by members of the Opposition but also by Liberal members, that the legislation would be brought back for amendment because certain provisions of it simply would not work.

Now, approximately two or three weeks later, the legislation is back before the House, but not simply for amendment because of its being ineffectual. It is back because the Minister wants to make the legislation more draconian and more in keeping with the kind of legislation that has been introduced into the Parliament in the past two weeks.

Mr Underwood: It is fascist.

Mr McLEAN: Fascist, of course.

Sections 45D and 45E were introduced into Federal legislation in 1977 and in 1980 respectively, and in 1978 and 1980, section 45D was amended by the Fraser Government to broaden its scope. The amendments to the Federal legislation were similar to those that have been introduced to the Queensland legislation. The provisions of the Federal Act have not been affected, and I will not elaborate, apart from saying that since 1977, a total of 79 applications have been made under sections 45D and 45E for interim injunctions.

Of 25 of the disputes that have occurred since 1983, interim injunctions were granted in 15. However, in five cases in which injunctions were granted, actions under section 45D and section 45E actually led to an extension of the dispute through widening of bans that had been imposed or the extension of duration of the bans. In nine cases, the injunctions appeared to have little or no effect. In only three cases were the injunctions of any effect, and in none of those cases were damages awarded or penalties imposed over the period of the bans.

The Opposition is arguing that legislation of this kind will eventually have no effect, and its enactment is unrealistic. The Government may at certain stages frighten people, but it should not put too much faith in the legislation.

Mr Miller: Do you believe in secondary boycotts?

Mr McLEAN: No, I do not. I have said that previously in this House. However, I believe in adopting a sensible course in tackling a problem, and that is, in the case of industrial relations, sitting around the table in an attempt to solve problems. I would not adopt the way the honourable member for Ithaca would go about it, nor the way the Government goes about it.

Mr Miller: How would you solve it?

Mr McLEAN: I would solve it by adopting a sensible approach, which is a similar course of action to that which is taken by every other State Government in Australia.

Legislation of this kind will not solve one dispute. In most cases, it will actually escalate disputation. I reiterate that industrial relations matters must be handled in a sensible and just manner. The Industrial Commission should be provided with more powers in disputes-settling procedures instead of being subject to the apparent aim of the Government, which is to cut down the Industrial Commission's power. It is obvious from the provisions of every Bill that has been brought forward in recent times that that is the Government's aim.

The Industrial Commission should be given adequate powers to conciliate between parties, or to arbitrate. I repeat that enacting legislation will not result in industrial harmony.

Upon examination of the original Queensland legislation, it can be seen that a number of provisions have been added to it. The first one relates to the definition of "strike" within the meaning of the Industrial Conciliation and Arbitration Act. All honourable members would know—because it has been debated here many times—that the definition of "strike" was contained in the Conciliation and Arbitration Act before any extended definitions or amendments were brought forward. The definitions contained in the Conciliation and Arbitration Act were quite wide in any case; nonetheless, they were extended recently, and now can be applied to practically any action that a worker could conceivably take. The insertion in the Bill of such a wide-ranging and far-reaching clause will only add to the problems, and that is not sensible industrial relations.

The provisions of sections 45D and 45E in the Trade Practices Act were nothing like the provisions in this Bill. This Bill amends the Act in an important area by stating that the Act will now apply to the Crown. Certain other terms, about which the Minister was warned when the Act was originally debated, will now be deleted. I cannot list all the deletions because I have not had sufficient time to study the Bill.

The Bill also extends the description of "conduct" Other parts of the Bill amend provisions relating to demarcation disputes, when a strike commences, preference to unionists and disputes, and places them under the provision relating to secondary boycotts. The Bill also states that there must be seven clear days' notification before a strike can commence.

Because of the time limitation and the fact that a number of Opposition members wish to speak, I will raise a number of queries that I ask the Minister to answer in his

reply, and then resume my seat. I ask, in a political and industrial sense, when the Minister believes he will have seven clear days' notice before a dispute begins. What if an accident occurs? What if men are digging a trench and a man is seriously injured or killed? What if his workmates decide to leave the job because they will not work in the trench and the employer says, "You will do it under this Act."?

Mr Henderson: Not true.

Mr McLEAN: There is not one word in this legislation or in any of the other legislation that this Government has introduced in the past few weeks that says anything about disputes over safety issues. Three times as many days are lost through industrial accidents as through industrial disputation. However, the Minister has not once mentioned safety.

Mr Miller: Prove it.

Mr McLEAN: The figures are there for everyone to see.

Because other Opposition members wish to speak in this debate, I am trying to hurry through a speech that should not be delivered hurriedly.

Another clause in this Bill is similar to provisions in the other industrial legislation that the Government has forced through this House in the past few weeks, in that it places the onus of proof in a dispute back on the worker on the job, or on the union. Under this legislation the Government is obviously setting out to reverse the onus of proof.

As I have said, a number of other Opposition members wish to speak in the debate, so I will cut my speech short. I had hoped to make a further contribution at the Committee stage but, because of the time limit that has been imposed, that will probably be impossible.

I repeat that the Opposition is as completely opposed to this legislation as it was to all the other repressive legislation debated in this Chamber over the past few weeks.

Mr STEPHAN (Gympie) (8 p.m.): I have much pleasure in supporting the Minister on this legislation. For the last half hour, I listened to a diatribe from the Opposition spokesman. Quite obviously, Opposition members are not interested in Queensland or the business operations in the State. They have only their self-centred ideas in mind.

Mr Innes: You tell them about the industrial turmoil in the pea industry.

Mr STEPHAN: If Opposition members would open their eyes, they would see the turmoil in many industries.

The honourable member for Bulimba said that people from interstate are not coming to stay in Queensland because they would rather remain where they are. In comparison with the rush of the last few years, fewer people are coming to Queensland; but certainly many are coming here to make a great contribution to the development of the State.

The honourable member said also that there should be a united front. It is surprising that a member of the Labor Party should refer in any way to a united front. In the Labor Party, there is the left, the centre and the right. Members of the Labor Party should be the last ones to talk about a united front; they cannot even agree in their own party. It seems that they believe in standing off and saying, "Let's have a united front." It is very easy to have a united front if they agree with everything that the unions require. That is what they are hoping for in all their conciliation processes and talks around the table. Of course they will be united if they agree with the unions' demands and never dare to voice opinions or ideas different from those suggested by the unions.

The Opposition is opposing this measure in the same way as it has opposed similar legislation. The people of Queensland, I am sure, have noted that, too. Judging by the

phone calls I have received in my office, it is obvious where the support lies and which members of Parliament do not have their ears to the ground.

The honourable member for Bulimba said that he did not have sufficient time to discuss the legislation, but the shortage of time did not stop him from waffling and wasting time. That reduced the time available to members on the Government and Opposition sides of the House to discuss the legislation. After listening to the honourable member's statements, I wonder whose side he is on, what he has in mind for the development of the State, and which party is listening to the views of the community in Queensland.

I was very interested to note that some of the phone calls I received in my office were from known Labor Party supporters. Because I was absent from my office, I had to telephone some of the people who tried to speak with me. I thought that I would be getting a nice blast but—surprise, surprise!—I did not get a blast. Instead, time and again, people told me that the Government was on the right track and that it should be commended on the stand it has taken. It is a pity that Opposition members do not pay attention to the feelings expressed by so many Queenslanders. The stand taken by Opposition members can only mean that they are supporting law-breakers, thugs and industrial anarchists. The Government is trying to rid Queensland of the influence of such people.

Despite the suggestion of the honourable member for Bulimba, this legislation is not breaking new ground. If he studied the position in other countries, he would realise that. In America, employees engaged in essential services sign a specific contract to supply the essential services. The situation is much the same in some European countries. The Queensland legislation certainly does not stand on its own—not even in Australia. I remind honourable members opposite of what happened in the 1940s, when Ben Chifley was the leader of the Australian Labor Party.

In 1945, the communists Thornton and McPhillips organised the great steel strike, and Ben Chifley got the men back to work by threatening to bring in the army; but he did not have to do so. In 1947, he beat the black bans that had been imposed by the communists on the Woomera rocket range by passing the Approved Defence Projects Act. In the winter of 1949, the community was faced with a coal strike, and Ben Chifley introduced the National Emergency (Coal Strike) Act. He froze union funds and used the army to produce coal. That was how he handled those disputes, and Queensland is lucky that it has such a man as the Premier and Treasurer, who is moderate in his approach in comparison with Ben Chifley. Opposition members should remember the background of their party and consider what they would do in these situations.

Mr Davis interjected.

Mr STEPHAN: It is a different story; the honourable member does not like to hear of the attitude adopted by a former Labor Prime Minister.

It is worth considering the comments of the colleagues of Opposition members about the Builders Labourers Federation. The Prime Minister (Mr Hawke) has been quoted as saying—

> "There comes a limit to the time one is going to allow on this That time has come, and if it is not resolved tomorrow . then this Government will take effective action to ensure that an end is brought to the unacceptable disruption."

The Victorian Minister for Industrial Affairs (Mr Crabb) has said—

"Either the BLF signs this peace plan or they are going to be out of the industry."

The Premier of Victoria (Mr Cain) had this to say—

> "No Government can any longer tolerate the action of one union that seems to regard itself as being different to anyone else."

Opposition members are out on a limb trying to support a lost cause and activities that they know are wrong, but they will not admit it. I am sure that they would like me to sit down because they do not like to hear about these things.

Under the heading "Wran declares war—move to expel BLF from NSW", an article reported that—

> "The NSW Government yesterday declared war on the Builders Labourers Federation (BLF) by deciding to take all possible steps to prevent it representing workers on building sites in the State.
>
> The Premier, Mr Wran, said the Government also would not hesitate to initiate deregistration proceedings against the BLF if it were satisfied the union had breached either federal or State awards and industrial agreements. The threat of tough action against the BLF follows strong pressure from the State Labor Council and its secretary . . to act over a six-week dispute at the Police Centre building project in Surry Hills, Sydney."

Another article entitled, "Opposition, NSW pressure Canberra to deregister BLF", states—

> "The Federal Government is under pressure from the Opposition and the New South Wales Government to revive its plan to put the Builders' Labourers Federation out of business.
>
> The Opposition yesterday urged the Federal Government to recall Parliament so that legislation to deregister the BLF could be passed, and the NSW Government restated its intention to prevent the union from covering workers on State building sites."

One report stated, "BLF faces ACTU action", and another that, "BLF hell-bent on anarchy, says Cain" The story goes on. I wonder whether Opposition members realise what is happening in other parts of the Commonwealth. It must be remembered that this Government is responding to an emergency, and immediate action is needed.

The three types of boycotts covered by this legislation can be very disruptive. I refer to demarcation disputes, strikes called without reasonable notice, which can be referred to as lightning strikes or wildcat strikes, and strikes called to enforce preference to members of a union.

The Bill also extends the Act so as to include within the scope of the persons protected Government departments and State authorities. I point out that strikes affect many more people than those in State Government departments. Stand-downs of employees have an effect on the community; they certainly have an effect on the take-home pay of those who are stood down. What those people think of this sort of industrial action is not printable. Those who are stood down have no control; they are not allowed any input; they are caught in the middle. They are the ones who are left to carry the baby and pay the bills. Things become very difficult when families do not have anyone who can bring home the money to care for them.

The recent incident of Telecom workers going on strike constituted a breach of contract. The workers themselves have been affected. Their union is calling the tune. Many of the workers would rather not be on strike; they would much rather be out in the work-place doing what they know and like best, that is, carrying out their responsibilities.

Mr Vaughan: Have you ever been to a mass meeting? Have you ever addressed a mass meeting?

Mr STEPHAN: No, I have not addressed a mass meeting. I am not sure what that has to do with knowing full well the reactions and attitude of the general community to activities of this sort. I wonder whether the member for Nudgee (Mr Vaughan) has ever spoken to housewives who have been disadvantaged by such activities. It is all very well for members of the Opposition to say that they do not want to know about

that and that they want to wash their hands of the whole matter. It is not quite as easy as that.

Of the 320 unions in Australia, the vast majority are reasonable and responsible, as are their members. It behoves all honourable members to give a little bit of thought and support to their attitudes and requirements, bearing in mind the substantial loss that occurs when strike action is taken.

Sometimes I wonder what the attitude of the unions would be if the boot was on the other foot. As an example, I will cite the recent application by Commonwealth public servants for an 8 per cent wage rise. They received an increase of only 2 per cent. What would have happened if the commission had granted an 8 per cent wage rise and the Government had decided to pay only 2 per cent? What would have happened if the Industrial Commission had ordered the Government to pay the increase? The Commonwealth public servants would have been screaming and crying that they were being taken for a ride. Under those circumstances, their complaining about that would be worthwhile, but that is not so in this particular instance. The unions are maintaining that they have been disadvantaged because their demands have not been met.

Earlier I mentioned lightning strikes, or wildcat strikes. For workers to walk off the job in the middle of a concrete pour is sabotage. Under those circumstances, the owner, the builder and the contractor are the bunnies. That is why lightning strikes have been singled out as a particularly obnoxious form of industrial behaviour.

The legislation will enable more effective use to be made of the right to conduct a ballot prior to the taking of strike action. Most union members would prefer to have a ballot before strike action and not get carried away with a lightning decision. In many circumstances, a lightning strike involves more than a mere withdrawal of labour. It prevents the employer from carrying on his business operations and also has a capacity to sabotage work that has already been done or to prejudice work that is shortly to be undertaken. Of course, the Builders Labourers Federation is right in the middle of such activity. Opposition members should not get carried away with the idea that it is somebody else who is being affected.

I congratulate the Minister on the legislation, which I support. It is to be regretted that there was a need to introduce such legislation. It is to be regretted also that the Government needs to think along those lines to protect and develop this great State. That must be borne in mind regularly. It has been necessary for the Government to react to the situation that has developed. It is not a matter of a one-man band; it is not a matter of only the Premier and Treasurer (Sir Joh Bjelke-Petersen) or only one member of Cabinet having decided to take this action. A decision was taken by the Government under pressure from and with the support of between 60 and 70 per cent of the people of Queensland. The legislation has been introduced at the request of the people of Queensland, not because of the unions' reaction. That is something that Opposition members cannot accept. The Government will continue to receive the support of Queenslanders and the electorate at large. The Government will endeavour to meet their requirements.

Sir WILLIAM KNOX: Mr Deputy Speaker——

Mr DAVIS: Mr Deputy Speaker——

Mr DEPUTY SPEAKER (Mr Row): Order! I call the honourable member for Nundah.

Hon. Sir WILLIAM KNOX (Nundah) (8.16 p.m.): Mr Deputy Speaker——

Mr Davis: Hang on!

Sir WILLIAM KNOX: The honourable member is going to sulk.

Mr Davis: No, I am not going to sulk. However, that is the last you will see of the list of speakers.

Sir WILLIAM KNOX: The honourable member for Brisbane Central can help me in my debate; he usually does. He can take up my time.

First, I wish to refer to the question of urgency. I compliment the Leader of the House (Mr Wharton) for at least arranging for the Bill to be presented at a reasonable time so that some examination of it could be made. The debate need not be curtailed. There is no urgency involved in this legislation, because the vital, fundamental legislation on this issue is in place. It was approved by this Assembly in November. That legislation is capable of dealing with any matters that occur between now and midnight. If the list of speakers were followed, in the normal course of events the debate would probably end at about midnight. Only one and a half hours will be chopped off the debate. Bills of this nature do not need to be rushed through the House and the guillotine applied.

It is a pity that honourable members who wish to speak to the Bill are not given an opportunity to do so. For instance, my colleague the honourable member for Sherwood (Mr Innes) for the fifth time has had his name on the list of speakers. It appears that he will not be able to participate in the debate. Judging by the list, I am sure that there would be Government members and Opposition members who, as in previous debates, have been cut out of the debate. That is unnecessary. Those people have something to contribute. The Bill probably will not be signed by the Governor until tomorrow, so there is plenty of time for a full debate to take place in this Chamber. I make that protest again. Bills that are not urgent ought to be given the full rein of parliamentary debate. The Liberal Party supported urgency and will continue to support urgency. Where no urgency is apparent, the procedure will be opposed.

The proposed changes to the Bill that passed through this House in November are welcomed. In November, the original Bill dealing with secondary boycotts was put through this Assembly with urgency. Before the Federal Parliament at that time was a proposal to repeal sections 45D and 45E of the Trade Practices Act. The Minister will correct me if I have quoted the wrong sections. The legislation had gone through the House of Representatives and it was being presented to the Senate at that time. With the date of the Federal election having been announced, there was every possibility that that legislation would have been approved and that Australia would have been without the protection that sections 45D and 45E provided in that legislation in regard to the handling of secondary boycotts. At that time, it was proper for the Minister to introduce legislation to fill the vacuum for the State of Queensland. The Liberal Party supported that move. However, the Senate did not pass the legislation and those sections of the Act relating to secondary boycotts, no doubt under section 109 of the Constitution, would probably be inoperative. Nevertheless, a need existed and the Government acted promptly in bringing that legislation before the House. It had the support of the Liberal Party.

In this country, secondary boycotts are one of the great diseases in regard to industrial troubles, and have been for a long time. Any legislation that inhibits secondary boycotts should be supported by this Parliament. I am surprised that the Opposition persists with its support for secondary boycotts, because the people who suffer most from secondary boycotts are the workers in those other industries. They are the people who are sent to the wall—many of them reluctantly—in industrial disputes in which they are not involved. They are directed by their union bosses or some disputes committee to go out in sympathy or as a consequence of a dispute that is thousands of miles away, very often in another jurisdiction, that they have no knowledge of, have never been involved in, and do not know the history of. They are forced to go out at the whim of some union boss who may himself be a thousand miles away.

Secondary boycotts in this country are a scourge on industrial relations. Indeed, they have hindered and depressed industries and individuals who should not have been involved at any time. I repeat: the people who suffer are the workers themselves. Why

the ALP would want to champion the cause of secondary boycotts is beyond me. It seems to me to be totally outside its charter in human rights, justice——

Mr Davis: And you talk about human rights!

Sir WILLIAM KNOX: The honourable member for Brisbane Central is the last person who should talk about human rights, because he supports secondary boycotts.

Mr Davis: I support the worker.

Sir WILLIAM KNOX: The honourable member for Brisbane Central supports the worker, except when he is not a member of a union. In the words of the honourable member for Brisbane Central, if a worker is not a member of a union, he is a bludger and a parasite. The other night the honourable member for Brisbane Central said that if a worker is not a member of a union, he is a parasite and a bludger.

Mr DAVIS: I rise to point of order. The honourable member for Nundah has completely misrepresented what I said the other night. I said that any member of an industrial union who did not pay his dues is a bludger and a parasite. That is completely different from what the honourable member for Nundah said.

Mr DEPUTY SPEAKER (Mr Row): Order! In the context in which the remark was made I do not see sufficient grounds for a point of order.

Mr DAVIS: I rise to a further point of order. I find the words offensive and ask that they be withdrawn.

Mr DEPUTY SPEAKER: Order! I cannot accept a point of order on words that the honourable member claims to find offensive when he has used the words himself.

Sir WILLIAM KNOX: I will accept the honourable member's explanation, but he should check the record. He did not mention anything about the payment of dues. He talked about deriving the benefits from awards or agreements of Industrial Courts. The honourable member can check the record. As I said the other night, I will haunt the honourable member for Brisbane Central with those words for the rest of the time that he is in this House, which will only be about 18 months. I will be around much longer.

Mr Wilson: I would not put too much money on your remaining here.

Sir WILLIAM KNOX: The honourable member for Townsville South has got no chance, judging by the editorial in the "Townsville Bulletin" He cannot even be found. He is the Scarlett Pimpernel of Townsville. They seek him here, they seek him there—they do not know where he is!

The deficiencies of the legislation perpetuate the original Act. I ask the Minister to take note of it, because it is a very serious deficiency.

Section 8 of the Act gives all sorts of protections to trade unions. They are protected because they are allowed to give seven days' notice of their intention. There is a definition of what might be called a structural strike which, if identified in the proper way, can be dealt with under the Act. However, there is no protection for people in private enterprise engaging in normal commercial transactions. That is sad. Although I have great respect for the Minister's advisers—they are very competent people in industrial relations—they do not know, understand or have the history of normal commercial relations in the community. The Minister should have sought advice from his colleagues the Minister for Industry, Small Business and Technology (Mr Ahern) and perhaps the Minister for Justice and Attorney-General (Mr Harper) about commercial arrangements.

Many commercial arrangements fit the definition in the Act and become boycotts. I explained some of them on a previous occasion. Let me do so again. For various reasons many suppliers withhold goods from people who might seek supplies. Because of the judgment exercised by the person who supplies goods or services, it is decided

not to supply them. The reason is very simple. In supplying those goods and services, very often the supplier could put himself out of business. It is easy to imagine the wholesaler of goods refusing to supply goods to someone who may dump them on his market.

Mr Miller: It happens all the time.

Sir WILLIAM KNOX: Indeed it does, because that is competition; yet I point out to the member for Ithaca that the legislation contains provision to stop competition. Competition is outlawed in the Bill.

I say to the Minister very seriously that that provision stopping competition is against the interests of private enterprise. It is far too wide a net. If the Minister wants to deal with unions on strike or with people who withhold their services as coercion—antisocial behaviour—the Liberal Party is right behind him. It supports that part of the legislation. However, it opposes that part of the legislation that defines normal commercial transactions as boycotts, and renders those involved liable to civil suits. I am referring to normal behaviour in private enterprise. To hamper a competitor, someone ought to be able to withhold services or supplies. That is a normal commercial operation.

Mr McLean: Guilty until proven innocent.

Sir WILLIAM KNOX: The amendment contains reversal of proof, which results in those people in private enterprise being automatically guilty. On the other hand, under the Bill, trade unions are protected.

An Opposition Member: How?

Sir WILLIAM KNOX: Because of the original legislation and the definition of "strike". Notice has to be given. No notice has to be given for a normal commercial transaction. I say to the Minister that the legislation is highly dangerous indeed. The amendment compounds the deficiency in the Act. The Liberal Party drew this to his attention in November last year. I draw it to his attention again. Because of the reversal of the onus of proof that is now to be introduced into the legislation, and the fact that there is no protection for normal commercial operations in private enterprise where goods and services are withheld by wholesalers or retailers—and competition is the life-blood of private enterprise—any inhibition of competition is now to be illegal. That is a much wider provision than the Minister originally embarked upon.

I foreshadow a Liberal Party amendment to clause 7 to allow private enterprise to be unhindered and to restrict the operation of the Bill to strikes and industrial disputes. They are the only areas in which the Bill should operate. They are the only restrictions of trade that should be the subject of enforcement. There should not be any enforcement of the provisions of the legislation where there is restriction of trade in normal private enterprise competitive circumstances. There should be none.

The Act alludes to two or more people being involved in such an arrangement. Two or more people can be directors of a company, or a sales manager of one firm and a sales manager of another firm, or a franchise agreement between wholesalers and suppliers. Those are examples of two or more people involved in a practice which can be interpreted as a boycott, because they are examples of people trying to put the other person out of business. Simply by doing that, which is a normal private enterprise ambition for many people, private entrepreneurs can be subject to the provisions of the Bill. I point out to the Minister that that is a serious defect in the original legislation. With the addition of the provisions in clause 6 that effect a reversal of the onus of proof, the defect has now been compounded. The legislation places private enterprise people in an impossible position, because they may be picked up in the drag-net of the legislation. The Liberal Party advocates to the Minister very strongly that he ought to take that into consideration.

I hope that the Minister will be persuaded to accept the amendment that will be proposed in an effort to restrict the legislation to industrial disputes and strike action, which is an application of legislation that the Liberal Party would support.

It is beyond the charter of trade union activity and beyond the charter of industrial disputes procedure, whether it takes the form of strike action or not, to be able to use the influence of a strike in such a way as to put people out of business or to take work away from people who are not directly involved, or are even remotely involved in that particular issue. I counsel the Minister, as Liberal party members have done previously in terms of this type of legislation, to look seriously at the implications, because it is not a question of whether the Minister invokes the provisions of the legislation. A private individual in the community can have the legislation invoked merely to hinder another person involved in private enterprise who is not involved in a strike and has no intention of becoming involved in a strike or a boycott. I repeat that it is quite a serious defect in the legislation. Apart from that, the Liberal Party supports the sentiments expressed by the Minister and the general thrust of the legislation in the same way as support was given for the original legislation, and for the same reasons.

Mr DAVIS (Brisbane Central) (8.32 p.m.): I think it was Franklin Delano Roosevelt who once said, "Show me a country where there are no strikes, and I will show you a country where there is no liberty." That quotation leads me to comment on statements made by the honourable member for Gympie during the course of the debate. He said that this kind of legislation has been presented before. As a matter of fact, the honourable member is correct, and I agree with that statement. It has been done before. The honourable member is spot on and 100 per cent correct. Research indicates that legislation of this kind was enacted in Mussolini's fascist Italy, in Hitler's Nazi Germany——

Mrs Chapman: And in Russia.

Mr DAVIS: And as the two-job alderman of the Pine Rivers Shire Council has just commented, it has also been done in Russia and Poland. If Queensland is to follow those great examples, leave me out, thank you very much.

Mr Borbidge: What about the United States and Canada?

Mr DAVIS: Was that an interjection from the honourable member for "Sufferers" Paradise? I did not think that he would be game to put his head in the Chamber after the clout he was given over the last two days, which showed what a fool he was in following exactly the same kinds of examples that have been set in the past.

Mr Miller: Honourable members would have to give you full marks, though. You were a good and very able organiser for all of those months, weren't you?

Mr DAVIS: I suppose that self-recommendation is the highest form of recommendation. However, it is true. I was a good organiser.

The Transport Workers Union of Australia is a great trade union, and I was very proud to be associated with it. One thing that stands out about members of the Australian Labor party, and especially Opposition members, is that not one of them runs away from the problems that are besetting the labour movement at the present time. I will give honourable members an example, and it is a classic one.

Government Members interjected.

Mr DAVIS: It can be seen that Government members do not even support the principle of free speech, and that is typical of Nazi Germany in the 1930s.

I have been able to obtain from the Parliamentary Library a copy of "Mein Kampf", written by Adolf Hitler. It is a standard policy document of the National Party, and is compulsory reading for National Party members. When people apply to join the National

Party, they have to research it and answer questions on it. Having read that book, a person finds nothing strange in anything that the National Party does.

Mr Lee: Is it the red book?

Mr DAVIS: I am glad that the honourable member mentioned that. "The Little Red Schoolbook" contains exactly the same sort of material.

All dictators and all totalitarian Governments use exactly the same tactics. The first people they get rid of are the main opponents of totalitarianism, and they are in the trade union movement. That was done in Czarist Russia and by Mussolini in Italy in the 1930s, and it is being done here.

Mr McLean interjected.

Mr DAVIS: Yes, 100 per cent, and the Premier is supporting the regime in South Africa at present.

Mr Littleproud: Now get back to the Bill.

Mr DAVIS: I will get back to the Bill. That shows how much Government members like free speech.

Mr Miller: I want to ask you a question about the socialists and the communists in Australia. Are they traitors?

Mr DAVIS: I cannot follow the honourable member. Is he asking whether the socialists and communists are traitors?

Mr Miller: Yes, traitors.

Mr DAVIS: They are not traitors. Why would they be traitors? However, members of the League of Rights are traitors.

Sir William Knox: Can I ask you a question?

Mr DAVIS: Only one.

Sir William Knox: You realise, of course, that the Nazi party was a socialist party, don't you?

Mr DAVIS: That is right. It was called the National Socialist Party. What the member for Nundah is trying to say is that, because the Nazi party was the National Socialist Party and the ALP is a socialist party, the ALP is a Nazi party. But what about the other half of the name of the National Socialist Party? It is the same as the National Party opposite, so it works in exactly the same way. The first question that should be asked is why it has taken this Government so long——

Mr Littleproud: To do what?

Mr DAVIS: To introduce this sort of legislation. The debate on five pieces of legislation has been limited to less than three hours' duration. Five pieces of legislation have been gagged.

As I said before, people should not be concerned about the Labor Party. If Government members think that the Labor Party will run away from its trade union mates, it has another think coming. As Whip of the parliamentary Labor Party, I can assure members that every one of the 31 members of the Labor Party has wanted to speak in opposition to every one of those five pieces of legislation.

It is obvious that, in industrial matters, history repeats itself. I think it was the Minister for Justice and Attorney-General (Mr Harper) who said that the union movement should make itself aware of previous statements made by the Premier. After doing some

research into what the Premier has said over the years, I find that Mr Harper's statement was 100 per cent correct. The Premier has always been anti-union. He has always hated the trade union movement.

The Parliamentary Library carried out some research for me and I have a copy of the first speech made by the Premier back in 1947. I will not read the whole boring 10 minutes of it. At the time, Parliament was discussing not the 40-hour week but the 44-hour week. When Parliament was dealing with a reduction in hours from 44 to 40, he spoke about the red element and the poor, hungry, starving cockies. If they were starving back in 1947, it is about time that they died. If they were starving in 1947, they have lasted very well.

Government Members interjected.

Mr DAVIS: Don't Government members want to listen to their master's voice? This is the last part of the present Premier's speech in 1947—

> "I do not wish to labour the subject of shorter hours, the issues of which are clear and which obviously can have but one result at a time when all should be setting their shoulders to the wheel to increase output and lower costs, but I do want to emphasise that the Department of Labour and Industry sets out to provide needs and requirements that will not be available because of this shorter hours legislation. Some of the people have obtained greater leisure, but they and others will have to continue to pay the price."

I will say that the Premier has always been true to form. He hates the working class and the trade union movement, and he hates anyone to be working shorter hours.

Mr Miller: Are you aware that the people in Switzerland voted to increase working hours from 40 to 44?

Mr DAVIS: It is a pity that the honourable member for Ithaca did not vote to increase his work-load.

I become sick and tired of people like the member for Ithaca. I have listened to them for years. I had them in the trade union movement. It is typical of the tories that they always want everyone else to work harder and cut corners—everyone but themselves. It is the same with the Premier.

Mrs Chapman interjected.

Mr DAVIS: The member for Pine Rivers is much the same. She is receiving two salaries but she is urging the workers to cut their wages. In the 1930s, the Moore Government wanted to increase hours and cut wages.

Mrs Chapman interjected.

Mr DAVIS: The honourable member for Pine Rivers receives two salaries.

Honourable Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! There is far too much disturbance in the Chamber. I suggest to the honourable member for Brisbane Central that he refer to the Bill occasionally.

Mr DAVIS: I certainly will do so.

Mr McLean: The Minister for Employment and Industrial Affairs is saying that everyone is getting too many lurks and perks. Is he giving away any of his ministerial lurks and perks?

Mr DAVIS: That is exactly the line that the tories and conservatives follow. They will not give away any of their lurks, but they want the workers to relinquish penalty

rates. I have said time and again that they want to introduce in the leisure industry, and later in other industries, the tipping award. In the leisure industry, it works in this way: if a man carries a bag he is paid $1 or 50c. Years ago, at Roma Street, the men in red caps used to earn most of their wages by wheeling ports at so much a port.

Mr Lee: They are called suitcases, not ports. Ports are where ships tie up.

Mr DAVIS: The member for Yeronga is accustomed only to a knapsack.

Sir William Knox interjected.

Mr DAVIS: When the honourable member for Nundah was Minister for Employment and Labour Relations, I always had quite a deal of respect for him. He seemed to bring sanity into his portfolio. It is obvious that, since the Liberals were kicked out of the coalition, the National Party has had free rein.

The Liberal Party's policy is to placate the unions. Members of the Liberal Party are different from members of the National Party, who are not bright at any time. The Liberal Party placated unions. Although it did not like unions, it did not offend them. I give the Liberal Party credit for the improvements gained by some of the public service unions.

I will tell honourable members a little story about the honourable member for Nundah. When I was a member of the Transport Workers Union, just by chance we did have a stoppage. The union banned parking in Brisbane and, within eight hours, thanks to the then Minister for Transport, the honourable member for Nundah, a Bill was introduced to ensure that more parking was provided for trucks in the city.

Sir William Knox: You were the greatest double-parker around this State. You had more tickets than anyone.

Mr DAVIS: No, I was not. Because of the influence of the Transport Workers Union, the legislation was changed within eight hours. About 50 letters had been written by the union to the Minister for Transport and to the Government to try to improve the parking situation. However, it took a four-hour stoppage to get the necessary legislation through.

I will not debate your ruling, Mr Deputy Speaker, on my point of order. However, I must make one point quite clear, and I am sure that my colleagues will support me. Honourable members can take it down in shorthand, if they like, but what I said was, "Any person who does not pay his or her dues and accepts the benefits is a bludger and a parasite." I stick by that statement and I am sure that my colleagues will support it.

Mrs Chapman interjected.

Mr DAVIS: I can guarantee that, if the honourable member for Pine Rivers did not pay her dues to the Queensland Country Women's Association, it would not have her as a member. I am sure that the honourable member would not expect any benefits if she did not pay her dues.

Mr Miller interjected.

Mr DAVIS: The same thing applied when the honourable member for Ithaca was kicked out of the Master Painters Association for not paying his dues.

Mr Miller: Why do you hate Mrs Chapman?

Mr DAVIS: I do not hate her; I think she is a very nice woman.

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member for Ithaca is interjecting when he is not in his usual seat.

Mr DAVIS: A person who does not pay his dues cannot expect the benefits. That situation cannot be tolerated. I do not believe that there should be compulsory unionism.

Mrs Chapman: Say that again.

Mr DAVIS: I do not believe in compulsory unionism, and most union officials do not like it, either. Compulsory unionism means that a person is compelled to buy his ticket; but, at the same time——

Mr Kruger interjected.

Mr DEPUTY SPEAKER: Order! The honourable member for Murrumba is not in his usual seat, either.

Mr DAVIS: I do not believe in compulsory unionism, but if a person is not a member of a union, he should not receive any benefits. Trade unions are co-operative bodies, and work to achieve benefits.

Mr McLean: Is there any chance that this charade could be a smoke-screen to cover the economy and unemployment in this State?

Mr DAVIS: What the honourable member for Bulimba has said is correct. The introduction of industrial legislation is a very good red herring, and it has always been that way. In times of unemployment, conservative Governments, which do not want to get blamed for that unemployment, introduce industrial legislation that will strike right at the core of the working class.

By way of example, I quote from "The Courier-Mail" of 25 February 1985, as follows—

> "Welfare agencies in Queensland are battling to cope with overwhelming requests for emergency food and financial assistance.
>
> Lifeline, the Salvation Army and the Society of St Vincent de Paul report increases of up to 200 percent in requests for assistance."

That is what is occurring in what is supposed to be the affluent State of Queensland—a 200 per cent increase!

Mr Hamill: That is pretty good coming from a Government that is always advocating the family unit and looking after the family.

Mr DAVIS: The Year of the Family was the greatest farce this State has ever seen.

When the original Bill was being debated in this House, I said—and the member for Bulimba said exactly the same thing—that the Government can include this type of legislation in the statutes, but that it will be as effective as legislation that tries to make a good neighbour. It will not work unless there is a good deal of co-operation between the two parties. Legislation of this type has been a failure in other States, and it will be a failure in this State. The Bill will be exactly like the Minister; it will go down in history as a failure. The Government is a failure and the legislation will be a failure.

A Government Member: Why?

Mr DAVIS: Because history records that the union movement cannot be belted, because it is greater than any other organisation. That is the difference between members on this side of the House and members of the Government. We care for the common people; we care for the battler.

A Government Member interjected.

Mr DAVIS: I would rather be in Opposition than lose my principles with a crowd like the National Party.

I will end on the following note. Many years ago, Henry Lawson, who was a great socialist and a great person, wrote a poem that finishes with: he has been union 30 years and he is too old to rat. I am exactly the same.

Mr ALISON (Maryborough) (8.51 p.m.): I am very pleased to be able to take part in this debate on this very important legislation. The few times that I have followed the honourable member for Brisbane Central in a debate, I have found it very helpful to briefly recount what the legislation is all about, because any resemblance that the honourable member's diatribe has to the Bill is entirely coincidental.

Mr Borbidge: He should have told us about his actions in the TWU.

Mr ALISON: There is no doubt about that. He was quite an expert at rigging elections.

To try to get the debate back on the rails, I should mention that the legislation extends the operation of the Act to cover, in addition to secondary boycotts, damage caused by three types of primary boycott, namely, demarcation disputes, strikes called without reasonable notice and strikes called to enforce preference to members of a union. The Bill also extends the Act to include, within the scope of the persons protected, Government departments and State authorities.

Mr Vaughan interjected.

Mr ALISON: I will come back to the honourable member for Nudgee shortly.

The legislation will give a right of action in damages to persons suffering damage by reason of a primary boycott caused by a demarcation dispute, a preference dispute or sympathy strikes where the striker has no real personal complaint. In addition, the Bill proposes to extend the provisions of the Act to lightning strikes, being strikes called without seven days' notice. The basis upon which lightning strikes have been singled out is that they are a particularly obnoxious form of industrial behaviour. The House could be excused for getting the impression that all Labor members go along with these obnoxious lightning strikes. I can be excused for thinking that, because the diatribe from honourable members opposite indicates that they are kowtowing to their masters at Trades Hall. If they do not oppose secondary boycotts, why are they opposing this legislation?

The legislation has a twofold purpose. It will, in a practical sense, enable a more effective use of the right recently conferred to hold a strike ballot prior to a strike. In many circumstances, the lightning strike involves more than a mere withdrawal of labour; it is a withdrawal of labour that not only has the effect of preventing the employer from carrying on his business operations but also has the capacity to sabotage work that has already been done or is shortly to be undertaken. That is particularly obnoxious. The Builders Labourers Federation tactic of striking in the middle of a concrete pour is the best-known instance of this tactic. I ask honourable members opposite to outline where they stand as to that sort of strike. That is what the people of Queensland want to hear.

Mr Hamill: Do you support the giving of seven days' notice before a lock-out?

Mr ALISON: Where does the honourable member for Ipswich stand with the Builders Labourers Federation? Does he back the Dinny Maddens and the Norm Gallaghers of this country? That is what the people of Queensland want to hear from the honourable member for Ipswich.

Opposition Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! The interjections are inordinately loud, and I will not tolerate cross-fire in the Chamber. If any member wishes to interject on the member speaking, I expect him to do it in the proper manner.

Mr ALISON: As I was saying, the consequences of the drafting techniques used in the Industrial (Commercial Practices) Act were that Government departments not engaged in trade or commerce were outside its operation. In the light of the signified intention of the trade union movement to impose bans directed at Government officers, it is

considered appropriate by the Queensland Government that its instrumentalities should be brought within the scope of the protection, even though they are not engaged in trade or commerce. I hope those comments will get the debate back to where it should have been before the honourable member for Brisbane Central rose to his feet.

Earlier, my colleague the honourable member for Ithaca (Mr Miller) made a statement by way of interjection that through this legislation we are hearing the voice of the people dictating to the unions. It is about time that happened, rather than the reverse happening. The Electrical Trades Union set the stage for the Queensland Government to enact this legislation to bring home to the unions the irresponsibility of their actions. That is where the matter started.

Mr Hamill interjected.

Mr ALISON: The ETU set the stage for this legislation. The time is now ripe to introduce this legislation to bring responsibility to the unions of this country. The rest of Australia will be watching the Queensland Government to see how it handles the crisis that exists today with the legislation that was introduced earlier and the legislation that has been introduced tonight.

Mr Fouras interjected.

Mr ALISON: I wish that the honourable member for South Brisbane would take part in this debate and tell us where he stands with people such as Norm Gallagher. He should tell us where he stands in relation to secondary boycotts. If he stood up for the people in his electorate and for the people for Queensland, he would support the legislation.

Industrial anarchy by some unions has led up to the present situation. Over the last 10 or 15 years, the stage has been reached at which the unions have held themselves above the law. They consider that they should be bound by no law.

People in the community are being hurt right across the board by the irresponsible actions of trade unions. This legislation is aimed at unions engaging in industrial anarchy. The legislation does not attack the honest unionist and the honest union leader who has a sense of responsibility; it attacks those union leaders and those union members who are engaging in industrial anarchy in this State. For far too long the citizens of this State have been bludgeoned by irresponsible unions. It is about time that some other Governments took the action that the Queensland Government has taken over the last month. Perhaps such legislation should have been introduced 10 years ago. Had that been done, many more small businesses would be in operation today.

Many people have been hurt. Tens of millions of dollars worth of overseas trade has been lost because of the irresponsible actions of unions.

Mr Wilson: That's rubbish.

Mr ALISON: The honourable member for Townsville South says that it is rubbish to suggest that trade unions have been responsible for losing overseas trade. I suggest to the honourable member that he talk to some of the coal-mining companies. He shows his shocking ignorance. He should stop reading the red-rag journals and read some of the newspapers. Businesses have been sent to the wall.

Opposition Members interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! Too many honourable members are shouting interjections at once. I ask honourable members to come to order. I was wondering whether the honourable member for Ipswich wants to have another week off. I call the member for Maryborough.

Mr ALISON: As I was saying, it would be very interesting to know just how many businesses have gone out of business during the last 10 years because of the irresponsible

actions of trade unions. I do not know whether any statistics are available. Perhaps someone could work out some estimates. Undoubtedly, thousands of businesses would have gone to the wall because they could not get goods in and out of the country when required. The socialist members of the Opposition oppose what the Government is trying to do, that is, bring some sense of responsibility to trade unions in this State.

Mr Randell interjected.

Mr ALISON: Quite right. My colleague has just reminded me that they must oppose it because their masters in Trades Hall have told them to do so. That is what it is all about. I have no doubt that a number of Opposition members support the legislation deep down, but they dare not say what they really think, or they will be in strife later on.

Mr Randell interjected.

Mr ALISON: Yes, where are the front runners on this very important piece of legislation? Where is the Leader of the Opposition? He is probably getting his riding instructions from Trades Hall.

Pensioners have also been hurt by the trade unions, particularly during the recent electricity industry dispute. Power supplies were cut off for half a day and longer. Pensioners were not able to cook a meal in their own homes. Opposition members condone that.

Mr Kruger interjected.

Mr DEPUTY SPEAKER (Mr Row): Order! I suggest to the honourable member for Murrumba that, if he wants to make the most of the time allotted, he should interject less.

Mr ALISON: Housewives have also been put to tremendous inconvenience by the recent actions of the Electrical Trades Union and the Municipal Officers Association. I have seen it in my own electorate. People have been hurt in car accidents because traffic lights do not operate without power. It is a disgrace. It is a shame. Honourable members opposite—what is left of the Labor Party here tonight—condone such action.

This State faces serious problems in the industrial field, and the Government is taking appropriate action. It is doing what must be done. The feedback that Government members have received from their electorates—and ALP electorates as well—indicates that the people of Queensland want action. Queenslanders have had a gutful of trade unions belting them round the ears one way or the other.

Mr Fouras: You go to South Brisbane and oppose me and see how far you get.

Mr ALISON: In reply to the honourable member's interjection—I sincerely hope that he comes up to my electorate at the next election and tells people that he opposed this legislation and that he condones secondary boycotts and strikes. That will suit me fine.

In times of crisis it is not unusual, in an endeavour to correct the crisis, for a unilateral approach to be taken by both sides of the House towards legislation. Unfortunately, of course, Queensland does not have a very responsible Opposition in the Labor Party. The ALP is under the thumb of Trades Hall. As I said previously, quite a few honourable members opposite would probably like to support the Government and give some semblance of unilateral approach to correcting the very serious situation that exists in this State, but they do not. Regardless of whether they really oppose the Government or not, the Leader of the Opposition (Mr Warburton) and his cohorts oppose every step that the Government tries to take and is taking to correct the situation and bring home a sense of responsibility to the trade unions in this State.

The Labor Party has walked away from the people of Queensland. It has walked away from small businesses, big businesses, pensioners and retired people. The Leader of the Opposition and his cohorts do not give a damn about those people or the honest workers of this State. They back industrial anarchy. They do not give a damn about the mothers at home trying to cook the tea for their kids and husbands.

Mr McLean: Did you support the Minister's action in walking out of the conference that was arranged?

Mr ALISON: What I thought was terribly irresponsible was the Labor Party walking out of this House during some very important legislation a few days ago. That was terribly irresponsible. It could have been a strike. I really do not know whether the Opposition was on strike. It could have been a secondary boycott.

Labor has stood up for industrial thuggery. For the last few weeks, Labor has stood up for the bash merchants in the trade union movement. Opposition members have denied that there are any stand-over tactics against SEQEB linesmen. They are either blind or very stupid.

Mr Henderson: Both.

Mr ALISON: Yes. Fancy saying there is no thuggery and there are no threats; one would expect better than that even from members of the Labor Party. Members of the Opposition support secondary boycotts. That is an absolute disgrace. The parliamentary Labor Party has sold out the people of Queensland.

Mr Fouras: Like you sold out the Liberal Party.

Mr ALISON: Industrial anarchy; that is what the member for South Brisbane stands for—industrial thuggery and industrial anarchy.

Earlier in the debate, an Opposition member suggested that the Government should sit round a table and talk to the unions. Imagine that! One has a clear conception of what conciliation means to the likes of the Dinny Maddens and Norm Gallaghers of the world. As I understand it, to those gentlemen "conciliation" means, "You give in and then we'll go back to work." Anybody who watches the antics of trade union leaders could be forgiven for believing that to them "arbitration" really means that the unions would agree with the arbitrator's decision as long as it is what they want. If we sat round the table and spoke to people like that, we would be selling the people of Queensland down the drain, just as the Opposition is doing.

The people of Queensland demand that the Government take appropriate action. During the course of the two-week strike, I had 50 or 60 telephone calls to my electorate office—mine is an industrial electorate—from small-businessmen saying, "Tell the Premier to hang in there. We know he has to win this one. It is hurting us. The refrigerators have stopped and we are losing thousands of dollars worth of stock." Small-crop farmers rang to say they were losing a great deal of money because they could not use their irrigators.

The people of Queensland are not as stupid as members of the Opposition think they are. They know what this is all about. The majority of them back the Government's endeavours to bring sanity back into industrial relations and prevent the people from being belted round the ears by industrial thugs.

We have heard much about the right to strike, which is the sacred cow of the union movement. It is a right to strike under any conditions. It does not matter how they hurt their fellow-men. What about responsibility for their actions? Through its legislation over the last few months, the Government is attempting to impose a sense of responsibility on the trade unions, to sheet home to them that they have responsibilities as well as rights, just as does any other citizen in our State. The Government is showing courage and a strong sense of its responsibility by taking action that the people of Queensland

are demanding, which is to bring home to the unions that they have a responsibility to their fellow-Queenslanders.

Mr Fouras: You take away their rights and ask them to keep their responsibilities.

Mr ALISON: The honourable member for South Brisbane is buying into the debate again. He is talking about rights. He ought to be talking to his Trades Hall cohorts about their responsibilities. His time would be better spent doing that.

Mr McLean: What about having this Bill debated properly? What about that? Is that thuggery?

Mr ALISON: Goodness gracious me! This is really humorous. I have just been accused of not debating the Bill.

The Government is bringing home to the unions that they have a responsibility as well as rights; that they, too, are subject to the laws of the land and that unions are not above the law.

Opposition Members interjected.

Mr ALISON: I thought I heard an Opposition member say something about the laws being just. Just what?

The unions must be made to understand that they should accept the consequences of their actions when they break the laws of this land.

Mr Wilson: You do not understand what it means.

Mr ALISON: I understand more about it than the honourable member for Townsville South, the Scarlet Pimpernel. I suggest that the honourable member get on the blower to the "Townsville Bulletin" and tell the staff where he is. That will do the honourable member more good than passing stupid remarks in the House.

As I was saying, the Government is endeavouring to bring about legislation that will ensure that the unions will be made to take the consequences of their actions when the laws of this land are broken. Legislation of this type would not be necessary if it were not for the complete lack of responsibility demonstrated by some trade union leaders and members.

Over the past couple of months, circumstances have arisen that have forced the Government to do what it is doing. The people of this State want the Government to act and have demanded it. The people are prepared to accept any rub-off that might result by way of a few secondary boycotts or the unions bunging on a blue again. The people of Queensland recognise the risks, but they want the Government to act. I am very happy to support the Bill, and I am very proud to be a member of a Government that has the guts to do what it has to do—and that is what the Government is doing now.

Mr VAUGHAN (Nudgee) (9.11 p.m.): I welcome the opportunity to participate in the debate on amendments made to an Act that, in November last year, was passed by the Government without the support of the Opposition, but with the support of Liberal Party members. It is significant that, during the period in which Parliament has been in session this year, a series of Bills has been introduced because of the lack of harmony in industrial relations. The Government has now brought forward a further amendment.

Recently, a Bill was brought forward to amend the provisions of the Electricity (Continuity of Supply) Act, which was introduced into the House on 5 March, and now honourable members are being asked to consider a further amendment to the Industrial (Commercial Practices) Act, which was passed at the end of last year.

The previous speaker referred to the many telephone calls that he received during the dispute that occurred in the power industry. My views about the dispute have been recorded. I am also on the record as having said that the dispute could have been resolved on 10 February if the Premier and Treasurer had wanted to resolve it, but he did not. The Premier and Treasurer did not want to have the dispute resolved, because he did not want to accept the recommendations made by the Industrial Conciliation and Arbitration Commission. As a result of that, the whole of Queensland suffered to the extent that the Premier and Treasurer ran up a bill of approximately $1 billion. If it must be acknowledged that the Premier and Treasurer won, it must also be recognised that the victory certainly cost $1 billion and it will be a long time before the economy of Queensland recovers. The Premier and Treasurer, together with Government members, must accept as much responsibility for what occurred as anybody else.

The previous speaker also referred to the incidence of strikes in Queensland. In "The Courier-Mail" on 18 January this year, an article appeared under the headline "What strikes, asks Joh" The first paragraph in that article reads as follows—

> "Industrial relations are improving almost everywhere in Australia—except in Queensland where they are worsening rapidly."

It is a well-known fact that industrial relations in Queensland are indeed worsening rapidly, but not according to the Premier and Treasurer on that day. The Premier and Treasurer was interviewed, and the article continues—

> "But the Queensland Premier, Sir Joh Bjelke-Petersen, last night dismissed the figures as wrong.
>
> 'I can't believe figures like that. It could only be because we had such low figures previously,' he said.
>
> 'When can anyone tell me when this happened. When were these strikes?
>
> 'We've had nothing like the strikes, the troubles they've had in New South Wales.' "

That is the way in which the Premier and Treasurer has acted for quite some time. He travelled to Japan and, in doing so, he really betrayed Queensland and Australia when he spoke in Japan about the strikes that were occurring in Australia. The Premier and Treasurer did not do the coal-mining industry any good at all. He travelled to Japan to try to convince the Japanese that Queensland was a strike-free State, and he tried to blame the rest of Australia for strikes. He said that the strikes were taking place in New South Wales.

Because the debate will cease by 10 o'clock this evening, I now turn my attention to the contents of the Bill presently before the House. The legislation was initially introduced in November last year, because at that time the Government was under the apprehension that the provisions of sections 45D and 45E of the Trade Practices Act were likely to be removed. For the purpose of providing some background to the debate and an insight into the thinking of the Federal Minister for Employment and Industrial Relations (Mr Ralph Willis) at that time, I wish to refer to an extract from "Hansard" of the debate on the Conciliation and Arbitration Bill in the House of Representatives on 13 September 1984. At page 1226, Ralph Willis said—

> "The Government is concerned about the possible effect of the remedies of penalties and damages which are available under the Trade Practices Act for

contraventions of sections 45D and 45E. These are potentially highly disruptive to Australia's industrial relations. Their application, where boycotts occur, is unlikely to lead to the effective or satisfactory resolution of the dispute. Indeed it is worth pointing out that pecuniary penalties under the Act have never been imposed. In addition, damages are not the principal objective of the parties where proceedings are instituted.

Practical experience has shown that the remedies provided under the Trade Practices Act have not been effective in the way which is often claimed. The only remedy which has been seriously pursued has been the granting of an interim injunction to seek to force a union to lift its bans before or during negotiations on the issue at the hearing of the dispute. Yet when the evidence is examined, there is not much reason to conclude that the injuctive process has been particularly speedy or that using this legal remedy will help to resolve a dispute. In some cases, the issuing of an injunction under the Act has even led to a worsening of the dispute. To illustrate this, I will refer to the applications which, as the Government is aware, were made under sections 45D and 45E in relation to secondary boycotts involving unions. We know of 78 such applications. Periods of two weeks and more between the imposition of bans and the application for an injunction are quite common. This occurred in 38 of the 64 cases for which relevant information is available.

We are most concerned about the delays in resolving boycotts."

He went on to detail instances in which disputes had escalated following the application of the provisions of sections 45D and 45E of the Trade Practices Act. Yet in November last year this Government introduced the Industrial (Commercial Practices) Bill on the basis, as it was put at that time, that that Bill would solve the problems that faced this State although, as I just pointed out, the Premier denied that such problems existed.

If the provisions of this Bill are applied, employers will, of course, have an even better opportunity to really screw their employees, to use the vernacular. The Bill gives the employer the opportunity not only to hide behind the provisions of the Industrial Conciliation and Arbitration Act, which has recently been amended, but also to avoid settling industrial disputes. It will enable employers to revert to pecuniary penalties. Ralph Willis referred to such penalties in the extract from Federal "Hansard" from which I just read.

It is one thing to pass legislation, and it is another thing to have the members of the community to whom it will apply understand its full ramifications. No matter how closely a person reads this Bill, he cannot understand what it means. It would be a very learned legal gentleman who would be able to interpret its provisions. I assure Government members, that, when workers on the job in a shop or factory or on a construction project have a problem, the last thing in the world that they would think about is, "What are the provisions of the Industrial (Commercial Practices) Act?" First of all, they would have extreme difficulty in understanding its provisions and, secondly, their prime concern at the time would be what was happening, and the fact that it could directly affect their livelihood.

Government members may talk as much as they wish about disputes in industry but, without doubt, most strikes take place when people walk off the job. As I said the other day, that is the last thing that workers want to do, but it is their last recourse. I have often told the House about employers taking employees down, and how employees are treated when they try to resolve the problem. The other day I referred to the stand-by and call-out problems in the power industry, and how the workers became frustrated. In most cases when people become frustrated, they decide what to do of their own volition, not, as the Government members suggest, because of duress from trade union bosses.

Government Members interjected.

Mr VAUGHAN: That is where Government members are wrong. That is where they lack an understanding of industrial realities. In my 13 years of industrial relations, I found that, when industrial troubles occurred, most of my time was spent in trying to keep fellows on the job. It is one thing for employees to walk off the job, but it is another thing to try to get them back to work. Government members do not appreciate that.

To illustrate what the Government is doing by this legislation, I will deal with clause 4 and the other clauses as I proceed, because they will not be dealt with in Committee.

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member cannot deal with clauses at this stage. The Standing Orders have not been varied to permit that.

Mr VAUGHAN: I do not intend to refer to the clauses in detail.

On page 2 of the Bill, a provision deals with cases that are not withing certain sections of the Act. The Government is expecting the man in the street to be familiar with these matters when he has a dispute on his hands. The Government is virtually saying to him, "Don't do anything drastic because you have the Industrial (Commercial Practices) Act to contend with." If a worker has a copy of the legislation, he has to think "Will I or will I not be covered by it? From time to time I can withdraw my labour or take strike action as defined in the Industrial Conciliation and Arbitration Commission Act and not incur penalties."

The wording of the Act is in these terms—

> "A person shall not be taken to contravene or to be involved in a contravention of section 6 or 7 by engaging in conduct where—
>
> (a) the dominant purpose for which the conduct is engaged in is substantially related to—
>
> (i) the remuneration, conditions of employment, hours of work or working conditions of that person "

This is where the Bill comes in under this provision—

> " or of another person employed by an employer of that person."

That sounds very well when it is read, but the person involved in a situation has to try to interpret it.

Formerly, when an industrial situation occurred in a workshop because a worker was not paid his correct wages for services rendered and he tried to get the matter straightened out, he got the run around and had to go through the settlement of dispute procedures. Reference was made to settlement of dispute procedures being included in this legislation, but I have not seen them. Certain awards and agreements contain settlement of disputes procedures. They are a two-way street, but many employers do not believe that.

The employer wants the employee to go through the various procedures. However, he drops the barriers, and if he does not want a dispute resolved, he drags it out. The employee becomes more frustrated as he goes from his immediate supervisor to the foreman, to the manager and, finally, to the principals of the company. The last resort is the Industrial Commission, if a dispute has occurred in general industry, or to the tribunal that has been established to hear disputes in the electricity industry. The person who will head the tribunal will be very —indeed, extremely— busy.

Mr Fouras: If they find one.

Mr VAUGHAN: I do not think that the Government will find anyone from the legal profession, but it will probably find some lackey from the National Party who is prepared to sit on the tribunal and be "impartial".

A dispute may arise, and the employee, who has tried to resolve the problem with his employer, may then seek out the rest of his workmates in that establishment, who decide to down tools. Under the Act that was introduced in November, that man could seek the support of his workmates in that particular shop. As I interpret this Bill, that is not so. This legislation deletes from the Act the words "or of another person employed by that employer" That means that if an employee has a particular problem and his employer has picked him out for treatment, his workmates can no longer support him by withdrawing their labour. That will go over like a lead balloon. Nevertheless, the Government is amending the legislation to provide for such an occurrence.

From the section in the principal Act that states that "an employer of that person, having terminated or taken action to terminate the employment of that person or of another person employed by that employer", the words "or of another person employed by that employer" are to be deleted. That means that an employer can sack one of his employees and the rest of his workers are hindered by this legislation from taking any action.

So that honourable members have an appreciation of what goes on in the real world, I will cite an example. In an industry out my way, a fellow was injured on the job. He saw the company's own doctor, who sent him back to work to do light duties. On his return to work, his employer told him to grind steel, which is not light work, and his injury was aggravated. The employee approached his employer and told him that the work aggravated his injury; his employer sacked him. The logical thing for that employee to do is to explain his problem to his shop steward. Under this legislation, he can do nothing. It is a useless exercise for him to approach his shop steward. The Government is taking away from the other workers in such establishments the right to show allegiance to their fellow-workers. Employers can now virtually do what they like. I have cited only one case, but there are many more. This legislation gives employers the right to screw their employees. The employees would have to be Philadelphia lawyers to understand the way in which this legislation is written.

The Bill goes even further. As the Minister said, it extends the operation of the principal Act to cover, in addition to secondary boycotts, damage caused by three types of primary boycotts. The Government has gone beyond secondary boycotts as described in sections 45D and 45E of the Trade Practices Act. It has included in its legislation provisions that will enable employers to suppress their employees. As I have said previously, the Government has virtually created industrial slavery in this State, and it is continuing with its actions.

Demarcation disputes are also covered. They would be one of the worst types of disputes, because, with one union against the other, nobody wins. Nobody likes demarcation disputes. However, the Bill provides that the provisions of the Industrial (Commercial Practices) Act apply to demarcation disputes, and action involving pecuniary penalties can be taken against those involved. The Government will fine people heavily, and they will be forced to establish their innocence.

The Bill also provides that people will be assumed to be guilty until they prove their innocence. That cuts right across the freedoms that are ordinarily accepted as just entitlements in the community.

The Bill allows employers to recover damages. As I pointed out previously when I read from the debate in the Federal House, pecuniary penalties under the Trade Practices

Act have never been imposed. As Ralph Willis said, there have been 78 applications, but periods of two weeks and more between the imposition of bans and the application for an injunction are quite common.

This type of legislation just does not work. The Government is trying not only to introduce provisions covering the matters about which it was concerned in the Federal sphere but to introduce provisions that go beyond that.

The Opposition spokesman on Industrial Relations, the member for Bulimba (Mr McLean), spoke earlier about safety issues. Clause 5 of the Bill provides in part—

> "Where conduct engaged in is of a description of conduct referred to in section 6 or 7 and—
>
> (b) consists in a strike that has commenced without adequate notice. . ."

The Government wants seven days notice of a dispute. What about safety issues? When safety is at stake, workers cannot wait for six or seven days. Of course, employers always insist that normal work carries on when disputation occurs. When a safety issue arises, an employer will say, "No, that is safe. I say that it is safe. As far as I am concerned, you will continue to do the work. You have to give me seven days notice before you down tools." That just will not work. The Government can try as much as it likes, but it can suppress people for only so long.

Because I understand that one more member will speak after me; I will round off now. The Government is suppressing workers by not allowing them the right to strike. By doing that, it takes away a safety valve. I do not agree with all strikes; many strikes should never occur. But the Government is not tackling the problem. It is trying to treat the symptoms; it is not doing anything to cure the disease.

When workers are suppressed to the extent that they are hog-tied, they can do nothing else; they have only one way to go. In 1979, during the debate on the Essential Services Act, I said that what happens then is that the workers seek ways and means of correcting that situation. The only ways and means available to the workers of Queensland will be through the political process.

The member for Maryborough said that he received many telephone calls from people complaining to him during the power dispute. I will tell the honourable member this: when the fellows in the oil refineries impose bans and limitations, the employees in the power industry who may be affected by them say, "What are those guys down there doing, being involved in a dispute?" When the railwaymen are involved in disputes and no trains are running, the fellows in the power industry and in the oil refineries who have to use trains to get to work say, "What are those fellows in the railways doing, inconveniencing me?" It does not matter which dispute it is; if a person is not involved, he does not see the merits of the dispute. The same thing happened in the recent power industry dispute. I ask the member for Maryborough to check who the people were who rang him. He will find that, at one time or another, all of them have been involved in industrial disputes when it suited them. When they were involved in disputation, they did not look at it in the same way as they looked at the power dispute.

When the Government totally suppresses workers, their only recourse is to take political action. That is when the tables will turn. The Government cannot say that it has not been warned, because I have given the warning before. I should be the last one to be warning the Government, but I am trying to tell it something. I should not be telling this to the Government, because its actions can only benefit the Opposition. They can only benefit the Australian Labor Party, and I believe that they will.

Mrs HARVEY (Greenslopes) (9.35 p.m.): I have been sitting in this Chamber since a quarter past seven and have been stunned by the ramblings that Opposition members pretended were some sort of debate. Not once during the course of the debate was the

ordinary person referred to in terms of the hardships that he experienced during the course of the electricity strikes. Opposition members have incessantly referred to unions. I am led to believe that the only constituents in the electorates of Opposition members are members of the electricity unions. It makes me wonder why those very same constituents, after obtaining my telephone number from those Opposition members, rang me at midnight about what was going on. They did that because they could not obtain the information from their own members. I am also amazed at the lack of understanding of Opposition members. Not once has reference been made to the real issue. The Bill is an urgent response to an emergency. It has been treated very lightly in the House tonight. However, there is an emergency in the community.

Mr Davis: Where?

Mrs HARVEY: The honourable member is not aware of what goes on beyond the four walls of this Chamber.

When people cannot contact the Government by telephone to obtain information or help, there is an emergency. The Bill addresses that emergency. I am very disappointed that the honourable member for Nundah (Sir William Knox) missed that point. I know that he supports the Bill. However, he missed the point that there is an emergency. When the elected representatives of the Government cannot be contacted by ordinary constituents, there is definitely an emergency.

My constituents rang me at home constantly during the strike. The constituents of the honourable member for South Brisbane also rang me at home. I had the delightful opportunity of informing his constituents about what was going on.

Mr FOURAS: I rise to a point of order. The honourable member for Greenslopes is misrepresenting herself in this Chamber. In fact, she cannot be contacted after hours on the telephone. She talks about people not being able to contact her at other times.

Mr DEPUTY SPEAKER (Mr Row): Order! A personal reflection has not been cast on the honourable member. There is no point of order.

Mrs HARVEY: The constituents of the honourable member for South Brisbane who rang me at midnight and spoke to me until 1.30 in the morning finally conceded that they were being manipulated by the unions. They came to an understanding of what the matter was really all about. I thank the honourable member for passing on my telephone number to them, because it was very fruitful. The honourable member is welcome to pass on my telephone number to his constituents. I am only too happy to talk to them.

Tonight honourable members have heard a lengthy diatribe about Nazism. Although that has nothing to do with this issue, I point out that, had members of the Opposition been subjected to the atrocities committed by the Nazis during World War II and been more aware, as some people are, of the painful and tragic time in human history that Nazism represents, I do not think that they would have referred to it as flippantly as they did. I am sure that the Polish and Russian people in the electorate of Inala would not treat this as flippantly as Opposition members have treated it. Had the member for Ipswich (Mr Hamill) called out "Sieg Heil" among his Russian comrades in communist Russia, he would not merely have been ordered to absent himself from the House for seven days but would also have found himself like a shag on a rock somewhere in the middle of Siberia. It is most inapporpriate for him to use such terminology in this Chamber. I ask Opposition members to be a little more perceptive of and sympathetic to the issues of World War II rather than make fun of those issues in this House.

As I said earlier, the Bill is an urgent response to the calls from the people of Queensland. Because I am a charitable soul, I will explain the issue slowly for the benefit of members of the Opposition. I suggest that, for a change, they listen quietly instead of engaging in their usual rabble-rousing.

This is an emergency that has to do with the telephone services of the elected State Government representatives and their contacting their constituents. It is people who are in need who are affected. The issue goes close to sabotage.

I will explain what the Bill is all about. Currently, an injunction has been applied for in the High Court that will require Telecom to repair its equipment. The switchboards in the Anzac Square State Government building and other buildings have been cut off. For the information of honourable members opposite, in case their constituents should happen to ask them, it involves the telephones of the Queensland Housing Commission, the Department of Mapping and Surveying, the Justice Department, the Primary Industries Department, the Stamp Duties Office, the Health Department and the Solicitor-General's Office. All those departments are affected. I do not know what honourable members opposite will do if people have inquiries concerning those departments. Perhaps they will send a letter. In the meantime, many problems could arise.

I point out also that Australia has 320 registered trade unions. The Queensland Government is not hitting at all of those unions; it is hitting at the irresponsible unions that have caused the pain and deprivation in the community that has not been referred to at any time tonight by the Opposition. The Government cannot allow these unions to threaten life and property. These irresponsible hot-heads drag down the cause of responsible unionism.

The Bill will enable the State Government to require Telecom to direct its workers to repair the switchboards. If they refuse to repair them, the Bill will enable the Government to obtain an injunction in the Supreme Court. Should the members further refuse to repair the switchboards, they will come under the Act and be liable to a $250,000 penalty. That is only a small price to pay, considering the cost of the strike to the general community. I do not weep for the people who are likely to be hit with such a penalty.

I will talk about the grassroots issue, the nitty-gritty of what happens out in the electorate, which the Opposition tends to forget about. The Queensland Housing Commission is a good example. Undoubtedly, many people require assistance from the Housing Commission. If it cannot be contacted by telephone because the telephones are out, and a woman who is a battered wife has just been thrown out of her home and requires emergency housing through the Housing Commission, what will the honourable member for South Brisbane (Mr Fouras) do? Will he write a letter? Will he wait a week while that woman sleeps on the street? That is not what I intend to do. Does that mean that I will have to get a taxi into the Housing Commission and ask it to assist that person?

Mr Fouras interjected.

Mrs HARVEY: Housing Commission problems are problems that must be addressed urgently. When the Housing Commission does not have the use of telephones, honourable members have a real problem in their electorates.

The Stamp Duties Office is another example. What about the poor people who have conveyancing problems? What about the settlements that will be delayed because the conveyancing cannot be organised? What about the home-owner who has sold his house and is waiting for a pay-out so that he can move into another home? Given the present situation, he might even lose the deal or be forced into high-interest bridging finance.

Mr Miller: They don't care.

Mrs HARVEY: Obviously Opposition members do not care. The honourable member for Ithaca has hit the nail right on the head. They do not care.

The Division of Occupational Safety cannot be contacted either. That affects the people whom the Opposition pretends to support. What about the poor worker who

wants to check on the safety of his scaffolding? He cannot get through because the telephones are out. What if he falls off and has a bad accident? Whose fault will that be? It will be Telecom's fault. Telecom does not care, nor do Opposition members.

What about the genuine unionist who is prevented from ascertaining his rights and checking award provisions? The phones are out. Is he supposed to send a letter and wait to get his job? The Health Department phones are out, too, so where will the young mother obtain her maternal and child welfare advice? Will she go to members opposite for that? Obviously not. What about psychiatric services? They are usually urgently required. What about geriatric services? Most honourable members have people in their electorates who require that type of attention.

Opposition Members interjected.

Mrs HARVEY: Members opposite are smiling. They think that this is a huge joke.

Mr DEPUTY SPEAKER (Mr Row): Order! There are far too many shouted interjections. The Chamber will come to order.

Mrs HARVEY: They try to shout me down, but it will do them no good. I may finish up with a sore throat, but I will keep going.

Opposition Members interjected.

Mr DEPUTY SPEAKER: Order! I have just asked for order in the Chamber. I have been completely ignored. If the Chamber does not come to order, I will warn several honourable members under Standing Order No. 123A.

Mrs HARVEY: I could speak for hours on this subject. Because I can see how members opposite are hurting, I will abbreviate my speech. I am a charitable soul at heart.

I call on the Oppostion to support the legislation if they are truly sympathetic to the needs of their constituents. If they really care, let them prove it. If they care about the many who will be trying to telephone the Housing Commission, let them support the Bill. I notice that the member for South Brisbane has left the Chamber. Perhaps he is so embarrassed that he had to leave.

A Government Member: He is trying to ring up.

Mrs HARVEY: He is probably trying the telephone to see whether I am telling the truth. Obviously he was unaware until now that phones are out of order.

Towards the end of the power strike I did not hear one member of the Opposition refer to the pain and deprivation experienced by the electors. Am I to understand that no personal help was forthcoming from them? My colleague the member for Pine Rivers (Mrs Chapman) and her husband boiled water round the clock on a generator-operated boiler to provide hot cups of tea for her constituents. I and many of my colleagues remained on call 24 hours a day to deal with the personal hardships that surrounded us in our electorates. We have done nothing but talk about those hardships, but I have not heard one word in the Parliament from members of the Opposition. Do they represent a lucky group of electorates?

The Bill ensures that no longer will there be wildcat strikes. I see a wild cat as being a creature of the jungle. Irresponsible unions are trying to subvert the democratic process in our community and impose in its stead the law of the jungle, where the mob rules and where intimidation, harassment and threats of violence subjugate the rights of individuals. The Government will protect the rights of individuals. There will be no law of the jungle in Queensland. The callous actions of trade union agitators will not be tolerated.

Mr DEPUTY SPEAKER: Order! I call the Minister.

Mr YEWDALE: Mr Deputy Speaker——

Mr LESTER: Mr Deputy Speaker——

Mr YEWDALE: I rise to a point of order.

Mr DEPUTY SPEAKER: I have given the call to the Minister.

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

"That the honourable member for Rockhampton North be heard."

Question put; and the House divided—

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

NOES, 42	
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.	Simpson
Glasson	Stephan
Goleby	Stoneman
Gunn	Tenni
Harper	Turner
Harvey	Wharton
Henderson	
Hinze	*Tellers*
Jennings	Kaus
Katter	Neal

Resolved in the negative.

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs) (9.58 p.m.), in reply: The Government has been forced to take the action it has taken tonight. Because 3 100 telephones are out of action at the moment, the Government has been forced to act. Members of the ALP support the actions of the Telecom unionists in trying to cut down the rights of the ordinary person in this State. Opposition members ought to be absolutely ashamed of themselves for the way in which they are carrying on. They have given away democracy——

Mr PREST: I rise to a point of order. I draw your attention, Mr Deputy Speaker, to the motion moved by the Leader of the House (Mr Wharton), which stated that the remaining stages of this Bill, that is, the second-reading debate, the report from Committee and the third reading, be completed by 10 p.m.

Mr DEPUTY SPEAKER (Mr Row): Order! It is not yet 10 p.m.

Mr LESTER: It is obvious that the honourable member cannot tell the time. I wish to make it very clear that the Government will not continue to tolerate continuing disruption by the unions supported by the ALP. It is also very clear that the Government has acted to try to get some sanity into the State.

I thank honourable members for their contributions in the interests of better government and a better deal for the people.

Question—That the Bill be now read a second time (Mr Lester's motion)—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, 31	
Burns	Warburton
Campbell	Warner, A. M.
Casey	Wilson
Comben	Yewdale
D'Arcy	
De Lacy	
Eaton	
Fouras	
Gibbs, R. J.	
Goss	
Hamill	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Prest	
Price	
Scott	
Shaw	
Smith	
Underwood	*Tellers*
Vaughan	Davis
Veivers	Braddy

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.

The TEMPORARY CHAIRMAN (Mr Booth): Order! The Committee will now consider the Bill in detail. There are seven clauses. The question is that clauses 1 to 7, both inclusive, as read, stand part of the Bill. All those in favour say "Aye", to the contrary "No" I think the "Ayes" have it.

An Opposition Member: Divide!

Mr FOURAS: I rise to a point of order. I want to debate clause 3.

The TEMPORARY CHAIRMAN: Order! I put the question, I heard the "Ayes" and the "Noes", and the call "Divide"

Question—That clauses 1 to 7, as read, stand part of the Bill—put; and the Committee divided—

In division—

Sir WILLIAM KNOX: I rise to a point of order. I bring to your attention, Mr Booth, that an amendment to clause 7 was presented to you by the clerks at the centre table. You called the clauses and said that there were no amendments to any clause.

The TEMPORARY CHAIRMAN: Order! The time allotted for the debate covered by the resolution that was carried earlier had expired. In view of that, I put the question for all seven clauses.

Sir WILLIAM KNOX: If that was so, Mr Booth, you should have put to the Chamber that the time for the debate, according to the suspension of Standing Orders, had elapsed. Instead, you put the clauses.

The TEMPORARY CHAIRMAN: Order! In reply to the honourable member for Nundah, I state that the time for debate had expired at least seven minutes earlier. The

motion had been put to the House and agreed to. As the time had expired to that extent, it would be quite foolish to read the resolution. The honourable member for Nundah should have heard the resolution. I believe that everything in that order has been carried out. If the honourable member wishes, I will read the resolution that was carried.

Mr LICKISS: I rise to a point of order. Even if all the clauses are put in accordance with the motion that was carried, I suggest to you, Mr Booth, that each clause should be put separately so that a vote can be taken on each clause of the Bill. I think you will find that Standing Orders provide for that. As part of my point of order, Mr Booth, I refer you to Standing Order No. 251.

The TEMPORARY CHAIRMAN: Order! The honourable member is suggesting that something quite out of the ordinary is taking place. I will read the last part of the resolution that was carried—

> "If the debate on any stage of the Bill be not concluded by the time so specified, Mr Speaker, or the Chairman, as the case may be, shall forthwith put the remaining questions on that Bill without any further amendment or debate."

In view of that, I have made a ruling and I now intend to put the question. The question is that——

Mr LICKISS: I rise to a point of order.

The TEMPORARY CHAIRMAN: Order! I am going to put the question. I am on my feet and I suggest to the member for Mount Coot-tha that he resume his seat.

Mr LICKISS: I rise to a point of order.

The TEMPORARY CHAIRMAN: Order! I warn the honourable member.

Mr LICKISS: After 20 years! I will ask for a point of order.

The TEMPORARY CHAIRMAN: Order! I warn the honourable member. I am on my feet and I will put the question.

AYES, 41	
Ahern	Lester
Alison	Lingard
Austin	Littleproud
Bailey	McKechnie
Bjelke-Petersen	McPhie
Borbidge	Menzel
Cahill	Miller
Chapman	Muntz
Cooper	Newton
Elliott	Powell
FitzGerald	Randell
Gibbs, I. J.	Simpson
Glasson	Stephan
Goleby	Stoneman
Gunn	Tenni
Harper	Turner
Harvey	Wharton
Henderson	
Hinze	
Jennings	*Tellers*
Katter	Kaus
Lane	Neal

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

Resolved in the affirmative.

Bill reported, without amendment.

Third Reading

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

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

Question put; and the House divided—

AYES, 48		NOES, 31	
Ahern	Lane	Braddy	Warburton
Alison	Lee	Burns	Warner, A .M.
Austin	Lester	Campbell	Wilson
Bailey	Lickiss	Casey	Yewdale
Bjelke-Petersen	Lingard	Comben	
Booth	Littleproud	D'Arcy	
Borbidge	McKechnie	De Lacy	
Cahill	McPhie	Eaton	
Chapman	Menzel	Fouras	
Cooper	Miller	Gibbs, R. J.	
Elliott	Muntz	Goss	
FitzGerald	Newton	Kruger	
Gibbs, I. J.	Powell	Mackenroth	
Glasson	Randell	McElligott	
Goleby	Simpson	McLean	
Gunn	Stephan	Milliner	
Gygar	Stoneman	Palaszczuk	
Harper	Tenni	Prest	
Harvey	Turner	Price	
Henderson	Wharton	Scott	
Hinze	White	Shaw	
Innes		Smith	
Jennings	*Tellers*	Underwood	*Tellers*
Katter	Kaus	Vaughan	Davis
Knox	Neal	Veivers	Hamill

Resolved in the affirmative.

TOOWONG RAILWAY STATION DEVELOPMENT PROJECT BILL

Second Reading—Resumption of Debate

Debate resumed from 20 March (see p. 4196) on Mr Lane's motion—

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

Mr CASEY (Mackay) (10.20 p.m.): This is the latest in a series of Bills being pushed through Parliament, which is uniquely Queensland and completely unnecessary. It is another example of the confrontationist style of the Queensland Government, its inability to work harmoniously with various sections of the community and its desperate need, as a last resort, to introduce regressive legislation to cover up its pathetic ineptitude.

In recent weeks, legislation which has put industrial relations in this State back into the Dark Ages and savagely discriminated against a very important section of the Queensland work-force has been steam-rollered through this House. That unfortunate state of affairs has been brought about by the fact that the Government cannot or will not understand the role of the working people of Queensland in building a better State and a better society. Similarly, the Government, through the introduction of this legislation, is demonstrating its own incompetence and its inability to co-operate with another very important section of the community—the local authorities.

The legislation is designed to take away or to circumvent the responsibility—indeed the necessity—for a democratically elected local authority to be meaningfully involved in a major development proposal affecting its area. To take away that right and responsibility is much more than an attack on a group of elected aldermen; it is an attack on the 750 000 men, women and children of Brisbane whom they represent.

There are many more reasons—very important reasons, apart from the Minister's obsessive hatred of the Labor administration in the Brisbane City Hall—that have prompted him to introduce special legislation to prop up his dubious development project. I shall deal with these matters a little later.

I must make it clear that the Opposition is not opposed to the commercial development of railway stations and their air space. However, Opposition members believe that such developments must be economically feasible, in the public interest, and not in conflict with an approved town plan of any city in Queensland. It is doubtful whether the Minister and his department ever gave any consideration to assessing this project to see whether it conformed to the Brisbane Town Plan. One of the very important broad aims and objectives of the Brisbane Town Plan is—

> "To promote and facilitate the protection of desirable capital investment and the protection, maintenance and enhancement of the economic efficiency of the City's structures, functioning and servicing and of the economic well-being of the City and its inhabitants."

Clearly the Minister and his advisers have ignored that important message for, by promoting this particular project, other established business enterprises in the area are put at risk.

The Brisbane structure plan provides for the major existing regional shopping centre at nearby Indooroopilly and the present Toowong Shopping Village to serve the needs of the community insofar as large shopping centres are concerned. One hardly needs to be a town-planner to recognise that that part of Brisbane is well served with shopping facilities. One has only to take a drive out there to see the number of shops that are available and their turnover. Many of them are not doing very well even now, mainly because of the economic problems caused by the Government. Already there is an overproliferation of shopping centres. The building of more shopping centres will eventually lead to heartbreak for many business people. The Government does not really care. Government members talk about small business. However, when the Government gets the opportunity to hit small business in the neck, it does so. The Government gives them no consideration. Its main consideration is its big business friends who contribute considerably towards it and help it along the way. I will clearly demonstrate that strongly.

If new shopping centres are to be provided in that region of Brisbane, a more logical location would be the outer western suburbs, where there is considerable residential development and growth. The complete disregard for such basic facts by the Minister and other members of the Government is one reason why Queensland has such a high rate of bankruptcies and problems generally among small businesses.

In his second-reading speech, the Minister said that the Brisbane City Council was unwilling to approve the project. That is simply not true. It is a complete fabrication by the Minister, as a study of the minutes of what has happened in this matter would clearly demonstrate. Although the council is not particularly enthralled with such a development in that location, it is sufficiently realistic to know that the Government has the power to proceed, irrespective of what is contained in the town plan. In such circumstances, therefore, the council adopts the attitude that it should co-operate and make the best of things in the interest of the rate-payers.

Co-operation provided by the Brisbane City Council for the Government's Expo 88 project proves that, unlike the Minister, the council is not bloody-minded on projects such as this. An examination of the events of the past three years reveals that the handling of the project by departments under the control of the Minister for Transport has been particularly inept and devious.

Let me trace the history of the project. In February 1982, the Metropolitan Transit Authority provided the council with a draft copy of a tender document calling for development proposals for the site. The draft provided, amongst other things, that the developer meet conditions imposed by the Brisbane City Council and that the development should comply with relevant provisions of the town-planning Act. It also referred to the fact that the council had future road improvements in the area under consideration and that these were to be incorporated in the development proposal. In the following month, the council advised the Local Government Department of its planning parameters for the proposal. These included the maximum intensity of development for any shops,

office, residential or composite buildings included in the development, car-parking provisions, road and traffic improvements and bus service requirements.

On 6 September 1982, the Queensland Railways advised the council that tenders had been called for redevelopment of the site and would close on 27 January 1983. On 16 March 1983, almost two months after the closure of tenders, Queensland Railways advised the council that responses had been received based on the tender document, which had included the development parameters established by the Brisbane City Council almost 12 months earlier. I emphasise "based on the tender document" and "included the development parameters"

On 25 March 1983, Queensland Railways advised the council not to discuss development requirements with any tenderer and that Queensland Railways would contact the council in due course. It was not until 8 August 1983 that Queensland Railways advised the council that the project-developer had engaged a traffic consultant, who would approach the council direct for existing traffic data. Queensland Railways requested council assistance in the matter and stated that close liaison would be maintained between council and Queensland Railways officers as planning proceeded.

In December 1983, a preliminary meeting between the developer, his consultant and council officers was held to discuss traffic arrangements, both internal and external to the site.

On 24 February 1984, Sir Frank Moore came onto the scene. As we all know, he is chairman of the Queensland Tourist and Travel Corporation. He is a very close friend of the Premier and Treasurer, a bagman for the National Party and a person deeply involved in organising development projects on his own behalf and on behalf of other people. On this occasion he was involved with what was known as the Toowong Development Group and Delta Security Pty Ltd. Sir Frank Moore advised the council that the development proposal would be submitted to the council for "consideration in principle", and that additional information needed for the proper consideration of the application would be prepared.

On 16 April 1984, the Queensland Railways provided the council with a copy of a concept report "Development Concept for Toowong Village Centre" for comment. The report clearly indicated that external (road and traffic) work in Bennett and Benson Streets was not a legitimate charge on the developer.

On 29 May 1984, the council advised Queensland Railways of a number of shortcomings in the concept report, and supplied Queensland Railways with a comprehensive list of traffic issues. Queensland Railways made a further submission in response to council's comments on traffic issues on 25 June 1984, and included a further traffic report. On 2 July 1984, Queensland Railways, the developer, its traffic consultant and council officers met to discuss traffic issues.

On 9 July 1984, the council notified Queensland Railways of its attitude regarding various traffic schemes that were being promoted by the developer and the consultant. The letter reiterated various design parameters that had been outlined previously by the council, and mentioned that car-parking requirements were still an issue. The letter confirmed that council had no funds for use in conjunction with the scheme, which must be able to stand on its own with no detriment to the existing street system. On 3 August 1984, Queensland Railways made a further submission on car-parking and traffic issues.

On 23 August 1984, Brisbane City Council completed a position statement on the external traffic proposal of Queensland Railways and the developers. That certainly does not sound like an organisation that is trying not to co-operate, as the Minister would suggest.

On 15 October 1984, Queensland Railways advised the council that following discussions with the Minister for Transport and Minister for Local Government, Main Roads and Racing, the latter Minister would arrange for the land to be rezoned to a

special uses zone, which would stipulate parking for 1 200 vehicles, with external traffic work to be funded by the developer. A copy of the external traffic work was included with the letter.

Three days later, on 18 October 1984, council officers met representatives of the Queensland Railways, the Local Government Department, and traffic consultants. Matters discussed included—

problems with an economic impact assessment that had been prepared by consultants;

extra traffic that would be generated by the additional 6 500 square metres of shopping floor area in the latest proposal; and

the number of car parks to be provided.

These three things seem to have been the contentious issues at that time.

I should mention here that a review by council planners/economists of the economic impact assessment prepared by consultants, Plant Location International, identified numerous deficiencies both in the manner in which the economic impact assessment was carried out and in its conclusions. That was a proper and correct procedure for an organisation like the Brisbane City Council, which is charged with town planning authority for this part of the State, to follow. The council found, for instance, that at least 38 per cent of the expected trade was highly speculative, and from areas already well served, which bears out the points I made earlier about the existing shopping-centre areas. Much of its revenue would have to come from house-holders who would have to bypass Indooroopilly Shoppingtown to reach Toowong, and that is hardly likely to eventuate.

Even if the Toowong project could be made economically viable, the economic impact assessment has presented no evidence of a need for another shopping complex of this size. Prospective small business people who may intend to rent premises in that business centre would need to take a good look at that economic impact assessment and take note of its deficiencies.

The council's review concluded that too much retail space is proposed. Whatever happens—whether successfully marketed or a failure—there will be an appreciable adverse impact on the efficiency of the city. The proposal was considered to be contrary to the strategic planning principle being followed by the council, and contrary to good planning.

Notwithstanding the many problems perceived in the development, council officers continued discussions with the other parties, and on 19 December 1984, Queensland Railways submitted a letter listing all development requirements, including various external works. On the following day, 20 December 1984, a detailed plan of layout for on-site development was submitted to the Brisbane City Council for the first time. That was almost two years after the development was first proposed, and it was the first time that a detailed site plan of the development was presented to the council.

On 14 January 1985, the council's Establishment and Co-ordination Committee decided that the Queensland Railways letter of 19 December 1984 provided a satisfactory form of agreement between the council and Queensland Railways in relation to the developer carrying out specified works. That was one of the points I mentioned earlier as being a bone of contention, and is part of the subject-matter of this Bill.

The Brisbane City Council has continued discussions with Queensland Railways, the Local Government Department and the new developers, Girvan Brothers, during the early part of this year. If the Local Government Department was able to give the House an uncensored and uninfluenced report on the circumstances surrounding the discussions on the proposal, it would say that the Brisbane City Council has conducted itself in a proper and co-operative manner throughout the proceedings.

I see many other aspects relating to this development that are of crucial public interest, particularly in the areas of accountability and public safety. However, I repeat these points—

The Brisbane City Council provided a set of parameters or general conditions before tenders were called.

When discussions took place after tenders were received, it was found that many of the conditions had not been met by the developers, in particular—

(a) a satisfactory traffic solution had not been found;

(b) the size of the development was grossly excessive; and

(c) provision of car-parking was grossly deficient.

Right from the outset, the council said that the development was deficient in those three areas, yet now the Government is pushing this Bill through to make the wrongs right in the eyes of the law. The points continue—

When listening to an argument for less car-parking, council officers, in the company of Government representatives, were misled about the style of retailing of one of the proposed major tenants.

The developer is proposing 1 200 car-parking spaces, with provisions for a further 400, whereas council ordinances require 3 200, which could be reduced to an absolute minimum of 2 000 because of multiuse of the site.

The consultant's economic impact assessment is definitely deficient.

The development seeks to ignore boundary setbacks. A five-story building is to be built right up to the property boundary in Bennett Street facing residential dwellings on the opposite side of the street, which means that those residents for evermore will be living in an undesirable commercial canyon.

A reasonable set of detailed plans to allow proper assessment by the council was received only in December 1984.

Recognising the powers of the State, the council has agreed to the proposal with grave reservations. The council believes that rate-payers must not be burdened with the future cost of rectifying the problems caused by the shortcomings in the project's design.

Had the council been dealing with an ordinary developer, the project would have been well under way or completed, and without any interference by the Government.

Let me return now to a point I made earlier regarding accountability. One of the things that disturbs me greatly about this project, like so many undertakings of this Government, is its lack of accountability. It is little wonder that the Government runs like a startled gazelle whenever the question of a public accounts committee is raised.

If ever any Government-sponsored project required the scrutiny of a public accounts committee, it is the Toowong Railway Station redevelopment project. Some very alarming information about it has been coming through to my office, and I know that the same information is circulating round Government departments, the city council chambers and the streets of Brisbane.

In the absence of a public accounts committee, the Minister must inform the House of the circumstances surrounding the decision to enlarge this development project from that which originally involved railway land to one which also encompasses a considerable amount of high value private property.

In this instance, one sees a situation similar to that of the Kangaroo Point project. In that case, the Government introduced a Bill under which private property could be resumed by the Government. The Government then intended to hand that land to a developer, as though it were public property, for him to develop. Exactly the same thing will happen with the Toowong development. Instead of using only railway land, the Government, just as it did at Kangaroo Point, intends to take further land. Fortunately, the public outcry over the Kangaroo Point Land Development Bill forced the Government to leave that Bill at the bottom of the Business Paper, and a commitment has been given that it will not be proceeded with. The same thing should happen to this project. The Railway Department should cut back the size of the development rather than resume more land at the behest of greedy developers.

I hope that a full and frank tabling of all relevant information by the Minister allays the fears that over a $1m profit will be made by those assembling the land parcel. The role of Sir Frank Moore should be looked at very closely in this matter.

I understand that, when the matter came before Cabinet, the Premier simply said, "None of you fellows will knock back Frank Moore, will you?", and the spineless 17 in Cabinet simply bowed and said, "No, Sir," or "No, Your Lordship," or whatever the Premier is called in Cabinet. With that, the matter was agreed to.

Someone will make a substantial profit from the sale of this land. If it is not the developer, Girvan Brothers, it will be one of a number of other groups, one of which is led by Sir Frank Moore.

An Opposition Member: Moore and Lane.

Mr CASEY: I am not pointing the finger at the Minister for Transport. If the Minister is involved, he should declare his interest before Parliament, otherwise he will be in breach of his oath of office and be subject to immediate dismissal.

I understand that people of substance in the political world are involved in this development.

When the Government accepted a tender for the development, the press carried the names of Sir Frank Moore, the Toowong Development Group and Delta Security Pty Ltd as being the principals. In more recent times, Girvan Brothers, a southern firm, appears to be the front runner.

As well as telling the House how the latest, much larger project came into being, the Minister could inform the House how the Girvan Brothers project conforms to the original tender. The House has not been told why there was a change from the original development to the much larger project, how the various companies came to be involved, and why all the changes were made. I should be delighted if the Minister would respond to those queries.

I would be very interested to know the relationship between Girvan Brothers and Girvan Constructions, which, I am informed, was responsible for building Stage 1, known as Dolphin House, in the new "Eventide" centre at Sandgate. I am also informed that the workmanship on Dolphin House was so shoddy that the list of defects included leaning stairwells and expensive imported windows that cracked. When the firm did not carry out maintenance work as provided for in the contract, the State Works Department reported that it should not be given another contract in Queensland. Yet Girvan Brothers figures in a special Bill that is being debated in the House. Something smells relative to this matter. Again something reeks concerning various Government actions.

To my knowledge, public safety has not been debated properly. The entire project is to be built over a railway line. Many people with expert knowledge of railway matters fear that another Granville rail disaster could occur at Toowong. As recently as December last year, a serious derailment occurred at Toowong near the High Street overbridge.

The Toowong Railway Station is on an important railway corridor to the western suburbs and beyond to the Darling Downs and the south west of the State. Glossy Queensland Railway brochures advertise that grain is carried by rail. I have one such brochure here. Quite rightly, the glossy brochures are prepared to attract custom to the Railway Department, but the Government should ensure that, as well as promoting trade, it carries goods safely to the point of delivery. All honourable members are aware of the recent tragic crash at Trinder Park.

The glossy railway brochures advertise that, during harvesting, special fast grain trains run daily from Toowoomba to Brisbane. New wagons weighing 48 tonnes loaded and train loads weighing up to 2 240 tonnes gross are typical of the loads being carried today. That is a fairly substantial train load of grain.

Fuel and petroleum products are among the other freight commodities that are carried on this line in tankers sometimes referred to as bombs.

Toowong Railway Station is located on a very poor alignment, dating from the nineteenth century, that necessitates severe speed restrictions on all four tracks. The approach from Auchenflower is on a reverse S-curve and the approach from Taringa not only is on a reverse curve but also involves a change in gradient.

The electrified suburban tracks have speed restrictions of 50 km/h through the curve beneath the High Street bridge and 100 km/h either side. The freight and express tracks are not presently electrified but will soon be wired. They have restrictions of 50 km/h through the curve beneath the High Street bridge and 90 km/h either side.

Apart from the fact that the redevelopment of Toowong station as proposed could preclude the future realignment and upgrading of the rail corridor to Ipswich and beyond to that of other new electrified lines on which express trains travelling at 160 km/h are proposed, the threat to public safety is very real. Most people remember Granville, the catastrophe that less than 10 years ago claimed 83 lives when an overhead bridge, similar in design to the High Street bridge, which is to be widened under the development proposals, collapsed onto a passenger train in Sydney's western suburbs.

Several weeks ago, Brisbane's Toowong station could have been the scene of a Granville-type disaster. On 15 December 1984, a city-bound freight train was derailed on the Taringa side of the High Street bridge. Fortunately, the two derailed wheat wagons narrowly missed the bridge supports, but they hit the platform, extensively damaging the platform coping and the track. Both the platform coping and track have since been replaced. Little publicity was given to the accident, which had all the markings of another Granville.

However, despite the Government's desire to keep the incident a closely guarded secret, it was reported in the January edition of the Australian Railway Historical Society's journal "Sunshine Express", which also specified the serial numbers of the wagons involved. I have a copy of that publication with me. It gives a full description of what happened.

Why did the accident occur? Was it a combination of heavy wagons undergoing a severe speed check with one part of a long train surging on a change in gradient? As I have said, that dangerous situation exists on the approaches to the Toowong Railway Station. Did the accident occur because of poor track maintenance, or was it the heat expansion of the rail on a summer's day? That is the excuse that the Minister for Transport (Mr Lane) has put forward to explain a number of recent rail accidents. Did the accident occur because of a broken wheel? That is what happened last week on a rail tanker car at Julia Creek on the north-western line.

Whatever its cause, the accident happened. Such an accident could happen again because Queensland Railways is running heavier wagons in longer trains at higher speeds on nineteenth century railway alignments.

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member for Mackay is getting away from the Bill, which is about the Toowong railway development.

Mr CASEY: That is correct, Mr Deputy Speaker. This is the Toowong Railway Station Development Project Bill, and I am explaining the problems at the Toowong station. If the station did not exist, this project could not go ahead.

Mr DEPUTY SPEAKER: Order! I remind the honourable member that, if his comments are not relevant, I will deal with him.

Mr CASEY: My comments are very relevant, because, as I have said, without the Toowong Railway Station, no land would be available for this project. If discussion about Queensland Railways is not relevant, am I simply to speak about blocking off the line at the station to put a building on the site? The railway station is very relevant.

A major accident could occur under the development that is to be constructed, and a dangerous situation could develop. That is why town-planning considerations are important when projects such as this are discussed. The primary consideration with this development is the way in which the project will sit on top of the railway station. How that project will fit in with the manner in which trains move backwards and forwards through that station must be considered.

Only a month ago a rail tanker was derailed on a curve with severe speed restrictions near Laidley. That train would have passed through Toowong en route to its derailment at Laidley. This morning the Minister gave the House his explanation for that derailment. In his usual style, he tried to put the finger on the workers concerned. However, a damaged wagon in a string of tanker bombs passing through the Toowong Railway Station, with the widened High Street bridge at one end and dangerous curves with severe speed restrictions on either side, could have caused a disaster at Toowong. No, Mr Deputy Speaker, do not get toey; I will not engage in a further argument with the Minister about the cause of the Laidley derailment, but I shall again refer to the fact that, if it were for some reason other than that which the Minister tried to indicate today, that derailment could have occurred at Toowong.

If a tanker train were derailed at or near the High Street bridge, with a high density retail and office development straddling the railway line, the possibility of a conflagration is almost too horrible to contemplate. However, the failure of the Minister to consider such matters in the planning of this project and to discuss them during this debate is further proof that the Bill is designed to permit this inept Minister to continue bungling along unchallenged with these types of projects, which he is pushing upon the people of Brisbane without proper consideration for safety, in much the same way as he has no consideration for safety in the Queensland Railways today. All honourable members have seen what has happened as a result of the Trinder Park train crash. People are now saying that the electric railway system in Brisbane is unsafe.

Having adopted this ill-conceived, poorly planned project, which could cost the community dearly in the long term, he must now legislate to ensure that those responsible sections of the community which have expressed some concern and misgivings about various aspects of the proposal, are rendered impotent. The legislation of this Government will stop them from taking any further action to ensure that proper safety standards prevail. It is not just the Brisbane City Council, which the Minister abhors to the point of obsession; it is also responsible departmental people who privately view the project with genuine concern. They have expressed that concern at meetings with officers of the Brisbane City Council when the plans of the proposal were under discussion. However, they must not be allowed to stand in the way of the Minister's latest plaything. That is the purpose of the Bill.

The Opposition is not opposed to development—I have said that from the outset—but it is opposed to poorly planned development. The Opposition strongly supports job-creation schemes in this State, but considers worthless those which create jobs in one area at the expense of jobs in another area. That is the case here. The jobs created for people in the Toowong development will cause a loss of jobs in the existing Indooroopilly shopping centres, and at other shopping locations in Toowong and other suburbs in that part of Brisbane.

If the Queensland Government, with its appalling record in housing construction, as was exemplified in questions asked this morning of the Minister for Works and Housing by the member for Ipswich, paid attention to the housing needs of the people of Queensland and built more economy-priced housing instead of grandiose shopping centres, which are not needed, more jobs would be created and more people would have proper housing. People with proper housing buy more consumer goods, which they can obtain from existing shops. That makes good business sense to the small-businessmen who have already committed themselves to that part of Brisbane. That is the sort of thing that the Government should be spending its money on—housing. Everybody who buys a house buys a garden rake, a lawn-mower, furniture, drapes, washing machines,

bed-coverings, food, refrigerators—the whole box and dice. They buy those goods from retailers, who make their money in that way. Instead of building large shopping centres, which do nothing but provide competition for existing shopping centres that are not making a quid, the Government should be providing money for housing, which would be a much better deal for everybody concerned.

These are some of the points that I want to bring before the House this evening. I have asked the Minister several questions which I hope he will answer during his reply. If he fails to provide the information to allay the many concerns expressed by the different sections of the community about many aspects of this project, the community can have no confidence in it.

Every clause in the Bill overrides the powers of an existing authority in this State. Legislation of this type was not necessary for the Roma Street Railway Station redevelopment, the Central Railway Station redevelopment incorporating the Sheraton Hotel, or the Fortitude Valley Railway Station development. Legislation was not introduced to override the powers of the Brisbane City Council in those cases. However, that has been necessary with the Toowong Railway Station development project because of the people involved and the desire of the Government to make sure that an extra quick quid is made for some of its friends in Queensland. For that reason the Opposition must oppose the Bill.

Mr BAILEY (Toowong) (10.55 p.m.): It is always interesting to follow the professional knockers in the Opposition. Everything that the honourable member for Mackay said almost enables him to stand in this Chamber as the Lord Mayor of Brisbane. The Brisbane City Council is probably one of the most antidevelopment councils that this State has ever known. It is very obstructionist in its attitude to development. In the eyes of the members of the Brisbane City Council, development is something conducted by rip-off merchants who hold the community to ransom. That is absolutely extraordinary. I hope that the honourable member never stands for the mayoralty of Mackay, because, if he became mayor, Mackay would come to a dead halt. The things that the honourable member said were quite extraordinary.

Mr Casey: Do you have shares in any organisation affected by this project?

Mr BAILEY: I treat that question with the same contempt that I treated the honourable member's remarks to the Minister. Such action allows the people of Queensland to hold the Opposition in contempt. If such unsubstantiated allegations are used in an attempt to obtain a few poor scoring points in the press, I certainly hold them in contempt.

The Toowong Railway Station development project is very exciting. It will do a great deal for the electorate of Toowong and the area west of Brisbane. An economic assessment study, which was dismissed by the honourable member for Mackay as a non-objective result, was conducted over a lengthy period. A great deal of intensive study was carried out at great expense. One study was carried out by an independent assessor. If he is wrong, his reputation is on the line. The viability of a project that costs a great deal of money is important. Private enterprise, which is something in which the Opposition is not interested, takes a great deal of interest in such a project before investing its money. Firstly, there must be a need for the development. Secondly, it will need to make money. Thirdly, the project will have to work. The study indicated that the Toowong shopping centre is a rather unusual shopping area in that shoppers prefer to either walk or travel by public transport. There is a less than usual demand for car-parking space. There are a couple of reasons for that. Firstly, it has a paucity of car-parking space. Many elderly people who live in the area have had to find alternative ways of utilsing the shopping centre. As a result, they use buses or walk. There are many flats in the area.

Many more persons would use the shopping centre, which is moribund at the moment, if there were more attractive ways of getting to the shopping centre, either by

car or train. The centre needs to grow. The Brisbane City Council has virtually ignored the area for years. In the whole Toowong shopping centre there is not even a public convenience. Because the council has not bothered to install a pedestrian crossing, it is very difficult to cross High Street. Members of the Opposition said that the shopping centre is at risk because somebody is going to spend some money to attract private enterprise to provide more facilities for the people of my electorate and other electorates in the western suburbs.

The study also indicated that the existing shopping centre is less than adequate and does not meet the needs of shoppers. The Brisbane City Council made some very ridiculous decisions. A median strip was provided in Jephson Street and about 10 per cent of the shopping public decided that it was too awkward to enter the Toowong shopping centre. As a result, people were prevented from utilising that centre.

Mr De Lacy: Don't you believe that local authorities should have the right to make decisions for themselves?

Mr BAILEY: Of course I do. However, if they make stupid or obstructive decisions, I would accuse them of penalising the area because it does not appeal to them politically. Decisions are made out there and penalties are paid out there which are political ones.

Mr De Lacy: Should the Federal Government have the right to overthrow that on the same basis?

Mr BAILEY: The honourable member for Cairns wants to have an argument about Commonwealth rights.

Mr De Lacy interjected.

Mr BAILEY: I will ignore the honourable member for Cairns and return to what I was talking about.

Mr De Lacy interjected.

Mr BAILEY: Go back and hide in the wilderness.

A problem has been resolved. The Government has had to step in because of the obstruction of the Brisbane City Council, no more and no less. It is unfortunate and unsatisfactory that that situation arose.

I will get back to the need for the Bill. The invisible Labor candidate of the Brisbane City Council has come up with some sort of phantom exercise to create fear and horror by claiming that the project will be a dreadful thing for the people of Toowong. It is a pity that that is the only issue that he could run on. I suppose that indicates to a degree how successful his opposition—the Liberal candidate, Mr Denver Beanland—has been for so many years.

The reality is that at the moment the centre is less than adequate. More facilities are needed. It has access by rail. Certainly if the project comes to fruition, it will have bus access that is much better than it has at the moment. In addition, recent interviews indicate substantial support from the existing business community. I can confirm that. I have spoken to all the small shop-keepers in that electorate and specifically in Toowong shopping centre. Serveral people have expressed concern. That is understandable, because the argument always is that, if other shops are allowed in, the existing shop-keepers will lose by way of competition. However, competition tends to encourage people to come to an area. In fact, it should be a beneficial exercise for the shop-keepers concerned. It will bring more people to the centre.

Most people will now have access to areas such as High Street, which in the past were difficult to get to. Some elderly women would have had to be born on that side in order to shop there, because it could take them up to an hour to get across. Yet, the council, in its wisdom, has decided not to introduce anything as simple as a pedestrian

crossing to aid the Toowong shopping centre. It is absurd for the Brisbane City Council to make judgments about Toowong.

Undoubtedly, the shopping centre will benefit the community. Concern has been expressed about traffic. I must admit that in the early stages I shared that concern. I still have some concern as to the long-term traffic problems that may occur as a result of the expansion, not only in Toowong but also in the western suburbs. What has the council done? It has insisted that the developer pay for all the roadworks. $2.1m is being paid by the developers. The roadworks will be fully funded by the developers.

The new bridge will accommodate six lanes of traffic, provide two footpaths and have a centre median strip. The new pedestrian subway will, for the first time in generations, allow people to get across High Street. A new footbridge will take people across the very busy thoroughfare that takes many cars out to the university. As a result of consultation, the bridge will also have a ramp for elderly people who live on the other side of Benson Street—the ABC side. That was a very important concession and one that was gained in conjunction with what at this stage was a reasonably co-operative council and very co-operative developers.

These are exercises that will make life much more pleasant for elderly people and will certainly improve the traffic flow to the university. There will be a bus lane, so that buses will leave the road and stop instead of preventing the traffic from flowing. In many ways the exercise will remedy many problems. At this stage Toowong is only part and parcel of the way that most people get to work. To many commuters it is not attractive as a place to stop, because it is difficult to find a parking space. Access cannot be gained to some of the shops across roads such as High Street, because it has heavy traffic all day, not just in peak hours. It is impossible for a pedestrian to get to some of the shops. The lighting system is hardly what could be termed excellent. A new system of lights will be co-ordinated so that traffic can go through the electorate or turn left into the development and 1 200 car-parking spaces. Twenty-five free car-parks will be provided to take the place of those that are presently on a rather tatty piece of railway land. They will be properly put together near the Toowong Library, behind the swimming-pool. Once again, the needs of commuters are not being ignored.

Traffic congestion is a concern shared by all who live in the western suburbs. The western region is a growth area. One would have thought that the responsible attitude by the council would be to discuss the matter rationally and work out what should have been done. In fact, it should have contemplated a total plan for the western suburbs area—a suggestion that I made on several occasions but was dismissed with contempt by Alderman St Ledger. It is hoped that he will no longer be in the council after next Saturday and will be replaced by somebody more reasonable, with more equitable concepts of taking care of people who may not vote for him but who still have the right to live in the best possible way in our city.

In some ways, I share concerns about the effect that the development will have on traffic. That has been investigated by council traffic officers, most of whom agree that the proposal will work. These suggestions were put forward and agreed to by the council. The traffic consultants of the developers worked very hard to arrive at a compromise to meet any objections.

The rezoning is being put forward as the National Party's stomping on the rights of democracy. That is a load of rubbish. There is a need for the facility. Until 1982 there was agreement between the Brisbane City Council the developers and, of course, the Railway Department. More demands were then made. How often does that happen? A developer feels he has an agreement, and then there are more demands—"We want more parking. We want more contribution. We want more of this and more of that." There is more regulation—"Let's stop the developer. Let's rip as much off him as possible because he is only going in there to make a quid. His contribution to Queensland is minimal." Without development in this State, Queensland would have died. A Labor Government—and certainly a Labor council—can stultify development. This is one of

the projects that the council is attempting to stultify. As a result, the Government has had to override the council. I find it absurd that that has had to occur.

Only five objections were received when the development was advertised—five objections from 17 300 electors. That in itself must give an indication of the basic approval of the community for the project. The site, which comprises railway land, Pattersons, Australia Post, the National Australia Bank and Brinette/Gibsons, was consequently rezoned for special uses on 31 January 1985. Since then, the National Australia Bank and Brinette/Gibsons have decided that they would rather not be involved. They will be taken out by Order in Council after the Bill is proclaimed.

It is with some pleasure that I can reassure Mrs Jeanette Gibson, who has rung on numerous occasions, that her rights are those that she wants and that she has no problem at all, even though she had to ring a Liberal member to try to cause some embarrassment in the House to have the matter resolved. I assume that she was using some of the old material that would have been in the office of the former member for Toowong (Mr Prentice). It is a pity that some of it was not left there. If it had been, we might have been able to peruse the plans prior to the time when the National Party was elected.

The project will be good for the electorate. The system of roadways will work. Benson Street is being widened north and south of High Street. There will be wider footpaths and a pedestrian overpass. Traffic signals will be made to work in a way that will benefit pedestrians as well as traffic. In High Street, a new road bridge alongside the existing bridge will provide six traffic lanes. Much of the traffic congestion presently experienced will be overcome. A pedestrian subway underneath will lead to the Royal Exchange Hotel. Sherwood Road will have two new sets of traffic signals. The road will be widened and have new traffic islands. A bus stopping lane and taxi and bus set-down facilities will be provided.

Presently, the Toowong Railway Station taxis are parked in the spaces that ought to be available to shoppers. That is an indication of how awful the centre is for those who wish to use transport other than public transport. That area has an elderly population, many of whom must travel by taxi. There are only three spaces for taxi-cabs, two of which were formerly car-parking spaces.

Lissner Street will be widened, the road pavement will be strengthened, and the kerbing and channelling will be improved. Some private property will need to be acquired, and I believe that negotiations are in hand. These changes will make Lissner Street a much better access venue, and will also provide a rear access to the project development. A new footpath will be laid down in Bennett Street.

Mr Wilson interjected.

Mr BAILEY: It probably does not worry the honourable member for Townsville South, but this is a project that does concern people in Brisbane.

Kerbing and channelling, and strengthening of the road pavement, will also take place in Sylvan Road. It is not as though the development has been rushed into without consideration being given to it. It has been put together in a very efficient and effective way, and will result in enormous benefit—not only for the residents of Toowong but for residents of all the western suburbs.

At this stage, no-one would disagree that Indooroopilly is over-shopped, and that another project such as this one is needed. Opposition members cannot simply knock the project, although I assume that Labor Party members would prefer to see all development cease. The attitude of the Opposition is, "Let us leave it as it is. Let us do nothing. Let us stultify development up here in the north." I think it is an exciting project.

The traffic plan could, perhaps, have been better if the Brisbane City Council had co-operated, but I must say that for the Toowong area and for Brisbane it is an imaginative and beneficial project. It is very sad that the Brisbane City Council had to

be forced to conform and co-operate in the construction of a project that is essential for the benefit of people in my electorate. It is sad that the council had to be made to conform by legislation.

Mr PREST (Port Curtis) (11.11 p.m.): I am pleased to be afforded the opportunity to speak to the Bill. When it was introduced into the House a few days ago, the development project seemed to be quite an interesting one, and one of merit that would be beneficial to the area in which it is to be constructed. However, when a Bill is introduced in such a way as to override the local authority—and, in particular, when it is the best local authority in Australia, the Brisbane City Council—it must be treated with suspicion.

Having listened tonight to the Opposition spokesman, the honourable member for Mackay (Mr Casey), I am well aware of what has taken place over the period that the development has been negotiated. I congratulate the honourable member for Mackay on his presentation in the debate. I believe that he has done a great deal of homework and that he has spoken with the right people, which has enabled him to come up with the right answers.

When a Government department such as the Railway Department takes away the authority of the Brisbane City Council by virtue of the introduction by the Minister for Transport (Mr Lane) of a Bill and forcing it through all stages, honourable members must treat the Bill with suspicion. That is exactly what I am doing at this time. Once the authority is taken away from a local government body and members of Parliament are involved in a push to get a project through by passing legislation, the project must be examined more deeply, and that is what the Opposition has done.

It is very clear that safety angles must be given a great deal of consideration, and it is also very clear that when the impact study was carried out, it was done at the choice of the developer that selected the organisation to conduct the study. That is one of the reasons why I am always suspicious of impact studies, especially when they are conducted by so-called independent bodies. Naturally, when a study is undertaken, it will result in support for the project. It will certainly not react to the detriment of the project, and I am quite certain that that is the case with the project under consideration by the House.

As the member for Mackay said, the Brisbane City Council held continuing discussions with the developer and the Railway Department in relation to many aspects of the development about which it was greatly concerned.

I agree with Alderman Joe St Ledger, who said that the Toowong project will have a very damaging effect on the business people already established in the area. This Government is always stating that it is concerned about small businesses because they are big employers. Although the Minister said that the project will be a big employer, honourable members can rest assured that, when the development is completed, the little business people about whom the Government is so concerned will be hurt, and hurt very badly, by that major development in the Toowong area.

The Opposition must oppose the Bill. The Minister, the Railway Department and the developers have over-ridden the authority of the council, even though, with its expertise in town-planning, engineering and related matters, the council was not satisfied with the development plan that was placed before it. The council should at least be given the opportunity to conduct further investigations and hold further consultations with the developers to see whether they can come up with a plan that is acceptable to the council. The council's engineers and town-planners have had years and years of experience.

The development that has taken place in the city of Brisbane over recent years under the Labor council is something of which members should be proud, as are the people of Brisbane. On Saturday, that pride will be reflected in the return of the Australian Labor Party council with an increased majority. Labor aldermen have not been knockers

and rejected projects; they have at all times acted fairly and squarely on behalf of the people of Brisbane by considering and approving projects that will benefit the city as a whole, not just some developer who wants to come in, make a quick quid and then leave the people of Brisbane to carry the can.

The Opposition believes that Government construction projects, whether they be schools, hospitals or whatever, should abide by the building by-laws and by the town-planning laws of the local authority. The Toowong development should not be treated any differently. When a development such as the Toowong development cannot gain approval through the proper local authority channels and a special Act of Parliament has to be passed to enable it to proceed, everyone must view the project with suspicion.

The Opposition does not believe in the local authority being over-ridden. In the best interests of all concerned, the Government should join with local government, which is the third tier of government, to assist it to do the very best it can for the people of Brisbane, so that they will all agree that Brisbane is the best city in Australia.

Mr INNES (Sherwood) (11.21 p.m.): This Bill is somewhat troublesome. The preamble indicates that the development of the site identified in the schedule is of significance to the people of Queensland. It is significant to the people of Toowong and to the people of the western suburbs; but I should think that it is elevating a fairly restricted domestic matter to undue prominence to suggest that it is of significance to the people of Queensland. I would not call a single shopping centre development at Carindale, Cairns or Brookside significant in terms of Queensland, unless the economy had really gone bad.

This is a significant development for the local area. A number of members travel through this area, or adjacent to it, virtually every day. I intend to speak on the importance of this development to the western suburbs.

I suppose that an attempt must be made to justify in some way a development that involves legislative intervention to cut across normal town-planning procedures to give a benefit to a particular developer, with some benefit to the Railway Department, by way of a railway station. To do that, it may have been necessary to exaggerate slightly in saying that the project is of significance to the people of Queensland.

Today, the Minister indicated—and the fault may have been transmitted by the developer—that two blocks of land, which in the plan at the back of the Bill are further particularised on diagram A, together with a laneway, are owned by the National Australia Bank and the Gibson family and are included in this site without the consent of the owners. If the developer is at fault in transmitting inaccurate information about the ownership of property Parliament must be careful to scrutinise the rest of the proposed development.

The Minister's indication was a fairly important concession, because, to the extent that this legislation affects property rights, changes are being effected without the consent of, and against the will of, the owners. There have already been a few battles in this place about proposals affecting parties, private individuals or corporations that have a consequential effect and cut across the property rights of others. I will get this problem out of the way first. At the Committee stage, the Liberal Party will propose an amendment relative to it. It will amend the definition of "site" so that the land in diagram A is taken out of the schedule. As a result of that amendment, the Gibsons and the National Australia Bank can, if they wish, in the future agree to their land being included. The Bill does provide that the Governor in Council may add to the site or delete land from it.

The answer of the honourable member for Toowong (Mr Bailey) is that, after the Act is proclaimed, the land will be taken out. With respect, if it is known now that a mistake has been made, why should the mistake be included in legislation that has not been passed? At the Committee stage, wrongs can be righted. Why delay it? If a mistake

is discovered, it should be put right at the earliest possible opportunity. Who knows what might happen. The balance of power in this House is such that ructions could cause changes, but that is not really the point. If something is known to be wrong, it should be altered now, not in the future. I accept that the Minister for Transport (Mr Lane) intends to have the alteration made, but that should not be necessary. A simple amendment could be moved at the Committee stage. The property rights of those people should not be affected for a single minute, let alone for two, three, or more weeks, depending on how long the alteration will take to be processed. The fault lies with the Government because it has prepared legislation that covers that land, and consent has not been given for the land to be included in the legislation. This Parliament should not foist a wrong onto these people, no matter for how short a time the mistake will be maintained.

I know that some confusion did arise over this land. I learned of this matter, and sought out the Gibson family; they did not seek me out. They were willing to talk about their problem, and I have raised it here, as I have done with other cases on other occasions.

It seems that, some time ago, both of the other land-owners were approached by a developer and they were asked whether a concept that involved their land could be drawn up. The developer was given permission in writing, but reservation was expressed without prejudice to their rights. It was suggested that those people could be bought out or that the land could be exchanged. An offer was made that was completely unacceptable to both parties involved and there the matter lay.

The rezoning was to the benefit of the land-owners because it increased the number of things that they could do with their land, so they went along with it. At no stage did they consent to their land being included in a site plan or in this legislation. It would be an act of grace on the part of the Minister to rectify the problem now. I do not suggest that he perpetrated the mistake in the first place, but, somewhere along the line, the reservations expressed to the developer were not transmitted.

I turn now to consider the total merits of the project. I recall the way in which this project developed originally. During the occupancy of the seat of Toowong by Mr Prentice, this idea was put forward. An idea was also generated in relation to the Indooroopilly Railway Station, and I was involved in discussions on the possibility of that development. It is a good idea to use space over railway tracks.

The Toowong concept was considered because it would assist further development in the Toowong area. The Liberal Party has absolutely no opposition to that proposal, and supports development in Toowong. The concept was intended to deal with the problem of traffic flow, which is acute, as anybody who knows that intersection well would realise.

The concept also aimed at improving parking, which is very difficult, even having regard to the present development in Toowong. Parking is at a premium now and the hope and expectation was that this sort of project would increase the off-street parking not just for the development but also for Toowong generally. Those were the matters at the heart of this project.

When the matter became the subject of an invitation to tender, the documents reflected those sorts of concepts. Nobody can say to this House on behalf of any developer that he did not come into the matter without his eyes well and truly open. Among the things that were demanded were that car-parking provisions should comply with the ordinance requirements and, further, that car-parks should be separated into residential and non-residential components. I might add that this was before Patterson's land—the sawmill—was included; this was when the development was restricted. The concept in the early days was an office block, more of the same type of development that already existed in Toowong, suburban commercial development, a level of shops, and in the early days that was to be only seven or eight shops; a handful of specialty shops at the concrete pad level, and the provision of car-parking.

With those things in mind, the invitation to tender, which was a voluminous document, provided that there was to be no increase in the level of traffic congestion at adjacent and nearby intersections and, in particular, a satisfactory treatment of the High Street/Sherwood Road intersection; and the widening and upgrading of Bennett Street with a design to ensure no introduction of extraneous traffic into nearby residential streets, particularly Lissner Street. Bennett Street and Lissner Street are two small, narrow streets at the back of the old sawmill, which generated little commercial traffic, with old residential houses in them. They are small lanes. Satisfactory ingress and egress were to be provided on the part of the site facing Coronation Drive.

Other matters were a satisfactory provision for servicing, passenger pick-up and set-down, bus stops clear of through traffic lanes, easy access to the railway station for bus passengers, improved access between High Street and Sylvan Road and at least off-street bus stops with easy access for through traffic on High Street and Benson Street. There was also a requirement that any development proposal incorporate a High Street to Bennett Street connection for inbound traffic from Moggill Road to Coronation Drive. That was a major proposal to take traffic that comes down High Street conveniently straight into Coronation Drive. That proposal was even on the assumption that Pattersons sawmill would not be involved.

Those were the background documents that any tenderer would have known about. Those were the requirements demanded. From being a single high-rise commercial block with ground floor shops and the provision of parking and other facilities in relation to traffic of the type outlined, this has become a conglomerate proposal involving something approaching 40 000 square metres of space including something approaching 27 000 square metres of retail space—as I say, almost half as big as Indooroopilly Shoppingtown, which is the biggest shopping centre development in Queensland—medical and fitness facilities of almost 3 000 square metres and office space of almost 12 000 square metres. That is a massive development, a very big development!

The questions that still remain but which have been aggravated by the growth in the size of the project are the traffic flow, which will be made worse by the extra traffic that will be created by a bigger development, and lack of parking facilities, which will be aggravated because a bigger development requires more parking. That leaves aside any question of the economic impact on the surrounding businesses at Toowong or even as far as St Lucia, Taringa or Auchenflower. In fact, it is the development of another large regional shopping centre, which was not the proposal at the outset, only 2 km away from the biggest one in Queensland.

If honourable members confine themselves to traffic and to parking, they have reason to be concerned. The honourable member for Toowong (Mr Bailey) said that he is still concerned about the traffic situation at the High Street intersection. I admit that a matter of judgment is involved in any traffic matter. We know that the documents inviting tenders and calling for a fairly radical proposal to take traffic straight through to Bennett Street and to direct inbound traffic from Moggill Road to Coronation Drive via Sylvan Road and Land Street have been ditched.

The present proposal involves little more than widening the existing difficult intersection and bridge. I understand that earlier suggestions involved even tunnelling or separating the university traffic totally from the traffic that would turn into High Street. Ideal proposals were rejected. Because of the enormous increase in the size of the development, traffic has increased. The only way in which that has been tackled is by widening the railway bridge at High Street.

If one assumes that the developments will be successful, it will serve people in the St Lucia area as well as people from the Moggill Road or Sherwood Road areas. Drivers who have turned left off Coronation Drive, travelled over the bridge and wish to turn right into the shopping centre will be limited to waiting space for 12 cars. Anybody who knows what is involved in a major shopping centre will realise that that is crazy. The

tail of the traffic will go round into Benson Street and further compound an already acute situation.

As to parking—I understand that the figures given by the honourable member for Mackay (Mr Casey) are correct. If the town-planning ordinance with which everybody else must comply are applied to their full extent, in excess of 3 000 car-parking spaces will be required. If all the relaxations that can be given are given, and assuming that peaks will not coincide, 2 000 car-spaces will still be required. Provision is made for 1 200 car-spaces in the early phase. It is suggested that that number could rise by 400. It is not suggested when, at whose demand, or in response to what conditions, that number will increase. That makes a total of 1 600 car-spaces. It is still 400 fewer than the absolute relaxation of all town-planning requirements would indicate is necessary. It had been intended to over-supply car-parking spaces to relieve the congestion that already exists in Toowong. If the car-parking facility is not right, the whole venture will be in jeopardy.

A compounding problem is that, because the economics are getting so difficult, demands are made to satisfy the problems that always exist. Delta, the original developer, had a demand to make a profit on the first sale. Its profit must be added to the project cost of Girvans, which also wants to make a profit. Traffic demands and parking demands must be satisfied. The whole project becomes more expensive, so a larger development is proposed. That aggravates the existing problems of insufficient car-parking spaces and traffic difficulties.

It is then proposed that people will pay for car-parking. Surely there will be some buyer resistance to paying for car-parking. A person can go to Westfield Shoppingtown, which is the biggest shopping centre in Queensland and one of the biggest in the southern hemisphere, and park free of charge. It is 3 km from the proposed development at Toowong. What happens? Either the centre does not fire financially and becomes a blight or people try to park in Toowong. Toowong is already over-congested. One cannot gain entry to the Woolworths car-park, which is the only off-street car-park in the centre.

Mr Miller: How many cars can park in that parking area?

Mr INNES: I do not know. I suppose there are between 100 and 200 car-parking spaces in the Woolworths car-park. I think that everyone—including the honourable member for Toowong—agrees that at the moment car-parking is a real problem. It had been hoped that this would help. However, it will not, because in peak-hours it will generate more traffic in the area.

On the city of Brisbane planning ordinances, which are fairly rational—other developers must comply with them—there is a shortfall of a very significant order, even applying all relaxations. In those circumstances, it is wrong to say that the council is being obstructionist.

I understand that, early last year, the council got together with the Local Government Department and, in consultation, they came up with what they thought were the general conditions that should apply and proposed those conditions. At the time when specific proposals, with some dimension and solid form, came from the developers, which was towards the end of last year, they did not comply with those conditions. They did not comply with the conditions or the town-planning ordinances.

Honourable members know that the Minister is energetic. It might be that he would like this project, which is probably the first or second major station development project to get off the ground. The Liberal Party supports and sympathises with that general instinct. However, the whole concept, which started off under control, is getting out of control. It is the responsibility of the Government to say, "It is now getting to the stage at which a reasonable local authority such as the Brisbane City Council, applying its ordinances as it should to all developments, is entitled to look at what is becoming a very acute problem." It is a problem that can rebound on the general community. The present proposal certainly has not in any significant way solved any of the problems.

The attitude of the Liberal Party is as Sir Albert Abbott—not a member of the Labor Party, but the president of the Local Government Association—said in urging the Government to come back on course. He said, "You must stop interfering with the lawfully elected local authorities." If your worry, Mr Minister, is a socialist local authority, wait till after Saturday and we believe you will get a very pleasant surprise. You will be dealing with a more co-operative regime and a very co-operative local alderman.

People who wish to see reasonable development in Toowong should have strong reservations about this legislative device of overcoming the restrictions of the City of Brisbane Town Plan and of pushing the development ahead. I understand that the plans that were produced—I think there might have been an influence from architects who are based elsewhere in Queensland or in States other than Queensland but who might have had local agents—contained proposals that were quite offensive to the town plan.

I understand also that, apart from the car-parking deficiency, the plans contain a proposal for a wall approximately five storeys in height right up to the property alignment in the small streets at the back. Therefore, the residents who, at the moment, enjoy a quite suburban street and the lazy atmosphere of the dilapidated sawmill—which is no major intrusion—and have no major profile across the road, except for perhaps a few old sheds covered by morning glory, will be faced by five storeys of blank brick wall.

The Brisbane City Council ordinances usually require 6-metre set-backs. Indeed, as a result of the imposition of that wall, a 6-metre set-back faces anybody living in Sherwood Road—for instance, the National Australia Bank and Gibsons—unless something is changed. Six metres is a lot of space. The idea of the set-back is to prevent a massive, blank wall and to allow some air and light space, which stops the intrusion into residential land of the type that adjoins Lissner Street and Bennett Street.

The original tender documents stipulated that traffic should not be generated in Lissner Street and Bennett Street. That has not been complied with; there is traffic. It is supposed to be a service entrance and exit—at least an exit from the development—so that large amounts of non-residential traffic are being propelled through a tiny lane. That is completely contrary to the usual town-planning principles and the tender documents in this case. Therefore, the Liberal Party says that, in this instance, there is not such a demonstrably wilful obstruction by the Brisbane City Council planning authorities that the legislature should be involved in propelling it through by the assistance of a special Act. We know that the Bill cuts across town-planning requirements and, in particular, the town-planning requirements of what was accepted in 1982 as a major problem in the area.

The Parliament is not making a fully informed decision. Usually, in a franchise agreement for a corporate body, voluminous and precise details are provided—a copy of contracts, no matter how lengthy, and detailed documents and plans. A vital part of the Bill is the incorporation of about a dozen drawings, which are held by the clerk of the Executive Council. Only three or four hours ago I asked the Clerk of the Parliament, "Do you have a copy of those plans so that I can understand more fully what the Bill entails?" The Parliament has no copy. The Clerk has no copy. Members of Parliament have not seen the plans—plans which we know will cut across the provisions of the Brisbane Town Plan.

I certainly have some reservations about parts of the Brisbane Town Plan, but the Liberal Party has no reservations about the acute traffic and parking problems in Toowong. The Liberal Party believes that this is not the appropriate way in which to deal with—and this is not the proper forum to deal with—very difficult problems which are better dealt with by the duly elected local authority, which we do not believe has been demonstrated in any factual way to have been so far derelict in its duties.

Hon. W. D. LICKISS (Mount Coot-tha) (11.47 p.m.): I make two points quite clear from the start. The first is that the land at Toowong is ripe for development and should be developed. The second is that development for the sake of development is not necessarily good planning.

The role of members tonight is to consider the legislation that gives effect to the program of planning at Toowong. At the outset, it is noted that the land to be developed is of two types: railway land and freehold land. Somehow or other the developer will gain control of both under one or more tenures. Presumably, the freehold land, which is the old sawmill land, will stay as fee simple. I am not sure what tenure, if any, the developer will obtain over the railway land. Of course, he will need to secure himself. The Railway Department will need to ensure that he has secure tenure.

What of the legislation? To say the least, it is gloriously vague. I do not dwell upon the town-planning concepts. I will leave my comments on that until we examine the Bill in detail. However, I make a couple of observations. First, the site being dealt with is given definition in the schedule as an area that is shaded. Already it has been noted by my colleague the member for Sherwood (Mr Innes) that the schedule in itself cannot be correct. Two parcels of land and presumably either a right of way or easement—or it may even be a right of way in terms of dedicated land—are contained in the shaded area. Therefore, if the definition in clause 2 is not corrected during the debate on the Bill, the legislation will be seen to have been wrong at the time it was passed through Parliament.

The honourable member for Sherwood has foreshadowed an amendment to clause 2, which will refer to the schedule. Unless that amendment is accepted, the Liberal Party will be placed in a very awkward position in offering even token support for the legislation when the basis of it is wrong at the time of its presentation. I want that point to be quite clear.

I turn now to examine the question of the main components of the legislation. I wish to examine in detail the development plans or drawings which have been emphasised in the terms of the Bill. Whereas the plans and drawings are defined, it is possible that they will be varied by way of amendment by the Governor in Council on the recommendation of the Minister. The definition of "site" can be varied by the Governor in Council on the recommendation of the Minister and that imports great uncertainty into the likely effect of the legislation and the final development. The way in which the buildings will be set on the land, the form of development and the conditions of development—indeed the very site—can all be variables. Bearing those factors in mind, I ask: What are honourable members being asked to support in terms of the legislation?

It seems to me that the Parliament is merely taking away from the planning authority in Brisbane the right to plan under the provisions of the City of Brisbane Town Planing Act. Very few people, or very few interested people, would be able to approach the Government and say, "The Brisbane City Council is being too hard on us" or, "We cannot obtain decisions. Would the Government take over?" It is strange that that would be necessary in any case. I do not know whether the AMP Fire and General Insurance Company Limited, in undertaking construction of the huge buildings that that company has built here, has had difficulty in persuading the council that the conditions are not acceptable to the council or to the AMP—and the buildings appear to have been constructed in accordance with the schedule of construction—but no complaint was made at that time, so where does the problem come from, and why is there a problem in this instance?

Is it the fact that the Government wishes to override normal town-planning pursuits? I believe that that is one of the reasons for the introduction of this legislation. The erection of a five-storey, stark building that edges onto the alignment of a major road certainly calls for some kind of planning inquiry, and I believe that no planner in his right mind would advocate that kind of construction. To the extent that I comment on that plan, I assure honourable members that I have some knowledge of the subject.

I now turn to the matter of what I would term the vagueness of the legislation, which constitutes another reason for amendment. If the legislation is passed in its present form, any construction that is undertaken on the property that is the site of the present bank and the property that adjoins it would require a six-metre set-back. This is another

example of land that is being listed, as it were, when it is not properly involved in the project. That is all the more reason why the amendment that refers to the schedule should be accepted, to ensure that, at least at the point of passing through Parliament, the Bill is correct to the best of the knowledge of honourable members. It is certainly incorrect to the best of my knowledge at this time.

My colleague the honourable member for Sherwood (Mr Innes) has delved into the various aspects of parking, requirements for the provision of parking facilities, the development itself, and what the development will do to the area.

I certainly would like to see the feasibility surveys that were a necessary input into this very large project. I would also like to have a look at the environmental impact study showing what the project will do to that near-city area.

Again, I say that the Liberal Party is not opposed to development. It believes that the land is ripe for development, but it wants to be sure that it is proper and adequate development. The development of the entire city of Brisbane has taken place under the auspices of the planning authority, which is the Brisbane City Council, under the provisions of legislation passed by this Assembly, and I am far from satisfied that the reason for taking the authority for this development away from the council was any obstructionism on its part. It is wrong in principle that that should happen. Precedents are being set that will later be regretted.

The Minister and his advisers are incapable of having the proper input to this type of planning because they do not have the necessary expertise. If the Government believes that the development approval should have been taken away from the Brisbane City Council, it should at least have gone to the Local Government Department, where the expertise of town-planners and engineers would have been available to make an input.

Although this development has advantages, it could have many disadvantages if it is not properly designed and constructed. The legislation is vague. Members are being asked to vote for a nebulous plan that can be altered from time to time. They are being asked to vote in favour of a development the plans of which they have not been privileged to see—I doubt that anyone else in the public field has seen them, either—and they cannot say with certainty that what they are approving is worth while. It certainly has not been approved by the proper planning authority.

Hon. D. F. LANE (Merthyr—Minister for Transport) (11.57 p.m.), in reply: I have listened with interest to the contributions of honourable members, and I have been intrigued by some of the points they have made. I am not sure in what order I should reply to those contributions. I will certainly not deal with them in order of importance, so I should probably deal with them chronologically.

The honourable member for Mackay (Mr Casey) first raised the question of the economic viability of the development. He expressed some doubt about its viability and then condemned the development. It seemed to me that he hoped it would fail. I assure him that the matter was well researched by the various tenderers before they submitted proposals in the first instance, otherwise they would not have agreed to embark on the development. Since then, several assessments have been made, not only by the developers but also by real estate and property consultants specifically retained for the purpose—many of them very highly respected and successful real estate agents in Brisbane—and they believe that the proposal is very well based and that the site is a prime one for such a development.

The honourable member for Mackay said that the development is not in accordance with the town plan. There are, of course, some slight variations with respect to council ordinances, but the development is substantially in accordance with the town plan. For many months, the Government has moved to achieve approval of the development in co-operation with the Brisbane City Council. I think it was three or four years ago that I had my first meeting with the Lord Mayor about the development.

The Minister for Local Government, Main Roads and Racing (Mr Hinze) and I, and the officers of our departments, meet regularly with the Lord Mayor of Brisbane and his officers in the Brisbane Transportation Policy Committee to discuss road development and public transport and matters that impinge upon those areas in the city of Brisbane.

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That policy committee developed as a result of the Wilbur Smith proposals. Honourable members may recall that Wilbur Smith was commissioned by the Government over a decade ago. The committee has continued to meet to facilitate liaison and co-ordination between the State Government and the Brisbane City Council in areas of interest.

At the meeting held about three years ago, I put forward, on behalf of the Railway Department, a proposal to develop airspace above Indooroopilly Railway Station and a proposal to develop airspace above the Toowong Railway Station. The Lord Mayor of Brisbane immediately opposed the proposal to develop the Indooroopilly airspace. In the first instance, his objection was based on the fact that he could not see how the traffic flow through Indooroopilly could be rearranged to achieve that development.

The key factor in such a traffic arrangement was the construction of a new bridge across the river at Indooroopilly. Because the council had been unable to grapple with the problems of deciding on the siting, the type and the financing of the new bridge, the Lord Mayor pleaded with me to back off the Indooroopilly airspace development. He agreed in return—in fact, I made a deal with him and we shook hands on it—to co-operate in every respect to achieve the Toowong airspace development. We left that meeting in what I thought were reasonably good spirits.

Since then, the Lord Mayor and his officers—by the way, his officers dictate what he should do; he is fairly irrelevant to the whole exercise—have always smiled at me and told me how co-operative they are being, but they have continually thrown obstacles in the path of the proposal. It has been delayed at meeting after meeting. The council delegation has refused to attend meetings and, for a long time, has not turned up at appointed times to discuss matters. Finally, the Government became so frustrated by the negative attitude of the Brisbane City Council that it decided to take the matter into its own hands; hence the enabling legislation now before the House.

The honourable member for Sherwood criticised the fact that the land owned by Pattersons Pty Ltd adjacent to the Toowong Railway Station was incorporated in the development. Anyone who studies the map carefully will see at a glance that that was the obvious and desirable thing to do. If the two pieces of land were not amalgamated for a joint purpose, the access from the land owned by Pattersons Pty Ltd to Sherwood Road would have been too narrow for any practical purposes, and the town plan would have precluded any development of the land on that frontage. In terms of the long-term development, it was essential that the land owned by Pattersons be amalgamated.

I was very pleased to hear the supportive remarks of the honourable member for Toowong, who has backed this development from the start. He has had many meetings with me to discuss the facilities to be incorporated in the development and its beneficial aspects for the local community.

Mr Davis: And Mr Prentice, before him.

Mr LANE: The honourable member for Brisbane Central has referred to the role played by the former member for Toowong. I am pleased to note that the former member has shown sufficient interest to sit in Mr Speaker's gallery tonight to listen to the debate.

The former member for Toowong was fairly supportive of this proposal and called upon me to go with him on several occasions to inspect the site and to have my photograph taken with him so that he could be identified with what was to be a very

positive development. He must have found it very difficult tonight to listen to the reservations expressed by his former colleagues about the development.

Mr Casey: It didn't do him much good in the election, did it?

Mr LANE: I do not count everything in terms of political benefits or political pluses on a balance sheet and add them up. The member is too pragmatic.

The honourable member for Port Curtis (Mr Prest) seemed to be obsessed with the authority of the Brisbane City Council and nothing else. He did not put forward anything positive and did not make a contribution that is really worth answering. I should say that it is proper for a constitutional Government, such as the Queensland Government, to overrule local authorities and councils that are, after all, creatures of Acts of Parliament. They should be overruled by the Government when their actions are blatantly not in the public interest.

The honourable member for Sherwood (Mr Innes) began by saying that he considered offensive the comment that this development was of significance to the State of Queensland. It may not be of great significance to the entire population of the State, but I am sure that the several hundred people who will derive employment and income from the construction of the development and upon its completion will find it significant. I would not attempt to put down those people who will get a job in the place.

Mr Prest: Come on!

Mr LANE: The honourable member for Port Curtis should go back to reading his paper. The comics are on the next page.

Mr R. J. Gibbs: That is what you are—king of the stooges; king of the comics.

Mr LANE: I notice that the honourable member for Wolston is back in the Chamber again. I wonder how he enjoyed his holiday.

I think I should deal with the amendment foreshadowed by the honourable member for Sherwood before it is discussed too much further. I am aware that it may be debated at the Committee stage but, if I mention it now, I might enable comments on a broader scale to be made.

The honourable member for Sherwood spoke about the land shown in the schedule to the Bill that is marked as diagram A. He suggested that now is the time to exclude that land because its owners do not want it included with respect to the provisions in the Bill. I am quite happy to exclude the land from the legislation now. I might add that it was included in the proposal in good faith.

I have letters from the owners of the two parcels of land—the National Australia Bank and Brinette Enterprises Pty Ltd, which is Mrs Gibson's company—indicating support for the proposed development. Because the letters are short, I will read them.

The letter from the bank reads—

> "The Bank as owners of the above property authorises Delta Securities Pty. Ltd. to make building application to Council on their own behalf in relation to this property."

The bank gave an early authorisation to the developers and, through them, to the Railway Department and the Government to include the land in this proposal.

Mr Casey: What is the date of that letter?

Mr LANE: That letter is dated 18 November 1983.

A letter dated 30 November 1983 from Brinette Enterprises reads—

> "Brinette Enterprises Pty. Ltd., as owners of the above property authorises Delta Securities Pty. Ltd. to make building application to the Brisbane City Council on their own behalf in relation to this property."

It was signed by the secretary of the company, Janette Gibson.

It was on the basis of those letters and the lengthy negotiations that have been taking place over a period of years that the land was included in the schedule to the Bill. Therefore, the Bill is printed in that form. However, I have given an assurance to both of those companies that, as soon as the Bill is proclaimed, the Government will exclude those pieces of land from the development so that there can be no question about them. Mrs Gibson seems to think that having the land included in the Bill at this time might weaken her negotiating position with the developers. I do not think that is so, but, to satisfy her fears in that regard, the land will be excluded as soon as the Bill is proclaimed. Today she indicated to the project manager that at a later date she may ask the Government to put it back by another Order in Council if and when she reaches agreement with the developers. So the Government may have to take it out and put it back in. To satisfy her, the Government will do that. It is a very reasonable proposal and there is really no necessity for the honourable member's foreshadowed amendment. I will deal with the precise wording of it later on, if he persists with it. I can show him a couple of other faults in it.

Some play was made about the traffic requirements in the original prospectus. I would like honourable members to know that, basically, those requirements have been met by the developer's proposal. He is making a sizeable contribution to traffic-planning and traffic works in the area. From a report by consultants who were employed at the instigation of the Brisbane City Council, it is known that the money expended by the developer will not only eliminate any additional traffic problems that may be created by the development but will also go some way towards relieving some of the congestion that now exists.

The honourable member for Sherwood seemed to question whether the development provides sufficient car-parking. It is worth mentioning that what he overlooked is that this development is unique in that it is a suburban development situated above a public transport facility. Therefore, an obvious allowance should be made as to the number of car-parking spaces required. One would expect that fewer private vehicles would need to use the development because some people would be travelling by public transport. That point was made to the Brisbane City Council and accepted by it. That is why there has been a reduction in the required number of car-parking spaces to 1 200, with provision for 400 further car-parking spaces later on. During one of the discussions that I had with the council, agreement was reached that, in the circumstances, that number of car-parking spaces was sufficient. As I said, the development is unique; it is an untested type of development in Brisbane. Therefore, I am sure that something will be learnt from it. That is why the flexibility of the requirement for an additional 400 car-parking spaces later on has been included.

The honourable member for Sherwood seemed to damn the development with faint praise. He seemed to waver between that and being totally against it. I hope that that is no indication of the attitude of the Liberal aldermanic team towards development in the city of Brisbane. It would be a great shame if it were, because I have been publicly supporting the Liberal team in the council and will continue to do so. I sincerely hope that it wins. I hope that it will not be quite as negative as was the honourable member for Sherwood towards the development. I hope that he was not joining with the Labor Opposition in hoping that the development would fail, although he did seem to damn it with faint praise.

The honourable member for Mount Coot-tha (Mr Lickiss) acknowledged that the site was ready for development. He knows enough about urban and regional planning and commercial practice in the real estate field to be able to substantiate that claim. However, he said that development should never take place for development's sake. One does not have development of any kind if one continually picks, prods and carries on. One would never get down to cracking eggs to make the omelette. That is the difference between the honourable member's attitude and the attitude of the Government, which is one of getting on with the job.

The Government is perhaps adventurous in some of its proposals. That is the way it happens. I make no excuse or apology for that. However, the Government achieves its goal. It has the runs on the board in bricks and mortar and other developments round the State. It does not serve the community well for people to put those things down continually as a matter of course. At the moment, everyone should be trying to get industry and development going. Employment will be created and opportunities will be given to the community to engage in this enterprise. At this stage there is no point in going further.

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

AYES, 41	
Ahern	Lester
Alison	Lingard
Austin	Littleproud
Bailey	McKechnie
Bjelke-Petersen	McPhie
Booth	Miller
Borbidge	Muntz
Cahill	Newton
Chapman	Powell
Cooper	Randell
Elliott	Row
FitzGerald	Simpson
Gibbs, I. J.	Stephan
Glasson	Stoneman
Goleby	Tenni
Gunn	Turner
Harper	Wharton
Harvey	
Henderson	
Jennings	*Tellers*
Katter	Kaus
Lane	Neal

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

Question resolved in the affirmative.

Committee

Mr Randell (Mirani) in the chair; Hon. D. F. Lane (Merthyr—Minister for Transport) in charge of the Bill.

Clause 1—Citation—

Mr LICKISS (12.24 a.m.): I draw attention to clause 1—Citation—and refer in particular to the word "site" where it is stated—

> "Whereas the development of the site identified in the Schedule is of significance to the people of Queensland:"

I will wait until I get to clause 2 before I enlarge on what I want to say.

The site and its development are important. I will return to that point when I deal with clause 2. When I am dealing with clause 2, I may not refer to this clause. The point I will make when dealing with clause 2 is that one of the principal provisions of the Bill revolves around drawings and site. I indicate that, as it presently stands, the Bill does not properly or correctly describe the site. This might suffice.

Clause 1, as read, agreed to.

Clause 2—Interpretation—

Mr INNES (12.25 a.m.): As I foreshadowed in my speech at the second-reading stage, I move the following amendment—

> "At page 2, line 25, after the word 'Schedule' insert the words—
>
> 'save the area shown in Diagram "A" therein'."

The word "site" is defined in this clause. It incorporates the plan in the schedule. The insertion of the words is intended to remove from the shaded area that land which is shown in diagram A indicated both in the shaded area and by special depiction in black and white in the mid-right corner. Those two pieces of land have already been referred to in debate; so I do not need to elaborate further.

I should mention the laneway, which raises the interesting legal question of the effect of including that in a special development site. That is a public laneway that has not been the subject of any closure procedures. In the absence of the drawings referred to in clause 3, one has some difficulty in appreciating precisely what impact on the site the proposed development has; but that is one of the disadvantages already mentioned in the debate.

The amendment that I have proposed to the definition of "site" permits inclusion of the land at a later stage, because I have inserted the words before the words—

"and includes that area as varied pursuant to this Act"

My difference of opinion with the Minister is that the land should be excluded from the provisions of the Bill until it is clear that the owners fully consent to its inclusion.

At that stage, by the action of the Governor in Council pursuant to clause 9, the land can be included. Either or both owners would not be in any way perverse by seeking to be detached from the site until negotiations with the developer or with any other person reach finality. The developer might continue to seek the purchase of the land. Until the land is sold or until the owners fully consent to the land's being included in the site, it should be left out—not after action by the Governor in Council but by the simple action of the Committee tonight in not seeking to compound an error. It is accepted that the error arose without any bad faith on the Minister's part. I do not for a minute suggest that the Minister intended to override their rights. It happened. It was an accident. Let us rectify the accident at the first possible opportunity.

Mr LANE: I have indicated that there is some difficulty meeting the amendment. The Government cannot agree to it. I emphasise that the areas of land shown in diagram A were included in good faith on the basis of the two letters that I read earlier. I did not table the letters then, but for the benefit of honourable members who are interested, I will now table the two letters that indicate that the two owners were agreeable to the development and were happy to be included in the building applications.

Whereupon the honourable gentleman laid the documents on the table.

It was on that basis that the amendments will not be included. The reason why the honourable member's amendment is not acceptable to the Government is that, at this late stage, it would mean that clause 3, which contains descriptions and drawings, would also need to be amended. That difficulty makes the honourable member's amendment unacceptable.

Moveover, acceptance of the amendment would mean that the drawings of the development referred to in clause 2 would also require amendment in some detail, and that would not be possible tonight. It would require a great deal of redrawing, and that would certainly result in more work than submitting an amendment by Order in Council in a few days' time.

It should also be remembered that an area of unclaimed land is involved. That has been referred to by the honourable member for Sherwood as a laneway, but it is in fact designated as unclaimed land in diagram A. Acceptance of the honourable member's amendment would also result in exclusion of that land as well as the land upon which the National Australia Bank is situated and the land that is referred to as the Gibson land. The proposal is therefore impracticable, as it involves removal of the land shown in the drawings.

Because provision has been made in clause 9 for alterations to be made by Order in Council within a few days, I give an undertaking, among the several undertakings I

have given in the House today, that an Order in Council will be made. I have also given similar undertakings in writing to the owners of the Gibson land.

Honourable members should be aware that negotiations are still taking place between the two owners of the land and the developers, and exclusion of the land from the Bill is merely a matter of meeting the convenience of the two parties I have mentioned. Nevertheless, the Government will co-operate.

Today, the National Australia Bank management has indicated to the project manager that it is happy that the land owned by the bank, land that forms part of the land proposed to be removed, should remain as depicted in the diagram that is attached to the Bill, in the full knowledge that it will be removed from the operation of the legislation by the Order in Council that will be effected in a few days.

Mr CASEY: The Opposition is concerned about that aspect of the Bill, particularly as it relates to the whole of clause 9. Although the amendment relates to the definition clauses, I wish to draw attention to the provisions of clause 9 while this aspect of the Bill is under discussion.

The Minister's proposition is opposed by the Labor Party and the Opposition supports the amendment, for a number of different reasons in addition to those which have been expressed by the honourable member for Sherwood. During the second-reading debate, I pointed out that honourable members have not been provided with sufficient information on many other aspects of the Bill.

The private land that is incorporated is an aspect that makes the provisions of the Bill more confusing. A few moments ago, the Minister for Transport stated that the land will be excluded and that an Order in Council will be made at a later date to bring the land within the ambit of the Bill at a later stage. It is either included in the provisions of the Bill, or it is not. It would be a bad precedent to set if the Bill was passed in its present form, especially when the provisions of clause 9 are taken into account.

Clause 9 gives power, by virtue of the Order in Council that the Minister has referred to, to vary the area of the site by excluding land from it, or including other land in it. Nowhere in the Bill is a limitation provision to be found on that aspect of the legislation, and it is quite feasible that the developer or anybody else could take all of the space above the railway line from Toowong through to Roma Street, if that is what he wanted to do. The Bill provides for that kind of action, because no limitation has been stipulated. No limitation is provided on the extent to which private lands can be acquired in the adjoining area of Toowong, and it is possible that the developer could take over the whole shopping centre area, once the power is provided to do that by the passage of the Bill.

If the Parliament is fair dinkum about the Bill, if an indication has been given that people want the land withdrawn from the provisions of the Bill, and if final approval has not been given and a letter of intent is all that the Minister relies on, the land should be excluded from the provisions of the Bill altogether.

Quite frankly, the Opposition does not really trust the Minister so far as the intent of the Bill is concerned, because he certainly has not answered the questions that have been asked of him here this evening.

Mr LICKISS: I mentioned previously the importance of the word "site" and I do so in this context: the land having been included in the site, a mere taking away of that land from the site does not affect the requirement, say, in clause 3 (2), which states—

> "Without limiting the generality of subsection (1)—
>
> (c) buildings erected on the site having frontage to Booth Street, Sherwood Road, or Lissner Street shall be set back at least 6 metres from the property alignment adjacent to such street or road;"

The very fact that these parcels of land are included on the site plan automatically gives the indication for the future if any building is placed on that land having a set-back of at least 6 metres. That is one point.

The other point raised by the Minister was that, if he did delete this land by amendment, certain other plans would have to be altered. In other words, if those other plans contain reference to those two parcels of land by definition, I say again that that multiplies the problems that he faces with this Bill. By virtue of the definition of "site", and the schedule which delineates the site plan, this legislation is wrong now, and it will be wrong if it is passed by this Assembly.

Mr INNES: The Minister mentioned the unclaimed land. If the Minister is intending—as he told us he is, and I accept that he is—to remove the two pieces of land, the National Australia Bank land and the Gibson land, for want of a better term—I forget the corporate name—and if some other arrangement does not precede that, I would have thought that the unclaimed land should also clearly go out of the site.

I say that because it is, in fact, a laneway servicing those two allotments, and it goes halfway down in the centre of those two allotments. Quite clearly, if there is any consideration of land going out, I think that the proper and just thing to do is to take out the laneway which was clearly taken at an earlier time by easement over those two allotments to provide service to them.

Just dealing with the definition of "development drawings"—without labouring the point much further, I hope that the Committee would understand the point that has been made. When legislation like this is presented to the Assembly, setting out a site, an integral part of which is development on the site, the Assembly should be provided, as a matter of right and a matter of course, with those development drawings. Unless one beavers round, one does not know from the body of this Bill, which is giving the right for the developers to do whatever those plans say, whether one is dealing with a 120-storey skyscraper or a one-level building. So the Minister is not treating the Assembly with enough respect to ask its indulgence to cut across other laws and the town-planning procedures without providing the Assembly, by depositing them with the Clerk or tabling them, with the drawings which are a central feature of the powers given under this Bill.

Mr LANE: The honourable member is quite right. The development drawings play a significant part in this legislation. I have a copy of them here. I table them for honourable members to study.

Whereupon the honourable gentleman laid the documents on the table.

Mr CASEY: The Minister has consolidated the point that I made earlier. At the end of the debate he has tabled the plans relative to the proposal. The plans named and enumerated in the Bill should have been tabled on the first day. The Minister has been irresponsible. His action is typical of the way in which he operates. Is it any wonder that we cannot trust him?

Amendment (Mr Innes) negatived.

Clause 2, as read, agreed to.

Clauses 3 to 10, and schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

STAMP ACT AMENDMENT BILL

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

> "That leave be given to bring in a Bill to amend the Stamp Act 1894-1984 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. C. A. WHARTON (Burnett—Leader of the House) (12.43 a.m.): I move—

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

The purpose of this Bill is to re-enact the first schedule of the Stamp Act in what has always been intended to be its correct form. This will not involve any new duties or changes to duty rates or extend duty to any further documents or transactions.

The need for the proposed action is as follows: It has been discovered that, during a previous reprint of the Stamp Act, certain marginal notes were incorrectly brought into the body of the schedule and are incorrectly represented as being part of the Act. This has resulted in a situation where, in subsequent amendments to the Act, they have been referred to as part of the Act and been amended as such. For example, the Stamp Act Amendment Act 1980 provided in clause 12 for the note under "Agreement for sale of property" to be amended from "See "Conveyance on Sale" " to "(See "Conveyance or Transfer")" and a similar amendment was made under the "Bill of Sale" heading. However the note "See "Conveyance on Sale" " was not really part of the Act. None of the errors that has occurred has been such as to invalidate duty that has previously been collected.

However, the schedule is the most important part of the Act as it lists duty on the various types of documents and its interpretation should be clarified completely. The Bill therefore provides for the schedule to be re-enacted in its intended present form including the relevant notes and having regard to intervening amendments involving such notes that have failed to take effect. Advantage of the need for these amendments is also being taken to provide for the schedule to be reprinted in a more convenient form.

I commend the Bill to the House.

Debate, on motion of Mr Burns, adjourned.

FRASER ISLAND PUBLIC ACCESS 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 for the authorization and control of vehicle access to and the use by the public of Fraser Island Recreation Area for recreation 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) (12.47 a.m.): I move—

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

This Bill is designed to protect the environment of Fraser Island for present and future generations. As indicated in the long title of the Bill, it is one that will provide for the authorisation and control of the use by the public of and vehicle access to the Fraser Island Recreation Area.

As all honourable members would be aware, Fraser Island is one of Australia's most beautiful recreational areas. It is enjoyed by thousands of people every year. It has vast and attractive beaches as well as other attractions such as large inland lakes and a wealth of native plant and animal life.

However, it is one of the areas that is in danger of becoming degraded through increased use. The purpose of this proposed legislation is to start initiatives that will allow all those people who wish to visit and use the island to continue to do so without putting the island at risk.

I point out from the start that the Bill is not designed or intended to control land on Fraser Island. It proposes to control the public usage of the island and, also, the use of vehicles on the island. This Bill is designed to clean up Fraser Island and make it an even more attractive and enjoyable place to spend a holiday and to ensure that this situation continues for the future.

The Bill proposes that a management structure be established that will have an authority consisting of the Ministers of the Crown for the time being charged with the administration of the Forestry Act 1959-1984 and the National Parks and Wildlife Act 1975-1984 respectively, together with a management board consisitng of the Conservator of Forests and the Under Secretary of the Department of The Arts, National Parks and Sport.

The manner in which the Bill will achieve its purposes is that an area of Fraser Island to include the State forest and the national park area, together with the beachfront, is to be declared as the Fraser Island Recreation Area.

Access to this area will be by way of permit issued by the authority or its authorised agents. The permit will be required for persons and vehicles entering the area and will also be applicable to camping. There will be a charge for the permit and this charge will be directly off-set against the provision of services on the island.

I point out that the management bodies created by this Bill have no power to employ officers in their own right and the staff necessary for the operation of the scheme will come from the Department of Forestry and the Queensland National Parks and Wildlife Service. This course has been adopted not only because these two departments are now substantially involved in this type of activity, but as a measure to minimise administration costs.

As I have already indicated, the Bill will not apply to the whole of the island but only to what will be described as the "Fraser Island Recreation Area" This area will be declared by the Governor in Council by Order in Council and cannot cover freehold land. As a matter of policy, it will not apply to leasehold land unless the leasehold land is held by absentee owners and is being used by the public to the detriment of the island and that land.

At this juncture, I should make some comment in relation to the charge to be applied. The charge to be applied is a matter that has been the subject of much misapprehension and misunderstanding and I will take this opportunity to set the record straight. The fee for the purpose of entry to the recreational area for both people and vehicles will be reasonable and affordable and the charge for camping on the recreational area will be much in line with accepted fees elsewhere in the State. This should ensure that those people who presently provide resort accommodation, unit accommodation or camping facilities on the island are not disadvantaged.

Commercial tour-operators will also be required to obtain permits for the operation of their businesses, both in taking people to the island and for tours on the island. It is of course envisaged that all present reputable operators will be issued with permits and that permits will be available to suitable people who wish to commence operations in the future, bearing in mind of course that the fragile environment of the island must not be overtaxed.

The Bill recognises the need for people who are resident on the island to be exempted from permit fee charges for admission to their place of residence. This Bill adequately provides for this contingency. It also recognises the need for tradesmen to enter the island free of charge to the extent that it is necessary for the carrying out of their particular trade.

In relation to the use of the island, the authority will, through its agencies and in conjunction with them, designate areas where people may camp. I would point out that it is not the intention to eliminate beach camping totally. I stress that. It could, however, be reasonably expected that beach camping will be permitted on a rotational basis so as to best preserve the beachfront areas of the island. In all other cases camping will be encouraged in designated areas where adequate facilities can be provided.

As I have already mentioned, any moneys collected by way of permits will be ploughed back into the maintenance, management and improvement of Fraser Island. The Bill grants the board those powers necessary for the effective operation of the access scheme. The powers granted are those usually extended to an authority operating under these circumstances.

One additional provision has been included, and this is to have offences dealt with by way of notice rather than by way of summons. That method of imposition of penalty has been included as it is believed that, with a highly mobile population, no other system could be expected to work. As is usually the case, strict guide-lines will be given regarding the issuance of breach notices, and, again, they will be issued only for significant breaches. Provision, of course, is included for any matter to be brought before a court should any person issued with a notice so desire. The usual defences will also be available at first instances against such a notice—for example, where a registered owner was not the person in charge of a vehicle or the vehicle has been stolen.

The Bill contains the usual financial and audit provisions, and there is a requirement that the board's report, together with an audited statement of accounts, be tabled in the Parliament. Also contained in the Bill are the usual mechanical and procedural provisions necessary for the administration of the recreation area.

A power to make by-laws and regulations is included. Both regulations and by-laws will be subject to disallowances by this House in accordance with the provisions of the Acts Interpretation Act.

As I have indicated previously, Fraser Island is an area of unique charm. It also has the advantage of being accessible to many thousands of people who enjoy its fishing, beaches and inland attractions. This Bill is designed to protect Fraser Island in the most practical way possible, now and for future generations of Australians, and I therefore commend it to the House.

Debate, on motion of Mr Prest, adjourned.

The House adjourned at 12.56 a.m. (Friday).