Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 28 NOVEMBER 1985

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

PETITIONS

Traffic Signals at Pedestrian Crossing, Bruce Street/Old Cleveland Road, Camp Hill

From Mrs Harvey (994 signatories) praying that the Parliament of Queensland will ensure that traffic signals are installed at the pedestrian crossing at the corner of Bruce Street and Old Cleveland Road, Camp Hill.

One Vote, One Value Legislation

From Mr Campbell (21 signatories) praying that the Parliament of Queensland will revoke present legislation on electoral boundaries and replace it with legislation based on one vote, one value.

Griffith University Course in Family Relationships

From Sir Joh Bjelke-Petersen (81 signatories) praying that the Parliament of Queensland will establish an inquiry into the Griffith University course in family relationships.

[Similar petitions were received from Mr Harper (14 signatories) and Mr McPhie (13 signatories).]

Electoral Districts Bill

From Mr Lee (51 signatories) praying that the Parliament of Queensland will reject or amend the Electoral Districts Bill so as not to increase the number of electorates from 82 to 89.

Petitions received.

MINISTERIAL STATEMENT

ALP/ACTU Accord

Hon. Sir JOH BJELKE-PETERSEN (Barambah—Premier and Treasurer) (11.2 a.m.), by leave: Yesterday, in an answer to a question asked in this Chamber, I indicated that I would have something to say today about the ALP/ACTU accord and the productivity claim that is to be taken in the form of extended superannuation benefits.

The Hawke/ACTU coalition Government under the prices and income accord, mark II, has imposed on industry and the business community a losing trifecta—new taxes in the form of capital and entertainment taxes, a 3.8 per cent wage increase and now a 3 per cent compulsory superannuation scheme to come into force in July 1986.

This is the real trilogy. It is a trilogy that will cause business to fail, unemployment to grow and untold damage to the economy. The trilogy is a direct result of the coalition between the ACTU and the Labor Party in government in Canberra.

The 3.8 per cent wage increase has added $4.2 billion a year to the national wages bill and now the 3 per cent productivity claim to be taken in the form of superannuation will add a further $3 billion a year.

The proposed superannuation scheme will be set up by contributions from employers of about $11 a week for each employee——

Mr SPEAKER: Order! On several occasions I have asked for less noise at this time of the morning. I ask honourable members to desist from speaking.

Mr Burns interjected.

Mr SPEAKER: Order!

Sir JOH BJELKE-PETERSEN: That is the trouble, Mr Speaker. Honourable members opposite are not interested in this side——

Opposition Members interjected.

Sir JOH BJELKE-PETERSEN: That is the tragedy.

Mr SPEAKER: Order!

Mr R. J. Gibbs interjected.

Mr SPEAKER: Order! Every day, I have had to warn the honourable members for Wolston and Lytton that I will not tolerate interjections while a Minister is making a ministerial statement.

Mr Burns interjected.

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

Mr Burns interjected.

Mr SPEAKER: Order! That is the honourable member for Lytton's final warning.

Sir JOH BJELKE-PETERSEN: The issue that I am highlighting today is a very serious one. I would expect all honourable members to be deeply concerned at the trend of events.

The honourable member for Lytton can joyfully and gleefully talk about Mr Justice Murphy's retrial and so on. I am talking about something that will affect the economy and the people of this nation generally.

The proposed superannuation scheme will be set up by contributions from employers of about $11 a week for each employee who is a member of the scheme. I cannot think of a better way to send business broke and destroy jobs.

I warn honourable members that this proposal has profound ramifications for union authority, investment procedures and Australian corporate control.

At present, no guide-lines have been laid down for a national superannuation scheme. However looking into the crystal ball, I can easily see that the unions will get great financial and investment power. About $3 billion a year is involved, which is an enormous amount of money to be thrown into the hands of union-leaders.

The question must be asked: What will be the result if union officials have a direct say in and complete control over the investment of the funds? It is possible for a union superannuation fund to have 25 per cent of the capital in an industry. If unions invested the money in various ways in the community and in sections of business, the unions would be given unprecedented power.

Evidently, it is not sufficient for Mr Hawke to give his union mates industrial muscle and political clout. This Federal Government has done a deal to give the unions even more financial power. But what worker would want to trust the unions with his money, anyway?

History is littered with failed ACTU financial investments. Honourable members will remember how the ACTU Bourkes venture ended up on the rocks. The ACTU Solo venture also ended up on the rocks. An appalling lack of business acumen has been demonstrated by Mr Hawke and the trade union movement. That is why today the nation is in the state that it is in.

Now the unions, aided and abetted by the Hawke/ACTU coalition Government, have bludgeoned employers into this proposed compulsory superannuation scheme

through industrial action involving the paint strike. Honourable members are all too well aware of that.

It is simply not good enough for any national superannuation scheme to be administered by a board comprising Government, employer and union representatives. The ACTU and the Government are one; they will outvote the employer on any crucial issue. Indeed, no need at all exists for a union superannuation fund. Industry has an excellent track record in the area of superannuation.

Australia should be alerted to the serious ramifications of this whole exercise and its effect on the economy. It is another sell-out to the unions by the ALP, a sell-out that is against the national interest and a sell-out that can only further delay any prospect of economic recovery.

PRIVILEGE

Transfer of Funds from Rural Reconstruction Fund to Consolidated Revenue Fund

Mr CAMPBELL (Bundaberg) (11.8 a.m.): I rise on a point of privilege. I advise the House that in response to a statement made by the Deputy Premier and Minister Assisting the Treasurer (Mr Gunn) on Tuesday in this House, I have written to the Auditor-General requesting him to investigate—

(1) The State Government's manipulation of Rural Reconstruction Board funds with regards to contravening section 13 of the Rural Adjustment Agreement Act and section 13 (3) of the Farmers Assistance Act, and that payments to the Consolidated Revenue Fund above normal interest and capital repayments constituted a breach under those Acts.

(2) In view of the statement made in the 1983 Rural Reconstruction Board report that "the ability of the Board to fund later requirements has been impaired by State Treasury's withdrawal of $10m from the board's resources to fund other rural industry requirements"; the State Government contravened the spirit of the Rural Adjustment Agreement and the Farmers Assistance Act.

(3) That the Rural Reconstruction Board was inconsistent in reporting the financial transactions of the transfer of funds to the Consolidated Revenue Fund in the 1983 and 1984 Rural Reconstruction Board annual reports.

(4) The inconsistency of official State Government publications in which the *Facts About Sugar* brochure authorised by the Minister for Primary Industries and endorsed by the Premier and Treasurer provided misleading information concerning financial assistance——

Mr SPEAKER: Order! I have to rule that this is not a matter of privilege.

PERSONAL EXPLANATION

Mr INNES (Sherwood) (11.10 a.m.), by leave: Yesterday, the characteristic charm and dedication to accuracy which makes the Minister for Environment, Valuation and Administrative Services (Mr Tenni) stand out in the House and on talk-back radio were again in full flight when he answered my question about desk calendar refills. In admitting that his department purchased Chinese-manufactured desk calendar refills which are more expensive than a competing Australian-made brand, he referred to my question as "cheap and nasty" and to my use of a Japanese-made four-wheel-drive vehicle, saying that comparable vehicles were available in Australia. What he did not say and what would have been more truthful and less prejudicial was that my battered four-wheel-drive vehicle is a 1978 Toyota long-wheel-base Land Cruiser station wagon and that no Australian-made four-wheel-drive station wagon of its size or type was manufactured in Australia at that time.

That diversionary misrepresentation invites further attention to other statements in the Minister's reply and, in particular, to the statement that the Australian-made product

was on "inferior" paper of "lower density". The product was good enough for a quarter of a million to be ordered by the Commonwealth and 2 000 by the Brisbane City Council.

I table a sample and invite inspection of it so that all honourable members are able to make a comparison. The Australian-made product might be cheap—and even cheaper—but nasty it is not. I refer the Minister, when he looks at it, to the saying for Monday, 10 November—

"When in doubt, mumble. When in trouble, delegate. When in charge, ponder."

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

PRIVILEGE

Matter Referred to Select Committee of Privileges

Mr GOSS (Salisbury) (11.12 a.m.): Mr Speaker, I wish to raise a point of privilege in respect of a matter that affects me and in respect of which I seek, from you, an investigation and a ruling. It arises from the motion moved on 17 October 1985 by the Minister for Local Government, Main Roads and Racing and agreed to by the House. That motion reads—and I quote from both *Hansard* and a copy of the ministerial statement—

> "That the matters raised by the honourable member for Salisbury during his speech on matters of public interest on Wednesday, 16 October, be referred to the Select Committee of Privileges for consideration."

That motion was accepted by members of the Opposition without challenge because we want an inquiry into those allegations.

My concern arises, however, from the fact that the wording of the motion has been changed in *Votes and Proceedings* from "the matters raised" to "the speech of". That is a subtle but important change, which shifts the inquiry of the committee from the serious allegations raised against the Minister to the suggestion that there is something untoward about the speech, which there is not. The Opposition would not have accepted such a motion. I am informed that an argument has been put to the Select Committee of Privileges that this latter course should be followed, and I raise the matter because I understand that the committee meets today.

In seeking from you an investigation into how and why the official record of the House has been altered and a ruling on the proper course for the committee, I refer you to *Hansard* of 27 August 1985, where the House moved for the establishment of the Committee of Privileges. Paragraph (4) of that motion provides that the committee shall have such powers and duties as may be "determined by the House". The House clearly determined that the committee inquire into the allegations.

My reason for seeking your investigation and ruling is based on my concern that there will be an attempt to thwart the inquiry ordered by the House and to prevent the summonsing of essential witnesses, such as senior Lands and Forestry officers, Sir Edward Lyons and others, and of departmental files.

Mr SPEAKER: Order! I undertake to look into this matter and report back to the House.

Mr HINZE: I rise to a point of order, and it is a very clear one. I asked the House to pass that motion on that day because the honourable member for Salisbury (Mr Goss) set out to deceive the Parliament. In copies of the statement that he read from, it could be clearly seen that he had blotted out some words. I asked him on one occasion during his speech whether he was referring to me. He deliberately said, "No. I was referring to the Minister for Lands." The honourable member for Salisbury knows that I asked that because it was perfectly——

Mr Goss: Who is cooking the books?

Mr SPEAKER: Order! I have undertaken to look into this matter and report back to the House.

Opposition Members interjected.

Mr SPEAKER: Order!

Mr HINZE: The honourable member for Salisbury is trying to deceive the Parliament.

Mr Goss: You are trying to cook the books.

Mr Warburton: You are on the run.

Mr SPEAKER: Order! I ask the Leader of the Opposition not to make those remarks in the House.

Mr HINZE: And so are you on the run.

Opposition Members interjected.

Mr SPEAKER: Order! Mr Minister, I have to ask you to refrain.

Mr Fouras interjected.

Mr SPEAKER: Order! I warn the honourable member for South Brisbane, and that is his final warning.

Mr FOURAS: I rise to a point of order. I was merely bringing to your attention that the Minister for Local Government, Main Roads and Racing was allowed to make an interjection. Nothing was said to him, and I was merely bringing that to your attention—to look at both sides of the Chamber.

Mr SPEAKER: Order! Then, I rule that no point of order has been made out.

QUESTION UPON NOTICE

A question submitted on notice was answered as follows—

Rationalisation of Industry

Mr BRADDY asked the Premier and Treasurer—

With reference to the spirit of the Purchasing Preference Abolition Agreement, to which he has already given the Government's imprimatur, which seeks to minimise industry fragmentation and other distortions in the national manufacturing sector, brought about by Government interference—

Will the State Government now dispose of its not inconsiderable holdings in Evans Deakin Industries Ltd and allow that company to find its natural position in the Australian economy?

Answer—

The purchase of shares in Evans Deakin was related to the ownership of the company and had no relevance to a State purchasing preference. However, the desirability of continuing to hold these shares has been kept under constant review since the time of their purchase. That review process will continue. Consideration will be given to their disposal when the circumstances are appropriate.

QUESTIONS WITHOUT NOTICE

Understaffing Claims by Queensland Police Union

Mr WARBURTON: I ask the Minister for Lands, Forestry and Police: Does the Minister stand by his comments, expressed on the television program *The National* last night, in which he readily admitted the need for additional police officers in Queensland,

although not necessarily agreeing with the figures quoted by the Queensland Police Union, or does he agree with comments made by the Premier and Treasurer this morning to the effect that complaints about understaffing in the Queensland Police Force are only the views of a handful of police dissidents?

Mr GLASSON: Relative to where I stand, I make it abundantly clear that the officers of the Police Department, the Commissioner of Police, the Government and I would welcome additional police in all areas to provide a deterrent to the increase in the rate of crime and the increase in the incidence of drug offences, and to play a part in inhibiting in some way the increase of carnage on the roads. Of itself, an increase in staff will not solve the problems, contrary to what the people of Queensland have been given to understand.

As to the comment by the Leader of the Opposition about the view expressed by the Premier and Treasurer that the complaints were not representative of the whole of the police force—I disagree completely. The honourable gentleman neglects to point out that the role fulfilled by the Queensland Police Force is one of which all Queenslanders can justly be proud. Figures quoted by the Leader of the Opposition and in the interview were taken directly from *the Queensland Police Union Journal.* As I said last night, it is possible to make figures tell any story.

The Queensland Government is justly proud of what the Queensland Police Force has accomplished. The increase in staffing allocation provided for the Police Department in the recent Budget was the Police Department's share. Obviously, additional police officers would be welcome if funds could be made available. It ought to be remembered that there are only so many dollars in the barrel to be divided. The role being played by the Queensland Police Force, with the addition of 104 police officers, will be one of which the people of Queensland can justly be proud.

Stage 2, Fire Services Levy Program

Mr WARBURTON: In directing a question to the Minister for Environment, Valuation and Administrative Services, I refer to what seems to be a classic case of State Government bungling in respect of the fire services levy charge, particularly stage 2 of the Fire Services Levy Program, and I ask: Is it correct that his department has been forced, because of a shortfall in fire-levy income, to borrow an amount of $14m, or thereabouts, on the short-term money market at high interest rates? Is it also correct that the lenders are now calling for repayment of loans and interest and is it also correct that his department is not responding to those calls? Does that not indicate clearly that the fire levy scheme is, in fact, an expensive mess?

Mr TENNI: I suggest that the Leader of the Opposition stop having nightmares. Apparently, he had a very large one last night, made notes of it and brought it to the House today. Quite frankly, I did not believe that I would hear such a statement from a man of supposedly high calibre. The statements are completely untrue. Where the leader of the Opposition got them from, I do not know, but I would certainly like to know. The department has not borrowed any money and no demands have been made for money. I suggest that the honourable member stop having nightmares.

Exemption of Charities from Taxation

Mrs HARVEY: I ask the Premier and Treasurer: As charities caring for the disabled are facing massive cost increases because of the Keating tax package, will he make representations to the Federal Treasurer to exempt all charities from his tax plan?

Sir JOH BJELKE-PETERSEN: It is one of the amazing things in life that the Federal Government can even think in terms of taxing charities. People devote much time and effort to raising money for worthy causes and people who need support; but, in its burning desire to socialise everything and bring everybody down, the Federal Government is prepared to tax even charities.

I note the honourable member's suggestion that I write to the Treasurer to ask him to desist. However, in the first instance, I do not think that he would be slightly interested in desisting. He has made it abundantly clear that he is out to get money from everywhere and everybody. I am quite happy to write a letter, but I do not think that it will have any effect on the people in Canberra, because they have no heart. Even to make such a suggestion shows quite clearly their attitude to the poor.

Financing of Brisbane City Council Buses

Mrs CHAPMAN: In asking a question of the Deputy Premier and Minister Assisting the Treasurer, I refer to the advertisements appearing on Brisbane City Council buses to the effect that a number of buses have been federally funded. I now ask him: Does the Queensland Government make a contribution to city bus transport and, if so, how much does it contribute?

Mr GUNN: I thank the honourable member for the question. The buses came to be federally funded because a great infusion of funds came from the Federal Government to try to keep the Labor Party in power in the city council. The plan back-fired. The best that the Federal Government can do is get a small advertisement on the back of city council buses to say that they are federally funded. The advertisement does not say, of course, that the Queensland Government pays 60c on every dollar's worth of bus tickets bought.

An Opposition Member interjected.

Mr GUNN: I intend to give the figures.

Mr BURNS: I rise to a point of order to draw your attention again, Mr Speaker, to the fact that another Dorothy Dix question has been asked for which the Minister has the answer written out before the question is asked in the Parliament. Surely the member asking the question should put the question on notice if the answers are to be written out beforehand.

Mr SPEAKER: Order! There is no point of order.

Mr GUNN: Mr Speaker, the honourable member is trying to run this Parliament. He could not run a pie stall.

Mr SPEAKER: Order!

Mr Austin interjected.

Mr SPEAKER: Order! The Minister for Health.

Mr GUNN: It is only right and proper that the people of Queensland know the contribution the State Government makes towards the Brisbane City Council bus service. As I said, it subsidises the service to the extent of 60c in the dollar.

Let me read out——

Opposition Members interjected.

Mr GUNN: I will read out the receipts. They were $4.9m for the first quarter, $5m for the second quarter, $4.9m for the third quarter and $5.1m for the fourth quarter, making a total of $20m. The State Government subsidy on that amount totalled $12,048,140.43. That is the contribution that the Government made. Opposition members may laugh as much as they like, but that is the contribution that the Government made to assist pensioners, schoolchildren and the passengers who use the Brisbane City Council bus service.

This year, the subsidy is expected to be $13.1m. That great contribution should be recognised by every Queenslander.

Review of Factories and Shops Act

Mr McLEAN: In directing a question to the Minister for Employment and Industrial Affairs, I refer to his recent statements about the need to maintain the high priority given to workers' safety and health. I remind him of his appeal in 1984 for submissions by interested parties to his review of the antiquated Factories and Shops Act, which, in his own words, had not "seriously been amended" for over 20 years. The Minister asked for submissions and placed on them a closing date of 21 September 1984, which was extended to January 1985. He also stated that he would be preparing a Green Paper to allow discussion and debate before he introduced legislation early in 1985. As we have seen no Green Paper, no debate and no serious legislation, I ask: Is this whole affair another one of the Minister's publicity stunts? If not, when will we see the Green Paper, when will we see the promised debate, and when can we expect some meaningful legislation in this very vital area of workers' health and safety?

Mr LESTER: I must take issue strongly with the member for Bulimba. The Government has just introduced some amendments—admittedly, minor amendments—to the Factories and Shops Act. They were designed to enable small business to employ more people. The honourable member referred to that as a publicity stunt, a gimmick and all sorts of other things. Quite clearly, the Labor Party has sold out small business and does not want to give it any help at all.

The legislation on industrial safety that is being proposed by the Labor States gives the power to the unions. Indeed, the unions will have the opportunity to close down any business on any safety issue that they determine. Yet again, it is very clear that the Labor Party is not interested one bit in small business. It is prepared to put people out of work, and that can be seen from the economic strategy being adopted at present by the Commonwealth Government. Only today, I heard the Federal Treasurer (Mr Keating) say that the capital gains tax and the taxes on the so-called perks will put thousands of people out of work in this country.

The legislation is quite complex, and I do not recall having received a meaningful submission from the honourable member. It has been a busy year, but the legislation, in line with other pieces of legislation that have been revamped, will come before the House in due time. The honourable member opposite, instead of talking to everyone else, should listen to me and put forward a submission that might help.

Australasian Meat Industry Employees Union

Mr STONEMAN: I ask the Minister for Employment and Industrial Affairs: Has he seen reports that the Australasian Meat Industry Employees Union has stopped some workers in New South Wales from obtaining jobs for the first time since 1981 and has deprived them of the opportunity of earning more than $500 a week in the weeks prior to Christmas? Will the Minister assure the House that any similar action by the AMIEU in Queensland will be opposed by the State Government?

Mr Davis: Another Dorothy Dixer!

Mr LESTER: Actually, it is not. The back-benchers in the National Party do not have to brief me because they are well aware that I am able to answer their questions. To show that I have not been briefed by the honourable member, I point out that I think that the dispute to which he referred concerns the meatworks in Wagga Wagga in New South Wales. The employees there have been offered a deal of $500 a week in the weeks leading up to Christmas. However, the meat industry union has said that the employees are not to enter into the deal. The employees themselves want to work and believe that the wage that has been offered is fair and reasonable.

Because the union has been responsible for the loss of 28 500 jobs in the meat industry since 1981, it is no wonder that these workers, like those at Mudginberri, have gone against it. Fifteen meatworks have closed down altogether and another 10 operate according to demand, that is, the workers are only employed when demand is great

enough. Another 25 meatworks that used to export meat now supply only the domestic market.

It is no wonder that the employees in the meat industry generally want nothing to do with the union. The union has effectively stopped these men from coming off the dole and doing something constructive for themselves. It has stopped them from being able to give Christmas presents to their families and little children. The union's action is contemptible and damnable, and it should be condemned to the full by the Parliament.

Aquaculture

Mr STONEMAN: I ask the Minister for Primary Industries: In view of the success of farmers in Taiwan in switching from cane-growing to prawn-farming, will he have research carried out to determine the suitability of cane-growing land in far-north Queensland for similar diversification?

Mr TURNER: It is fair to say that aquaculture is an exciting, developing industry. Honourable members would no doubt be aware of what is transpiring at Walkamin and Cairns with barramundi-breeding programs. My department has, for some time, been investigating the possibility of introducing Nile perch, although that program is on the back burner at the moment. Marron-breeding is being carried out, too. At present, a facility is being established on Bribie Island for the breeding and farming of prawns to determine the potential of that activity.

A number of my officers have travelled overseas to study aquaculture and, in particular, prawn-farming in Thailand, Indonesia and other South East Asian countries, where it is a big business. However, I indicate that this particular form of farming is not without its problems, and I advocate that anyone contemplating a venture of this type should talk with those members of my department who have expertise in this area. It is a new industry that has tremendous potential and I am sure that, in future years, there will be increasing diversification into aquaculture in Queensland.

Enforcement of Amendments to Liquor Act

Mr GOSS: In asking a question of the Minister for Justice and Attorney-General, I refer to amendments to the Liquor Act dealing with perverts, deviants and child-molesters and to the Minister's object in passing such legislation. I now ask: What evidence is there to support the proposition that that measure will prevent those persons from carrying out their anti-social activities? Will he tell the House which so-called gay bars will be affected by his legislation and, if activities in those bars are of concern, when will the first gay bar be closed by the legislation? Or will some other action be taken to enforce the legislation?

Mr HARPER: Appropriate action will be taken under the Liquor Act when the sections of that Act relevant to the matters raised by the honourable member are proclaimed. Neither I, as the adviser to the Government in these matters, nor the Government has any intention of allowing licensed premises in Queensland to be used as a resort of drug-dealers, sexual perverts or deviants, or child-molesters.

The honourable member would do well to consult the week-end press in which the licensees of two licensed premises well known in the community as drinking places for people who regard themselves, and call themselves, homosexuals came out in support of this particular clause of the amending Bill. They came out in support of the Government's intention and backed it. That should answer the critics who have been trying for so long to make an issue of what is simply a Government response to a problem that has been identified.

I assure the honourable member that the co-operation of the Licensing Commission, the Minister for Police and the officers of the Commissioner of Police will ensure that the legislation is effective.

Actions in Chamber of Minister for Justice

Mr GOSS: In asking a question of the Minister for Justice and Attorney-General, I note in the preceding answer his reference to the week-end press and refer him to reports in the week-end press in which Mr Speaker was reported as saying that the speech of the Minister for Justice in this House one week ago today ignited the fuse that led to certain scenes occurring in this place. I now quote from the *Daily Sun* of 23 November, as follows—

> "Mr Warner yesterday said his reference to the Government's behaviour regarded provocative statements made by Mr Harper.
>
> Mr Harper associated the Opposition with child molesters and deviants, causing a rowdy backlash.
>
> 'With provocation like that I can understand why the Labor Party Members reacted.' Mr Warner said."

As Minister for Justice in this place, will he give an undertaking to refrain from such conduct in the future?

Mr HARPER: I would have thought that the honourable member had already gained sufficient knowledge of the media to know that newspaper reports are not always verbatim reports and, indeed, in many cases can be quite inaccurate. I take this opportunity to draw to the attention of the House another extremely misleading report that appeared in the *Daily Sun* on one day last week. That report claimed that provision had been made for "pubs to be open 24 hours".

I had not intended to say this, but as the Opposition spokesman has drawn the matter to the attention of the House, I feel I should say that the previous evening, I spent 20 to 25 minutes trying to convince and encourage the journalist in question to report accurately. The press secretary to the Premier and Treasurer spent a similar amount of time with him. Of course, the journalist did not report accurately; instead, he was prepared to seek guidance from an industrial union officer who did not have an understanding of the Act. Therefore, the public of Queensland were treated to a front-page headline that was misleading.

Mr Goss interjected.

Mr SPEAKER: Order!

Mr HARPER: I say again——

Mr Goss interjected.

Mr SPEAKER: Order! I warn the honourable member for Salisbury. In the first place, I believe that the question was an improper one, and I will take the appropriate action if anything else happens.

Mr HARPER: I say again that it is unfortunate that the honourable member chooses to use this place to peddle inaccuracies that have obviously occurred in the press.

Refusal by Seamen's Union of Australia to Handle French Ships in Queensland Waters

Mr CAHILL: I ask the Premier and Treasurer: In view of the refusal by the Seamen's Union of Australia to handle French ships in Queensland waters because of the French Government's nuclear testing in the Pacific, will he take all necessary action to protect Queensland exports that could be affected?

Sir JOH BJELKE-PETERSEN: I assure the honourable member and all members of this Assembly that the Queensland Government will always take appropriate action when and where necessary and when it has the opportunity to do so.

Honourable members may recall that on a previous occasion, the Seamen's Union tried to take certain action to inconvenience particular industries in this State. It was

not very long before the Government had the union approaching the court. As it entered the court, it backed off very quickly and allowed ships to come in with oil and other products.

I assure the honourable member that action will be taken where necessary and whenever it can. If only the unions will give the Government half a chance, it will have a go at them.

Harassment of Members of Federated Liquor and Allied Industries Employees Union of Australia by State Executive

Mr BAILEY: I ask the Minister for Employment and Industrial Affairs: Is he aware that members of the State executive of the Federated Liquor and Allied Industries Employees Union of Australia have been harassing female bar attendants and others who queried their union's high spending and industrial blackmail policies? Will the Minister offer the union members the full protection of the Government against those stand-over tactics by industrial thugs?

Mr LESTER: The answer most definitely is, "Yes." Certain arrangements have been made to put in motion the request from members of the union. I do not think that I had better say anything more about that, because those people will be blackmailed yet again. It is not always wise to telegraph one's punches.

It is incredible that a union is trying to get even with some of the employees in that industry who chose not to support the SEQEB general strike rally, which, generally speaking, was most unsuccessful. As a result of that rally, the union-leaders discovered that they did not have the mandate to continue their actions. Since then, the whole campaign has fizzled out. However, the union-leaders are still continuing to stand over the employees, and, in fact, the employees are rebelling.

Recently, a television crew was called in to film what was to be a getting together for the purpose of unification. All of a sudden, a brawl broke out, and that appeared on television. One can understand the genuine concern and upset felt by many of those employees, particularly women. They are in revolt.

Compared with the funds received previously by the union, an enormous shortfall now seems to be occurring in the funds that are received. The funds of the union have decreased dramatically. There is obviously great concern about the financial affairs of that union. From the comments that have been made to me, it is obvious that union-leaders are using funds obtained from employees to make themselves more comfortable. I thought that the aim of union-leaders was to protect workers, not to give themselves all of the comforts that their office attracts.

Interest Rates; Statements by Mr P. Beattie

Mr BAILEY: I ask the Premier and Treasurer: Is he aware of recent statements made by Mr Peter Beattie in which he dissociated the Queensland ALP from Federal Government policies that have led to record high interest rates? Does he agree that those statements are nothing more than a pathetic attempt by the Queensland ALP to pass the buck?

Sir JOH BJELKE-PETERSEN: That is all that it is. It is an attempt by members of the Queensland Labor Party to pass the buck and to dissociate themselves from their colleagues in Canberra. Over the years I have said, "I do not care who a man is, whether or not he is good-looking or whether or not he wears a hat—if he is a Labor man he is a socialist." All members of the Labor Party are the same. It makes no difference whether they live in Queensland or in Canberra.

Metropolitan Fire Brigade Appliances

Mr SMITH: I did intend to ask two questions, the first of which I would have liked to direct to the Minister for Northern Development and Aboriginal and Island Affairs (Mr Katter), but I am unable to because, even though Executive Council is not

meeting, he is absent from the Chamber. Therefore, I will direct my question to the Minister for Environment, Valuation and Administration Services.

In directing a question to him, I refer to a statement made recently by him during the debate on a Bill that $250,000 has been spent on Metropolitan Fire Brigades appliances. Is it correct that the Minister now knows that the expenditure was less than $50,000? Is it also correct that, yesterday, representatives of the Metropolitan Fire Brigades Board met with the Minister in relation to that misrepresentation of the facts?

Mr TENNI: Yesterday, I did meet with representatives of the Metropolitan Fire Brigades Board. That meeting certainly had nothing to do with the amount that is being spent on the maintenance of fire brigade appliances. That was only part and parcel of a very wide-ranging debate.

I can assure the honourable member for Townsville West that the amount of money spent so far on the appliances is roughly $50,000. The estimated cost of bringing those appliances up to the standard that they should have been in at all times is between $175,000 and $250,000. As a matter of fact, that was confirmed yesterday, at the meeting of board members and myself. The Metropolitan Fire Brigades Board obtained independent estimates of cost to bring those appliances up to scratch in addition to the work carried out by the Government Motor Garage.

The fact is that about $50,000 has been spent mainly on bringing the appliances up to a safe, roadworthy condition. The balance of the money is being spent as the brigade can afford to take the appliances off the road. At present, a spare appliance is being upgraded so that it can take the place of another appliance whilst it is being brought up to scratch. That will continue until all appliances are brought up to the standard at which they should have been kept at all times. The board has assured me that, in future, appliances will be maintained in that manner and, in fact, will be kept in a polished manner similar to the other 80 brigades throughout Queensland.

I thank the honourable member for providing me with an opportunity to inform the people who pay levies in the Metropolitan Fire Brigades Board area that, as a result of commonsense management, decent appliances will now be on the roads of Brisbane for their benefit.

Press Release by National Institute of Economic and Industry Research

Mr KAUS: I ask the Deputy Premier and Minister Assisting the Treasurer: Could he inform the House of the content of recent information released by the National Institute of Economics and Industry Research and how it relates to Queensland's economic performance?

Mr GUNN: The Opposition is always quick to talk about economic indicators. The press release referred to by the honourable member is, of course, an independent assessment. It covers a wide range of factors, including production levels, building approvals, bank deposit levels, motor vehicle registrations, share prices and retail sales.

I point out that the press release was not put out by the Australian Bureau of Statistics. It was not put out by the Queensland Treasury. It was issued by the State Savings Bank of Victoria. For the benefit of Opposition members, I will refer to parts of it.

Using 100 as a datum figure, the indicators are: Australia, 117.7; Victoria, 117.8; South Australia, 105.1; and Western Australia, 114.5. I hope that honourable members opposite have absorbed all of that. The figure for Queensland is 128.8.

The State Savings Bank of Victoria says this about Queensland—

> "The Queensland leading indicator peaked in February 1985 and then declined continuously until August. Subsequently, it increased strongly to a new peak over the following three months. This suggests the Queensland economy will grow strongly in the remainder of 1985 and possibly early 1986 after slowing between April and September."

That is not my statement; it is a statement by the savings bank of the Labor-controlled State of Victoria, and I table it.

Whereupon the honourable gentleman laid the document on the table.

Car-parking Facility, Princess Alexandra Hospital

Mr McELLIGOTT: I ask the Minister for Health: Is Mr W. J. Job, chairman of the board administering the Princess Alexandra Hospital, the Mr Job, architect, who designed the car-parking station that has been located to take advantage of the grave shortage of parking space within the grounds of that hospital?

Is it true that that same Mr Job has an interest in the company operating the car-parking station? Is it also true that the board has limited parking in the grounds of the hospital even further, thus ensuring the viability of the parking station, which has just doubled its charges?

Mr AUSTIN: The only part of the question that I can honestly answer is that Mr W. Job is the chairman of the South Brisbane Hospitals Board. I understand that the parking station was developed by a private company. I have no idea who the architect was. I am sure that if the honourable member for Townsville were to write to Mr Job or to the Brisbane City Council, he would be provided with the name of the company, enabling him to undertake a company search to ascertain the names of those involved. I have no knowledge of the private company.

Issue to Queensland Hospitals of Blood Untested for AIDS

Mr McELLIGOTT: I ask the Minister for Health: Can he tell the House of the circumstances under which blood untested for AIDS was issued by the Red Cross Blood Transfusion Service to the Princess Alexandra Hospital last Monday, 25 November, and will he assure the Queensland public that blood untested for AIDS will not be issued to any Queensland hospital under any circumstances in the future?

Mr AUSTIN: I have no knowledge of the internal operations of the Blood Transfusion Service or of the transmission of blood from it to the Princess Alexandra Hospital. The honourable member's allegations may be correct; they may not be. I do not know from where he received his information. I will do my best to find out whether or not there is any substance in his suggestion.

I sincerely hope that tomorrow's newspaper does not carry headline stories that blood from the blood bank is unsafe. If the honourable member is trying to do that—trying to criticise the operations of the blood bank—he will do that service no good at all. I hope that he is not trying to provoke a set of circumstances that will cause a great deal of distress.

Mr Warburton: He is trying to get an answer out of you.

Mr AUSTIN: The intelligence of the Leader of the Opposition just has to be seen to be realised. How would I, as Minister for Health, know whether contaminated blood went from the blood bank to the Princess Alexandra Hospital last week? It is a joke.

Mr McELLIGOTT: Mr Speaker, I place my question on notice.

Mr AUSTIN: I do not need the question to be placed on notice. I am able to answer it.

Mr McElligott: You said you didn't know.

Mr AUSTIN: I will write to the honourable member for Townsville with the answer.

While I am on my feet, I make a plea to the public of Queensland. The Christmas period is approaching. As each and every honourable member knows, the Christmas period is a time of great drain on the reserves of blood held throughout the State. I

hope that, in the coming weeks, many people will come forward and donate blood. Their blood may be needed.

Commonwealth Taxation Package; Effect on Restaurants and Youth Employment

Mr ELLIOTT: I ask the Minister for Welfare Services, Youth and Ethnic Affairs: Has he seen advertisements in the national press in which the Prime Minister is attempting to portray his Government as the saviour of jobs for young people? How does that claim stack up with the Commonwealth's decision to disallow for taxation deductions claims for business lunches, which has had a devastating effect on the restaurant trade?

As this is the International Year of Youth, what has the Minister done for the young people of our State in this matter?

Mr WARBURTON: I rise to a point of order. The Opposition is trying to be tolerant, but at the moment seven or eight Ministers are absent from the ministerial benches. I ask your indulgence, Mr Speaker. Surely it is only fair that Ministers be present when members of the Opposition wish to direct questions without notice to them. I put that point with all respect.

Sir JOH BJELKE-PETERSEN: The Leader of the Opposition—I know he is hard—

Mr SPEAKER: Order! Is the Premier rising to a point of order?

Sir JOH BJELKE-PETERSEN: Yes, I am. I rise to a point of order to point out again to the Leader of the Opposition that an Executive Council meeting is being held at the moment.

Mr Warburton: You need only two.

Sir JOH BJELKE-PETERSEN: There are generally only two or three Ministers who attend.

Mr SPEAKER: Order! I point out to the Leader of the Opposition that his query has been answered by the Premier and Treasurer.

Mr MUNTZ: I have seen the advertisements referred to. It is typical of the Hawke Labor Government—in fact, of any Labor Government—to run round this nation and paint rainbows for young people in an endeavour to convince them that a pot of gold can be found at the end of the rainbows. That is typical of the attitude adopted by the Hawke Labor Government.

The Federal Government forgets that the best thing it could do for the youth of this nation would be to simply provide a job for each young person. The only way that that can be done is by promoting economic growth and development right across the nation. One of the appalling features of the Hawke Labor Government's administration, through the Budget proposals of Mr Keating, is the introduction of the paper-bag lunches throughout the nation, to the detriment of the restaurant industry. That Government does not realise the devastation that is being caused in the tourism industry along the coast of Queensland, and particularly in Brisbane.

Opportunities can be created for young people, but the Federal Government seems determined to deny those opportunities to them, simply because it is too stupid to realise what the restaurant industry is all about. I condemn the actions of the Federal Treasurer.

The Queensland Government has endeavoured to promote goals that can be achieved by young people. Yesterday, I happened to be talking to Mr Peter Daniels. A photograph was published by *The Courier-Mail* this morning depicting the book written by Mr Daniels, *How to Reach Your Life Goals.* Mr Peter Daniels is a well-known writer from Adelaide, South Australia. He is a member of several world-wide boards and happens to be member of the board of Youth for Christ. Mr Daniels told me that he has travelled across the nation and throughout the world and has found that no State and no

Government is doing more for young people than the Queensland Government. Honourable members can verify that statement with *The Courier-Mail* reporter, Lisa Scott, who interviewed the gentleman. A report of the comment did not appear in the newspaper this morning, and I did not expect that it would.

Mr Daniels, in all sincerity, said that what the Government has done in Queensland by declaring International Youth Year is promote the achievements of young people and provide young people with something positive to look to. One of the first things that the Government did was upgrade the Division of Youth to full departmental status. The Youth Employment Support Scheme received an increase in funds of $400,000 so that it could be expanded into five new centres throughout the State. The Government hopes to introduce a further seven centres throughout successive financial years, and plans are in train to accomplish that. The centres give young people, particularly disadvantaged young people, an opportunity to train and be given guidance and counselling in job acquisition and job interview techniques, which provides them with an incentive to look for employment. At the same time, the centres seek out opportunities to provide young people with experience in unskilled and semi-skilled areas of employment.

The Queensland Government has expanded its program of the youth leadership award scheme. The Duke of Edinburgh Foundation has been established, and the Government has set up a pilot scheme known as the youth-worker training scheme. For the Youth Assistance Scheme, the Government has contributed $952,600; for Youth Leadership Training Grants, the Government has provided something of the order of $183,600; and for the sports and youth fund, the Government has contributed $293,600.

Community organisations have been encouraged to participate in International Youth Year. With the assistance of the Minister for Tourism, National Parks, Sport and The Arts (Mr McKechnie), the Government has also established a Young Queenslanders Tourism Association, and in excess of 3 000 young people, who are members of that association, are working in the tourism industry for their own benefit and the benefit of the peer group.

The Queensland Government has also sponsored and promoted the Queensland Youth Choir. Anybody who has heard that choir can only be proud of the young people. Under the sponsorship of the State Government in International Youth Year, the choir travelled throughout the State. The Government has also assisted the Queensland Debating Union, the Royal Queensland Theatre Company and the Australian Artists Guild. I emphasise that those are but some examples of the organisations that the Government has assisted.

The Government has never claimed that International Youth Year in Queensland would be a 365-day wonder. The Government is setting an example and trying to give young people the opportunities they deserve.

Mr KRUGER: We are all aware of the problems in the sugar industry. I had intended to ask a question without notice of the Minister for Primary Industries, but I will have to put it on notice.

Mr KRUGER having given notice of a question—

Sir JOH BJELKE-PETERSEN: Mr Speaker, if the honourable member cares to address the question to me, I can answer it.

Mr KRUGER: I have placed the question on notice, Mr Speaker.

Mr KRUGER having given notice of a further question—

Mr MUNTZ: I rise to a point of order. The honourable member stated that I directed the Palen Creek Prison Farm authorities to send their milk to the South Coast Dairy. That is not true. It was a Cabinet decision; I did not direct it. I ask the honourable member to withdraw the remarks.

Mr SPEAKER: Order! I point out to the Minister that the remarks were made in a question on notice. They will be dealt with accordingly.

Mr KRUGER: Mr Speaker, I make the point that the question is on notice to the Minister for Primary Industries.

Federal Government's Attitude to Primary Industries

Mr SIMPSON: I ask the Premier and Treasurer: Is he aware of an article in a recent issue of *The Bulletin* that highlights the insensitivity of the ALP Federal Government to the primary industry sector, which, together with the mining industry, is so important in maintaining the balance of trade for Australia? Is he aware that the ALP is not supporting primary industry, and that Mr Kerin, in particular, in supporting higher charges, is supporting higher wages? Is he aware of Mr Kerin's insensitivity and of the lack of support and financial help from Mr Kerin for the sugar industry?

Sir JOH BJELKE-PETERSEN: I was completely unaware that the honourable member intended to ask the question. However, just in case an Opposition member asked a question about the sugar industry, I had with me this article about Mr Kerin.

In answering the honourable member's question, I should say that a meeting was held the other night. The Minister for Primary Industries was there; we were all present. The honourable member for Murrumba does not have to worry very much about the answer to be given to his question.

I emphasise the heading to this article, which reads—

> "Kerin's deep split with farmers".

The article points out that Mr Kerin has no concern for and no understanding or appreciation of not only the difficulties of cane-farmers but also the difficulties of the sugar industry generally, and that he is in fundamental disagreement with the rural sector. The article reads, in part—

> "He believes Australian agriculture is not in crisis, rather that it is going through a significant long-term structural adjustment. Kerin's opinion is in stark contrast with the rural mood."

Mr Kerin says that the rural sector is not going through a crisis.

The article continues—

> "Kerin says these concerns are ideological and politically motivated. Individual management skill is still by far the most important factor in determining an individual's profitability or otherwise."

What a lot of crap and claptrap! What does it mean?

Opposition Members interjected.

Sir JOH BJELKE-PETERSEN: I would like Opposition members to tell me what all of it means. It is no wonder that Mr Kerin is deeply split with the farmers. He has no appreciation or no understanding of the matter. He has no sympathy for primary producers, whether they be sugar-producers or otherwise.

Mr R. J. Gibbs: What is this "crap"?

Sir JOH BJELKE-PETERSEN: It is in that article, if the honourable member wants to read it.

Influx of People from Southern States to Queensland

Mr SIMPSON: I ask the Minister for Employment and Industrial Affairs: Is he aware that people are continuing to flock to Queensland to enjoy a fair electoral system of representation? Does that mean that Australians are more discerning in terms of electoral matters, job opportunities, encouragement to small business and lower State taxes?

Mr LESTER: Since 1977, approximately 150 000 Australians from the southern States could not have been wrong in making their decision to come and live in Queensland.

In 1971, Queensland had 14.2 per cent of the total Australian population. Today, that figure is 16.2 per cent.

Let me examine what has happened in New South Wales and Victoria during the same period. The population in each of those States has declined by 1.4 per cent. There is a difference of 3.4 per cent in favour of Queensland. That shows how good Queensland is.

I refer to the present influx of people from the southern States. These figures are for the nine-month period to the end of March this year. Queensland's population has increased by 8 721. During the same period, the population decreased by 4 810 in New South Wales, 4 980 in Victoria and 3 168 in South Australia. The statistical figures show quite clearly that Queensland's performance is far better than that of the Labor-led States.

Opposition Members interjected.

Mr LESTER: They do not like the truth when it starts to hurt.

Why are people from the southern States coming to Queensland? The answer is simple. Over a period, Queensland has led the tax revolt in Australia and has done so very successfully. It pioneered the abolition of death duties, which has helped many Queensland families. Queensland, unlike in New South Wales, does not have taxes on cigarettes and alcohol. Queensland is doing something credible to try to reduce the tax burden. It is endeavouring to pioneer the introduction of the single-rate tax system, which has merit. Under it, people would be taxed on what they earned, and that is fair enough. Queensland has provided opportunities for people to come and open coal mines and new ports and to expand the grain industry. Queensland is leading the way in rail electrification.

Mr SPEAKER: Order! There is too much audible conversation in the Chamber. The honourable member for Wolston seems to be amused. I assure him that, if he continues, I shall deal with him.

Mr LESTER: As I was saying, Queensland is leading the way in rail electrification. Nowhere else is Australia is such a bold and wonderful project being undertaken. Queensland is leading the way in tourist development. It goes on and on. Opposition members should get behind what the Government is doing in Queensland. I am sure that the public of Queensland are.

The only people who are knocking this progress are Opposition members, and that is why they are in opposition. Opposition members are never prepared to give credit where it is due and, when they go down south, all they do is knock Queensland instead of sticking up for it. We in the National Party will stand up for Queensland and make it a bigger, better State in which everybody can live and bring up families.

Aid to Bangladesh Sugar Industry

Mr CAMPBELL: In directing a question to the Premier and Treasurer, I refer to a letter sent to him on 21 November 1985, by the Minister for Foreign Affairs (Mr Bill Hayden), concerning the Premier's incorrect statement to this House on 9 October, in which he claimed that the Federal Labor Government gave $100m to Bangladesh to establish a sugar industry.

I refer to the facts contained in Mr Hayden's letter. In 1977, the Liberal-National Party Government commenced the program with an approval of $9.5m. In November 1982, the Liberal-National Party Government approved a further $6m. To December 1985, after allowing for inflation, $18m has been provided, of which $6.8m was spent on purchasing equipment. Of that amount, $4.15m came from Queensland. The balance of the funds was used to engage Australian consultants, including Queensland technical personnel from the Bureau of Sugar Experiment Stations. I now ask: Will the Premier apologise to the House for making those incorrect statements on 9 October?

Sir JOH BJELKE-PETERSEN: Do I only have the honourable member's word that what he said is correct?

Mr Casey: No, you have Hayden's letter.

Sir JOH BJELKE-PETERSEN: I must say that I have not seen Mr Hayden's letter. It has not been brought to my attention. If it was a previous Government that put a lot of money in and started it off, well, the problem is mainly there, sure. I concede that point. However, when the Northern Territory tried to set up a sugar industry, the Queensland Government protected the sugar industry in this State. It always does that.

Mr Casey: It was Western Australia, not the Northern Territory. You are a little mixed up.

Sir JOH BJELKE-PETERSEN: If anybody is mixed up, it is the honourable member, especially when he gets mixed up with poker machines.

Australian Bicentennial Authority

Mr STEPHAN: In directing a question to the Premier and Treasurer, I refer to the lead-up to the bicentennial celebrations and make mention of the lack of financial support from the Federal Government for Expo 88, which will be held in Brisbane; the controversy surrounding the resignation of the director of the Australian Bicentennial Authority; the forced resignation or sacking of the chairman of the authority; and the extraordinary suggestion that the Federal Government has organised a campaign to seek or beg for funds from other countries. I now ask: Does this attitude from the Federal Labor Government undermine any confidence in support from local or overseas personnel?

Sir JOH BJELKE-PETERSEN: At the time when Mr Fraser led the Government of Australia, Queensland accepted this challenge and responsibility on behalf of the nation. For a period of more than six months, Victoria tried to make up its mind whether it would accept the responsibility. At that time, it was having great difficulties with the actions of the Builders Labourers Federation. I think that was largely the reason that that State would not accept the responsibility on behalf of Australia.

Mr Fraser then submitted the offer to Mr Wran, who had it for at least six months. He finally came up with the same decision—it would be hopeless and impossible for his State to run Expo or try do anything about it. I am not sure whether that decision was based on actions of the BLF and the problems that might have been encountered there. However, Mr Wran would not accept the responsibility for running Expo.

The offer was then submitted by Mr Fraser to me and to Queensland. We immediately accepted the challenge. Since that date, the State has worked very hard. Much co-ordination has been done and a great deal of money has been put into the project on behalf of Australia. The Commonwealth has been largely sitting back like a jibbing horse in the breeching letting everybody else pull it along. I think that the Commonwealth Government has said that it will advance $3m.

Mr Shaw: How much is Queensland putting in?

Sir JOH BJELKE-PETERSEN: I would not know exactly, but it is close to $80m or $100m.

Mr Shaw: You told me they hadn't put in anything.

Sir JOH BJELKE-PETERSEN: The Federal Government is giving very little. It has put nothing in.

The State Government cannot get from the Commonwealth where it wants to build its building and how much it will put into the building, and I will guarantee that the honourable member for Wynnum (Mr Shaw) cannot tell me that, either. Because the Federal Government does not itself know, I am sure that no member of the Opposition can tell me. The Federal Government does not know what size building it wants, where it wants it or how much it will spend.

An Opposition Member interjected.

Sir JOH BJELKE-PETERSEN: The Commonwealth Government said that, initially, it had $3m to go towards the construction of its building for Expo. The State Government has not received it. Perhaps I should not say that, because I do not know whether it has been paid or whether it is available. The Federal Government cannot tell the State what it wants to spend. It has allocated, on behalf of the whole of Australia, a miserable, lousy amount of $3m. It gave $5m for a race in South Australia and $30m has gone to Perth. However, it has given Queensland only $3m to put in a few cement blocks and whatever else.

I take it that, ultimately, the Federal Government will have to come to the party, because it is committed and it is playing a part to a certain extent. However, it cannot tell us where it wants the building, what size, how much money it will spend or what part it will play in Expo. I will bet that honourable members opposite cannot tell me that, either.

Australian Economy Under Labor Governments

Mr STEPHAN: In asking a question of the Premier and Treasurer, I refer to 1972, when the Whitlam Government came to power, and to the fact that, before that, Australia experienced a boom economy, low unemployment and a high rate of exchange for the Australian dollar. After Whitlam's election, the economy progressively went into the worst recession since World War II, unemployment increased to 280 000 and the withdrawal of overseas investment destroyed Australia's purchasing power on overseas markets.

Now, under the Hawke-led Labor Government, Australia is once again falling apart at the seams. An example of that is the nose-diving of the economy, the value of the Australian dollar being about 65 per cent of what it was and unemployment being more than half a million people. I now ask: Is this a repeat performance of the heady, disastrous years of the Whitlam Labor Government?

Sir JOH BJELKE-PETERSEN: As question-time is running out, my reply will be brief. Yes, the circumstances are identical. A Labor Government comes in at a time of boom and wrecks the economy. Whitlam did it and Hawke has done exactly the same thing. It is the same pattern. The nation pays an enormous price to experiment with Labor's socialistic policies. Because of Labor, the nation has suffered enormously. Until Australia gets rid of the Labor Government, it will suffer even more.

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

LOCAL GOVERNMENT AND CITY OF BRISBANE TOWN PLANNING ACTS AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 27 November (see p. 2915) on Mr Hinze's motion—

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

Mr BRADDY (Rockhampton) (12.17 p.m.): I appreciate this opportunity to make some remarks that relate to the amendments themselves and also generally to the administration of local government in Queensland, particularly in Rockhampton. Previously I have referred the Minister and the Government to the fact that it was in 1936 that the last major amendments of the Local Government Act were carried out—by a Labor Government. I remind the Minister that 50 years has elapsed since those great reforms were made to the Local Government Act. Since then, the State has witnessed a hotchpotch of amendments to the extent that, yesterday, the Minister commented that, every year since he became the Minister for Local Government, there has been——

Mr DEPUTY SPEAKER (Mr Row): Order! There is far too much audible conversation in the Chamber. Too many honourable members are standing in the aisles. I

ask those who wish to leave to expedite their departure. The Chamber will come to order.

Mr BRADDY: By way of interjection, the Minister said that, every year, he has dealt with numerous amendments and he continues to be amazed at that fact.

The honourable member for Sherwood referred to the pending retirement of the Director of Local Government (Mr Jacobs). He said that he hoped that the expertise and knowledge of Mr Jacobs would be used in the future by the Local Government Department and by the Minister for Local Government. I direct the following remarks to the Minister. I suggest that the first and most urgent requirement to which Mr Jacobs's services should be directed would be a complete review of the Local Government Act. The Act is long overdue for such a complete review.

The resources and expertise of other people should be used by way of a committee to conduct that review. I join with the honourable member for Sherwood in congratulating Mr Jacobs on his long, honourable and distinguished service to the Queensland Government through the Local Government Department. In view of the Minister's remarks, I urge the Minister to give serious consideration to retaining the services of Mr Jacobs not only to advise as events happen but also to sit down and to be the chief instigator in an overall review of the Local Government Act. Many areas require that review. Every time I enter this Chamber to debate the Local Government Act and I am forced to read all or portion of section 33, I can only wince. Indeed, I am not the only person in Queensland who has to wince and engage in painful study every time section 33 is examined. It is important, therefore, that the Local Government Act be reviewed and that a general review of the whole administration of local government in Queensland take place. The Act is only the window through which the administrator of local government is viewed. There is much that is not well with local government administration in Queensland.

Some of the provisions of the Bill illustrate the ills in local government in Queensland. Those ills apply mainly through the lack of desire and will of the Queensland Government to apply real reforms in local government. I refer particularly to the penchant of the Minister to apply the principle of jobs for the boys. The administration of local government cannot afford to have a Minister who is so busily engaged in reforms in other areas that he is not really interested in overall reform in local government.

The Bill contains a provision relative to the Thuringowa shire. It is a classic example of the principle of jobs for the boys. It is also a classic example of another principle about which the Minister has probably heard, namely, that sometimes with difficult problems one can make law that only makes the problems even more difficult.

In this instance, the boys are the councillors of the Thuringowa Shire Council. The number of councillors is greater than the number of aldermen required in a city council. The Thuringowa shire will become a city in 1986. What does the Minister do? Instead of adopting a sensible approach and passing an interim amendment providing that until the next local government election, the proposed city will have extra representatives, the Minister introduces a provision that will make the amendment applicable throughout the State. The amendment to the Act will be applicable to every city in the State of Queensland. I suggest that it is a particularly poor provision.

I challenge the Department of Local Government or the Minister to say that any provincial city in Queensland needs any more representation than it has at present. By amending the Act, the Minister is opening up the possibility that, from now on, cities can ask for increased representation. Instead of making a special provision for the Thuringowa shire until the next local government election, the Minister is amending the Act. It is typical action by the Queensland Government. The residents of Thuringowa shire are basically National Party supporters. The chairman of the shire (Mr Gleeson) stood against Mr McElligott at the last State election. I am informed on very reliable information that Mr Gleeson stood at the request and the behest of the National Party.

I guess that he is owed something by the National Party. He and his National Party supporters on that shire council want to keep their jobs.

What has the Minister done? He has amended the law to provide that, in future, all city councils can be increased to that number.

Of course, that raises another problem. When the ward system was introduced in Rockhampton, the problems became apparent. Basically, the wards were drawn up by Rockhampton National Party members. The drawing-up of those wards was the worst gerrymander one could have the misfortune to encounter. Unfortunately for the National Party, it still failed to gain control of the Rockhampton City Council for the conservative forces.

The proposed amendment provides members of the National Party in Rockhampton and others of that ilk with the opportunity of doing the same thing again. The National Party now recognises the potential gains that can be made from providing that city councils have 13 members. That would give the National Party an opportunity to seek the redrawing of the ward boundaries and another opportunity to introduce a gerrymander that it would hope would be more successful than its last failed attempt.

Mr Comben: Some of those wards in Rockhampton received excellent representation from——

Mr BRADDY: I represented the Rockhampton City Council as an alderman in the days prior to the introduction of the ward system. I was certainly able to see the effect of the introduction of the ward system and how the National Party attempted to gerrymander that particular city council. I understand that a similar attempt was made elsewhere in the State.

It is not good enough for the Minister to say that he will do only what he is required or requested to do by aldermen or councillors of various councils in Queensland. The Minister is elected to demonstrate leadership. He is not demonstrating leadership. As has happened all too frequently in respect of this portfolio, the Minister is looking after his mates. It is the jobs for the boys syndrome. Thirteen councillors are required in Thuringowa, so the Minister introduced this provision. I unhesitatingly condemn it. It is a foolish action. It is definitely not required, it is unnecessary, and it can be justified only by his desire to pander to——

Mr DEPUTY SPEAKER: Order! A provision in the Standing Orders of this House states that a member may not cast aspersions upon the intentions or performance of another member or a Minister. I believe that the remarks that the honourable member has made cast aspersions upon a Minister. I would suggest that the honourable member withdraw those implications and, in the light of my ruling, modify his comments.

Mr BRADDY: Which remarks and implications do you suggest I should withdraw, Mr Deputy Speaker?

Mr DEPUTY SPEAKER: Order! The honourable member implied that the Minister is favouring certain people by using influence in his portfolio. I consider such an implication to constitute the casting of aspersions on the Minister's character in relation to his office. I caution the honourable member to desist from that line in future.

Mr BRADDY: In deference to your ruling, Mr Deputy Speaker, I withdraw the remarks to which you referred. However, I certainly assert my right to criticise the provision, which is an unnecessary one. I do not in any way resile from the remarks that I made in that regard.

I believe that the provision is silly and retrograde. I join with other honourable members in condemning it, and suggest that the Minister has made a silly error and should apply himself to the real problems confronting local government in the State. The people of Queensland cannot afford to pay for any more unnecessary aldermen. With this provision, the Minister has opened up a Pandora's box. He should think again, and, furthermore, withdraw the provision.

I now turn to the provisions dealing with objector appeals. Again I cannot support the amendments in the way in which they are proposed by the Minister.

The relevant amendment is to section 22 of the principal Act, that is, the City of Brisbane Town Planning Act, and is contained in clause 30. By this provision, the Minister proposes that the following paragraph be added—

> "Upon the hearing of an appeal it shall be for the appellant objector to establish that the application should be refused or his appeal upheld."

I suggest that the proper course would have been to apply it to all appeals to the Local Government Court. It is most unfair that greater pressure be applied to some objector appeals and not to others. Why have they been singled out? Purely and simply because the Minister has had requests from people whose advice he seeks and whose opinions he listens to.

Mr Shaw: He tries too hard to please, perhaps.

Mr BRADDY: He told us himself that he likes to please people who are in local government. However, the Minister is here not only to please those in local government but also to do the correct thing for the whole of the State.

I suggest to the Minister that, if the provision is thought necessary, it should apply in every instance rather than to one particular set of circumstances. There would be some real justification for making it universally applicable. After all, if a decision has been made by a local authority, perhaps it should have more standing before the Local Government Court. Perhaps, in those circumstances, it would be wise to make it clear that it should apply universally. However, the Bill applies that provision to objector appeals only. I suggest that that is not good enough; that it is not necessary.

The Minister referred to vexatious and time-wasting appeals. That problem could have been addressed and remedied in other ways. The effect of the clause, I suggest, as the member for Wynnum (Mr Shaw) said in his speech, is to apply additional pressure to objectors. It places real pressure on those people who wish to assert their rights in the community. In common with the member for Wynnum and others from the Opposition, I do not believe that the provision has been well thought through or that it should have been made applicable only to those circumstances to which it applies. Therefore, it should not have the support of honourable members.

The provision placing the onus on objector appellants has a companion provision, which vests in the Local Government Court a discretion as to the award of costs in any proceedings. Again, I suggest that that has not been thought through with the degree of particularity that should have been applied to it. If the matter of costs is to be dealt with in such a manner, why does not the legislation itself make clear in which circumstances costs should be fixed? Instead, the provision gives a discretion to the judge. Clause 34, which seeks to repeal section 31 of the principal Act and substitute a new provision, says—

> "The Court may make such order as it thinks fit as to the costs of any proceedings before it, including allowances to witnesses attending for the purpose of giving evidence at the hearing."

When the Minister referred to this matter in his second-reading speech, he indicated that the amendment in relation to the cost provision was sought as part of an overall attempt to restrain objectors from appealing. That provision, unlike the other one to which I referred, does not apply only in relation to objector appeals. As I understand it, the provision applies to all appeals. That probably is preferable, in that objectors have not been singled out in the legislation because of a particular bias or to resolve a particular problem.

However, the Minister has not said—and the legislation does not make it clear—that there is a particular reason for the court to exercise its discretion. When the Minister made his speech to the House on this matter, his typewritten notes stated—

> "The only power presently held by the court to award costs is where an appeal is withdrawn before it has been determined by the court and the court is of the

view that the appeal was frivolous or vexatious, or where a party to an appeal has not been given reasonable prior notice of intention to apply for an adjournment."

The Minister then said—

"With a view to obviating appeals that are not bona fide, particularly by objectors, it is felt that the power of the court to award costs and the placing of the onus of proof in the case of objector appeals on the objector should act as a deterrent to the lodgement of frivolous or vexatious appeals."

The Minister used the words "particularly by objectors". Those words do not appear in the legislation, and, more importantly in relation to the question of costs, no provision is contained in the legislation to suggest that the court should exercise a discretion in relation to costs for appeals that it considers are frivolous or vexatious.

If that is supposed to be what the Minister wishes to convey to the judges of the Local Government Court, why is it not stated clearly in the legislation? The effect of the legislation as it stands is to give complete discretion to the judges of the Local Government Court, and, of course, those judges could well apply the rule that in future becomes the rule for most local government court cases, that is, that costs are awarded against the unsuccessful party to the appeal.

The usual course adopted by courts of law in this State is that orders for costs are made in accordance with the decision. Under this legislation, the Government is not providing the courts with any guidance. The legislation does not say, in effect, "Look, the Government does not want judges to award costs whenever it is believed by the judges that costs should be awarded, merely because a side loses. The Government wants judges to use the costs provision as a deterrent to people who are misusing the processes of appeal." That indication is not given in the provisions contained in the legislation, and there is no point in the Minister's stating in the House that that is what he had in mind. The intent must be reflected in the legislation that is brought before the House, but the Minister has not done that.

The Minister has not faced up fully to his responsibility. If he intends that the Local Government Court should award costs to the losing side, that intention should be made clear. The effect of the legislation that is presently before the House will be to open another Pandora's box, because, in the years ahead, judges will not be researching the Minister's speech in *Hansard* to gain an insight into the purpose of the amendment; they will act on the legislation that is before them.

Again I suggest that the Minister has wielded a sledge-hammer without dexterity. It is evident that the amendments brought before the House by him relative to objector appeals and costs have been rushed through because of an outcry that was raised over the previous legislation the Minister introduced. I suggest that the Minister has repeated his mistakes.

I have no quarrel with a Minister who changes legislation in response to an outcry. I commend the Minister for his attitude, which is in contrast with the attitude adopted by some members of the Government of never conceding that they may have made a mistake. The Minister is certainly not in that category. However, the fact that he has amended the legislation does not necessarily mean that it is the best change. The new provisions are better than the earlier ones, but I do not accept that they have been properly thought through. They are still wrong and should not be passed without amendment. If the Minister is not prepared to accept amendments, the Bill should be defeated.

The Opposition is concerned particularly about the amendment of section 31B relating to the fencing of swimming-pools. Under the earlier legislation, tourist island resort pools were exempted from the fencing requirement so a local authority had no power to enforce the fencing. The Minister is now exempting swimming pools in tourist resorts, whether they be on islands or on the mainland. I do not accept that amendment. Big improvements have taken place in Queensland in recent years since local authorities

began to take seriously their responsibility relative to fencing and safety devices round swimming-pools.

By the very nature of resorts, young children will be in attendance and, without doubt, will get into situations in which it is very difficult for their parents to keep an eye on them. If an exemption is granted to tourist resorts, it will be a very poor example for all other people in Queensland. It seems that the provision is being introduced to assist only a few people, but it will not assist the majority of the citizens of Queensland.

I urge the Minister to take an interest in a perennial problem affecting the city of Rockhampton. Ultimately, it can be remedied only by the Treasury Department. I refer to the scandalous lack of a proper subsidy for the municipal bus service. Rockhampton is the only city council in Queensland other than the Brisbane City Council that has a bus service. Unfortunately, the subsidy paid on that service remains at a low 31 per cent of fares collected, as it has been for many years. That subsidy is much lower than the subsidy received by the Brisbane City Council and private bus operators. Apparently, the Treasury has been unable to effect proper reforms or has not heeded the justice of the cause.

I urge the Minister to take a keen interest in this matter if he wishes this well-run council service to be maintained. I ask him to lend his considerable weight and prestige to the cause. If he were to do that, the council might be able to achieve justice. This scandal is costing the Rockhampton rate-payers a considerable sum of money, and it is certainly a major injustice.

In conclusion, I refer again to the overall effect of the Local Government Act. I remind the Minister that the last major review of the Local Government Act in this State was carried out in 1936. I suggest that he embark on a career of reform in local government, which is long overdue. Mr Jacobs is soon to retire and certainly, after retirement, his services could be put to good use in undertaking such reform. The Government has allowed the administration of the Local Government Act to become a hotchpotch. If the Minister intends to leave this portfolio, the Government or even this place in the next year or so, a very fitting way for him to end his career would be to set in train the processes under which major reforms may be made. As I say, they are certainly long overdue. Certainly, people in some areas in Queensland are groaning under the present administration of the Local Government Act and are receiving injustice. It is the Minister's responsibility to do something about that.

Mr HARTWIG (Callide) (12.46 p.m.): I wish to make a contribution to the debate on the amendments that are being made to the Local Government Act and the City of Brisbane Town Planning Act.

Firstly, I compliment the Minister for Local Government, Main Roads and Racing and the staff of the Department of Local Government for the tremendous amount of work that they have done, the enterprise that they have shown and the incentive and assistance that they have provided to local authorities throughout Queensland. I refer in particular to the two gentlemen advising the Minister today—the Director of Local Government (Mr Harold Jacobs) and the Assistant Director (Mr Arthur Muhl).

As with all other forms of government, local government has become much more complex that it was a few years ago. Sometimes, I wonder whether that is good in the interests of the community.

The town-planning legislation that was introduced some years ago created many problems and caused much frustration. I refer particularly to delays in the processing of applications for such matters as subdivisions and the requisitions that local government advisers, and employees in many instances, see fit to impose on proposed dividers of land. I have said many times—and I repeat it—that one thing that the town-planning legislation has done is ensure that, when a person buys a block of land, he must ask somebody else what he can do on it.

There have to be rules. We do not want chook houses built in suburbia and we do not want noxious industries, such as cement works, waking people in the early hours of

the morning. Such a problem presently exists in the Livingstone shire. I am concerned about the tremendous delay, frustration and advertising involved in rezoning applications.

A Government Member interjected.

Mr HARTWIG: Advertisements are good for the newspapers. Those advertisements cost my shire about $40,000 a year. That might not appear to be a large amount, but it is for a small shire. That advertising is required under the Local Government Act.

The Minister, no doubt with the assistance of the Local Government Association, has introduced amendments to improve the situation, Some time ago, I noted that the National Party appointed a committee of review headed by none other than the Honourable Michael Ahern. I have yet to see any results from that committee. If it is operating, I hope that it is giving consideration to reducing many of the delays in rezoning applications. I know that, when she took office, the Lord Mayor of Brisbane (Sallyanne Atkinson) was very concerned about the tremendous delays in rezoning applications and in getting things started because, once things are under way, something is being achieved. Applications may take months.

The engineer of a local authority must enforce the requirements of the council when a subdivision is commenced. Access roads, internal works, external works and water sewerage headworks must be constructed according to the requirements. Of course, a price must be put on such construction and, in many cases, that price is ridiculously high. The engineer who advises the subdivider sometimes becomes very unpopular. One day, at a meeting of the Livingstone Shire Council, a motion was thumped on the table recommending the dismissal or the standing-down of the engineer if he could not show cause why he should not be dismissed.

That motion was carried by a vote of seven to six. As chairman of that shire, I was put in a very, very unenviable position. The engineer had shown cause why he should not be dismissed, but the council then had to vote on his submission. No doubt, he would have been dismissed.

The alarming thing was that the alleged events had happened five or six years ago and were about two or three councils removed. Nothing had happened in the life of the present council to warrant such an investigation. I believe that the director conversed with the Minister, who took a recommendation to Cabinet, and, as a result, a committee of inquiry was set up with two able gentlemen in charge. That was conducted in camera in a very fair and reasonable manner. Of course, it had to be held in camera to allow witnesses to speak out and make references, without fear of defamation proceedings, to the sorts of allegations that had been made. The report from that committee resulted in the engineer's being exonerated of all the 30-odd very serious allegations.

However, who is to pick up the tab? The very councillors who voted to have the engineer dismissed have now voted that they are not willing to pay his expenses, which are considerable, amounting to $25,000. Added to that must be the $40,000-odd that it cost the Livingstone Shire Council to engage a barrister and others to ensure that justice was done and to give assistance to those who gave evidence. To square the deal, the bill is something like $60,000. Because the council, by a majority vote, requested that an inquiry be held into the allegations, I believe that it is responsible. Nobody else brought the inquiry on. The Government did not bring it on. The engineer did not bring it on. Some of his actions may have started the proceedings, but he was forced to incur certain expenditure.

I have served on local authorities for many, many years, and I believe that politics should never enter local government, particularly when councillors have not been elected on a party vote or under a party system.

Mr McElligott: Does that mean you will not rejoin the National Party?

Mr HARTWIG: I will tell the honourable member that, much to my horror, I have been informed that at a recent meeting the Yeppoon branch of the National Party carried a motion of no confidence in none other than the Minister for Local Government and

his director. I have never witnessed such a shocking exhibition of ignorance. Those people do not have a clue about the reason for the action that was taken following the Minister's representation to Cabinet that resulted in a former judge and Mr Campbell, a very experienced engineer, carrying out a thorough investigation. For what reason did those people carry a vote of no confidence in the Minister? Hell! Those in local government look to the department and the Minister for assistance in practically everything that goes on in local government today, because it is the poor relation of the State and Federal Governments.

I note that the Bill will change the Thuringowa Shire Council to a city council, to be constituted by 13 councillors. I put it to the Minister straight, "Why the hell do you want 13 councillors to run a shire, when only 82 members are required to run the whole of the State?" That is the whole trouble in local government today. The Livingstone shire has 13 councillors, five of whom represent one division. They fight like hell among themselves in trying to gain credit for doing something to which they have contributed very little.

Mr Hinze: Don't you think that you could run that Livingstone shire on your own with a good shire clerk and an engineer?

Mr HARTWIG: There is no risk at all about that. I could do that very capably, and in the interests of the rate-payers.

I will not refer to any particular councillor or council, but the fact must be faced that those people are being paid between $80 and $100 a day in addition to allowances for mileage and lunches. Local government is getting away from its original purpose. In the past, councils were appointed to look after the welfare of the people. That is paramount. When I see 13 councillors sitting round a table, it behoves me to question the expenditure. Because of very heavy agendas, the meetings last for two or three days. That is just not on. The shire is going broke. I believe that other councils, too, are going broke. The people are being over-governed by local government. That statement can be made about any local authority throughout the State. If the number of councils and the number of people on the councils were cut in half, the councils could do a better job. Too much argument goes on. Three councillors can call a special meeting. Why are there a shire clerk and a chairman, when three councillors can pick up a scrap of paper, put their names to it and say, "We will hold a special meeting on such and such a day," and incur the expenditure of another $1,000 or $1,250, which is a waste of rate-payers' money? In my book, that is not on. The chairman should have the right to call the meeting.

Sitting suspended from 1 to 2.15 p.m.

Mr HARTWIG: Before the luncheon recess, I referred to the signing of a slip of paper by three councillors who had the power to call a special meeting of council. I do not agree with that. I believe that the shire chairman and the shire clerk should have the power to call a meeting. The Bill provides for the shire clerk to be given the office of administrator in local authorities and that, as a result of his administration, he pass on relevant information to the shire chairman.

I turn now to the formation of committees. Councils feel that a person who is appointed chairman can become a councillor. Of course, a committee has no power to act other than to make recommendations to the whole council. The Livingstone Shire Council has done away with its committees. That has been to the betterment of the council generally, because each councillor is elected as a councillor of the shire as a whole, not necessarily to any part of it.

It is very important that any submission to a council be made with the full knowledge of everybody round the table. Subcommittees tend to fragment councils and form little cliques and groups. The chairman of some of those subcommittees feels that he has the power to make recommendations to the council without the chairman of the council being made aware of the decision of the subcommittee. I agree with the

amendment to the Act that gives the shire clerk full control and the power to pass on that information.

I agree also with the clause that provides for the calling of public tenders for expenditure in excess of $10,000. It is sometimes a good practice to call tenders for goods and services or roadworks, because it may be cheaper for the local authority to call tenders than to do the work itself. In many instances, there is a saving to the ratepayer.

Local authorities are now collectors of the fire levy. That has assisted a Government department greatly. When applications are made for rezoning or subdivision, a letter must be forwarded by the subdivider stating that electricity will be connected or can be made available. That is written into the Act. That provision might be relevant to provincial cities. The cost of reticulating electricity to subdivisions in rural areas is sometimes higher than the amount that people are prepared to pay for the land. I understand that, at the request of the Local Government Association, that provision will be changed. Whether the connection of electricity is economical depends upon close co-ordination between the local authority and the electricity authority. The general aim of government is to encourage development, thereby creating job opportunities. If that aim is negated, and if the intention to subdivide is also negated because of the high cost of electricity connection, Governments are defeating their own purpose. If it is too expensive to connect power, title should be given to the subdivision without electricity being provided.

The Crown will be developing allotments at Stanage Point. Presently, more than 140 squatters are living in the region. I asked officers of the Crown, "Are you going to reticulate power as a subdivider?" I was told, "No. The Crown is not bound by the Local Government Act. We are going to establish these allotments without putting power on." It appears that the Government has one rule when it is the developer and another rule for people who want to develop land in remote areas.

A very promising development is in the pipeline for Broome Head, which is between Stanage Point and Shoalwater Bay. That development has great possibility as a future resort in the Livingstone shire. It is a very beautiful area. Ample land is available for development. At present, the council is considering opening up that particular region for development—with the consent of the Minister and the Local Government Department, of course.

The alteration to the levying of rural rates has caused much heartache in my shire and elsewhere. As a result of the inability of the council to charge a rural rate higher than the urban rate, road levies have to be applied to developers who are subdividing small areas of land. Those road levies are a tremendous burden on people who have been paying up to $1,200 a year in road levies in addition to their ordinary rates. I hope that common sense will prevail in the levying of rates for rural and urban areas.

I know that the Minister is anxious to proceed with the implementation of the Bill. I commend it to the House. The Minister for Industry, Small Business and Technology (Mr Ahern) was appointed chairman of the committee to review town-planning. I hope that that committee is a success and that something will be done to expedite the rezoning called for by none other than Sallyanne Atkinson, the Lord Mayor, who is concerned about the delay. I believe that the Minister knows what he is about. I hope that the Bill is passed and that notice will be taken of my suggestions. I hope that the amendments to the Local Government Act will be an improvement.

Mr PREST (Port Curtis) (2.23 p.m.): Some aspects of the Bill are controversial. It contains provisions that should be of concern to all honourable members. It is of great interest to local authorities throughout Queensland.

This morning, by way of interjection, the Minister asked the honourable member for Callide (Mr Hartwig), "Do you believe that you, as the chairman, and the clerk could run Livingstone shire?" The honourable member for Callide replied, "Yes." I hope that the Minister and the honourable member for Callide are not planning to

throw out the Livingstone Shire Council and appoint the honourable member for Callide as administrator of that shire. Could it be the National Party's plan to get rid of the honourable member for Callide and leave the way open for that party in the electorate of Callide in the 1986 State election? Or is it the policy of the National Party to do away with elected representatives on local authorities and to have the Governor in Council run local authorities in this State? Opposition members have heard of such plans. I believe that it is in the minds of members of the Bjelke-Petersen Government, if it is returned, to carry out such plans.

Mr Hinze: How do you reckon you would go in Gladstone?

Mr PREST: I would be OK.

Mr Hinze interjected.

Mr PREST: The Minister knows that I could. He has faith in me.

Mr Hinze: I have.

Mr PREST: Of course the Minister has.

In his second-reading speech, the Minister said—

> "It would be fair to say that the association fully supports all the provisions in the Bill."

One of the provisions contained in the Bill relates to Thuringowa. On 22 November, the mayor of Townsville (Alderman Reynolds), who is a member of the Local Government Association and the City and Towns Local Government Association, was reported as saying that those associations would discuss the failure of the State Government to consult with them on the matter. He said that the Local Government Act allows a maximum of 11 aldermen in a city and the Act does not apply to Brisbane.

He continued—

> "Alteration to the number of elected representatives in the cities and towns of Queensland without prior consultation and without valid reason for change is sure to generate debate. . .
>
> What this amounts to is legislation that all the cities and towns in Queensland have to change simply to meet the vested requirements of the Government in its association with Thuringowa."

That statement certainly shows that there has been no consultation on the matter.

After the Minister introduced a Bill relating to third-party appeals against rezonings, on 1 October Sir Albert Abbott, the chairman of the Queensland Local Government Association, issued a statement, which was reported in the September/October issue of *Locgov Digest* as follows—

> "He said the association has not sought the particular amendment to the Local Government Act now before the House but had made representations to the Minister for Local Government some months ago relating to the problems caused by appeals generated by organisations outside the local authority area, such as a company seeking to delay the expansion of a competitor by holding up the approval process."

Those comments prove that the Queensland Local Government Association has not been involved in negotiations with the Minister or the Government.

The Bill increases from 11 to 13 the number of elected representatives on a city council other than the Brisbane City Council. That is purely to accommodate Thuringowa so that it may retain all of those who were elected to the shire at the last triennial elections. The 134 local authorities in Queensland have 1 500 people serving in an elected capacity. Queensland local authority is thoroughly over-governed. When the number of elected representatives on local authorities is increased, obviously additional cost is entailed. Nonetheless, the Government has introduced the amendment to retain the National Party representatives in Thuringowa.

The legislation sets a precedent. Other cities could apply to increase the number of their representatives. The provision is unnecessary. Thuringowa is part of Townsville. The city of Brisbane has a population in excess of 740 000 and an area of 1 220 sq. km.

Mr FitzGerald: It is one of the largest in Australia.

Mr PREST: Brisbane is not nearly as large as Thuringowa, which will have a population of 21 930 and an area of 4 121 sq. km. Its area will be almost four times that of Brisbane.

Mr FitzGerald: Do you want to add that to Townsville?

Mr PREST: A revision of the boundaries of local authorities in this State is long overdue. When that is undertaken, perhaps some shires will disappear or be amalgamated. At present, if a person were to move into the Perry Shire as part of a large family, that person could virtually automatically be a member of the council, because only a dozen people are needed to elect a member to that shire council. It is difficult to make people understand those issues.

Instead of increasing the number of representatives on the Thuringowa Shire Council, the Government should be changing the boundaries of the shire so that the area concerned remains a shire. It should allow the Townsville City Council to carry on with the progressive work that it is undertaking. After all, many of the people who live in the shire of Thuringowa would use the facilities and infrastructure services that are provided by the rate-payers of the Townsville City Council.

Other proposed amendments provide that the office of deputy chairman may be declared vacant. The Minister has not provided honourable members with the reason for that amendment. The Opposition spokesman on local government matters, the honourable member for Wynnum (Mr Shaw), asked the Minister for the reason yesterday. It may be given by the Minister in his summing-up. The only reason I could find is contained in an extra from a newspaper article that was published on 14 September 1985, which reads as follows—

> "At least one of the delegates at this week's conference took the goal of inter-council fellowship a bit too far. A female deputy chairman of a large South Queensland shire reportedly made drunken passes at several male councillors during a night-time social function.
>
> When the shire council chairman suggested that his deputy should return to her accommodation to sober up, she refused.
>
> 'I'm a big girl now, daddy', she said to him—'I can do what I like.' "

It looks as though the shire council chairman did not get his way.

Mr Hinze: Who do you think it was?

Mr PREST: I will not mention any names. The Minister wants me to name someone, but I will not do it. I hope it was not a function attended by the Minister.

Mr Hinze: I was not the big daddy.

Mr PREST: In any event, it was obvious that the chairman did not get his way.

It appears that that chairman has asked for, and will be given, amendments to the Act that will allow him to get square. I think that this is a case of sour grapes.

Mr Hinze: The proposed amendment has been very popular among the members. They all think it is a good amendment.

Mr PREST: Yes.

Mr FitzGerald: Deputy chairmen should not be entrenched, should they?

Mr PREST: No-one is entrenched. They have been elected for three years by a majority of the people.

Nevertheless, because the Minister has presented that amendment, shire council members will know now that they must behave themselves when they go to local government conferences, and that drunken passes must not be made at a friendly neighbour.

I turn now to comment on the provision that relates to a town clerk being referred to as the chief administration officer. I had thought that to be the case——

Mr Hinze: Everyone did.

Mr PREST: I wish to recall what was said by the Auditor-General in his report on an investigation of the Gladstone City Council that was carried out in 1978—

> "It is the function of the Town Clerk, as the chief executive officer of the council, to be responsible for the accurate assessment of levy of revenue and the safe-keeping and accounting of moneys received, expended or on hand, and the correctness or propriety of payments made . . . and generally to conduct the affairs of the office with efficiency and economy."

Why is it necessary to spell out the functions of a town clerk so plainly in the proposed provision? It is obvious that it is designed to stop someone, namely, the town clerk, from ducking his nut and trying to pass the buck when the rubbish hits the fan. Or could it be that the town clerk does not intend to cop the blame for any unfavourable decision, simply because he is the town clerk? Not all officers attend meetings, especially meetings held at night, but the chief clerk, the town clerk or the shire clerk does so. It is unfair to expect him to answer questions or give explanations about proposed decisions if he has not been part of the decision-making process, or has not had the reports drawn to his attention. On the other hand, the town clerk should look at the agenda for the meeting to become conversant with the contents, and get any inquiries answered by the officer or the group responsible for the agenda item.

I want to know whether this amendment will force groups that receive rate-payers' money and have aldermen or councillors on a committee to be answerable to the town clerk for actions taken and decisions made. I believe that they should.

My area contributes $50,000 a year to the Gladstone Tourist Bureau. Big problems have occurred with the zonal bureau at Rockhampton. Our contribution of $50,000 for a population of 25 000, far exceeds the per capita contribution made by the Brisbane City Council to a similar body.

Will the amendment apply to cultural, theatrical and other committees established by a local authority to advise on such matters? I firmly believe that, under the amendment, the committees will be unable to make any decision or take any action relative to the functioning of a museum, a theatre, a child-care centre, a swimming-pool and so on. It will mean that nothing under the control of the local authority can be altered without reference to the chief clerk. Does that mean that engineers, health inspectors, town-planners and other officers will not be able to make a decision without first reporting it to the clerk? Without doubt, the clerk will enjoy the wider authority, but I am certain that he will hate the increased work-load. If he does not do his work properly and if there is a kick-back, he will have to cop it.

As the Auditor-General stated in 1978, the senior clerk is the responsible officer. I have always believed that. Only this week, the town clerk in my area was ducking his nut because of my speech in this Chamber about the funding of functions and what went on at the local government conference in September this year. The amendment makes the situation clear. A good reason must have been advanced for it. For years, everyone believed that the clerk was the chief administrative officer in the councils and local authorities. I do not suppose we will ever know the reason for the amendment, but there must have been a good reason for it.

I am concerned about the fencing of tourist resort swimming-pools on the mainland. Local authorities had no control of island tourist resort pools, but they did control the pools on the mainland. When I consulted the Oxford dictionary to ascertain the meaning

of "resort", I found that it is a place to which people repair, as for holiday-making, or restoration of health, and so on. I envisage many applicaitons being made, because people can go to many places other than a tourist resort to holiday-make, convalesce, or restore their health. They can recuperate there.

If the owners of island tourist resort complexes believe that they should be exempt from the requirement to fence swimming-pools, they will make an application. It will be at the discretion of the Minister or the Governor in Council to approve the application.

We should be looking at the fencing of swimming-pools from the point of view of saving lives, particularly those of young children, and not from an aesthetic point of view. After all, fences are not erected to make a swimming-pool beautiful. They are there for a purpose; they are there to save lives, particularly those of young children.

Other proposals in the Bill are acceptable to the Opposition. One proposal concerns major developmental projects. Local authorities will be able to carry out those works without calling public tenders. They will have to obtain a design for the project and then call tenders on the basis of that design. That is similar to what was done with hospitals only a couple of years ago. The Department of Health calls tenders from certain contractors for the building of a hospital. Designs are put forward, and the Minister selects the design. The hospital is then built by a contractor according to that design. I suppose that it saves time.

If it is a major project, tenders should be called not from selected contractors but on the open market. All major contractors should be able to produce a design and submit a tender for the work. I do not believe that it is necessary to pay people a certain amount to produce a design. However, the Opposition will go along with the proposal.

Another amendment relates to the new Aussat telecommunications system. That will be of great benefit to western areas, particularly remote areas. However, once again, the Government is avoiding its responsibility. It is passing the buck to the local authority. It is saying to the local authority, "Here, cop this one. You can have it. You supply the facility. You go about it the best way you can. Increase your rates, and we won't have to cop it." After all, rates are only another form of tax. If the charge for the facilities is to be based on the unimproved value of land, some people will pay more than others, and that will be unfair. Everyone will receive the same reception from the Aussat system.

A local authority might decide to impose a licence fee on people using the facilities. People with television sets may have to make a contribution to the local authority, whereas people who do not have television sets will not have to pay the additional cost.

The Government is dodging its responsibility to provide such facilities for people in western areas, particularly in isolated areas. It is passing the buck, fairly and squarely, to the local authorities just as it did with the fire levy.

Mr FitzGerald: Surely it should be a Federal responsibility.

Mr PREST: I am referring to all Governments—Federal and State. Instead of amending the Act to provide that local authorities will be responsible for providing those facilities, the State Government should be making representations to the Federal Government.

The most controversial provision in the original Bill, which was first raised a month or two ago, related to the right of objectors to appeal to the Local Government Court against rezoning proposals. The Leader of the Opposition exposed the reason why the Government intended taking away the rights of objectors. He referred to Jaldale on the Gold Coast, and said that, to carry out certain developments, they had requested the removal of that right.

Mr Hinze: He referred to the Grollo brothers.

Mr PREST: Yes.

I do not blame the Minister. I believe that he had put forward a proposal that would have been accepted and that, when he put forward the proposal relative to the

removal of third-party appeals, he was only carrying the can for the Premier. I do not say that lightly. I have information, if I can find it, detailing the great many people who objected to the removal of third-party appeals.

Mr Hinze: We'll take your word for it.

Mr PREST: I thank the Minister.

The proposals to remove third-party appeals were criticised, and the one person who stuck up for the proposals was the Premier. I have no doubt that, when the matter went to Cabinet, the Premier put up a fight for the original provisions to remain. I have an article headed, "Lawyers are against Local Government changes". Another article is headed, "Conservation Council hits at changes to Local Government Act".

I also have an article referring to criticism by National Party members on the Gold Coast, which states—

> "Gold Coast National Party members plan to quit the party over amendments to the Local Government Act.
>
> The members, mostly from the small business sector, are outraged over State Government moves to abolish the right of appeal to the Local Government Act in rezoning cases outside Brisbane."

Mrs Chapman: That's why they had one leave and six join.

Mr PREST: The National Party does not have many members. It formed the Government with only 36 per cent or 38 per cent of the vote.

Another article reported the Premier as saying that National Party organisation members could quit if they liked, because the plan would go ahead.

Mrs Chapman: You're always screaming about democracy. Wasn't it democratic to let everybody have his say?

Mr PREST: That is right.

Another newspaper article on the subject headed, "Third-party appeals plan proves difficult", stated—

> "The State Government is having trouble deciding its new approach on the controversial plan to abolish third-party appeals to the Local Government Court.
>
> Yesterday, a meeting of Government members discussed various ways to modify legislation now before the Parliament which has been held up pending a re-think on the matter after public outcry.
>
> Government sources claimed that during a heated debate, the Premier, Sir Joh Bjelke-Petersen, had argued that the legislation should proceed in much the same form."

As the Leader of the Opposition said, it was the Premier who was pushing for the changes. It was the Premier who had been approached, and all members know how he operates. It was the Premier for whom the Minister for Local Government was carrying the can.

The article continued—

> "Sir Joh said later that he expected to prepare, with Mr Hinze's assistance, a paper for Cabinet next week. 'There has to be some type of system,' Sir Joh said. 'What we could not agree on was the form it will take.' "

I am very pleased that the Bill before the House retains the right of appeal by third parties to the Local Government Court. That objectors must give reasons for their objections is fair enough. They do not object lightly.

However, one matter about which I am concerned is that the Local Government Court will be given the discretion to award costs in any proceedings before it. The big operators, who are able to pass on their legal costs, will frighten away the little person,

who might be representing a group of people who object to a rezoning application because they feel that the application, if granted, will have a detrimental effect on their property or their life-style. I am concerned about that. The system should stay as it is now.

The only decision from the Local Government conference this year was that the time for appeal should be reduced from 28 days to 14 days. The conference took that decision in fairness and justice because it believed that appeals by third parties may have been holding up development. It was designed to overcome long delays in the granting of approvals. The conference asked for nothing more and nothing less than a reduction by 14 days in the time for appeal. If at some time in the future the Minister were to introduce an amendment providing that appeals must be finalised within three months, that would be OK with the Opposition.

Prior to the amendments now proposed, unless a developer could guarantee that electricity could be supplied within six months to an area that he wished to develop, approval would not be granted. There were many deputations to the department, and the Bill provides that where an application has been made for development but it is not possible to connect electricity within six months, an extension of time will be considered. That provision will allow many new developments to take place. It will allow small shires such as the Miriam Vale shire to grant approval for the subdivision of land that is wanted for the construction of week-end and holiday houses.

Time expired.

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing) (2.54 p.m.), in reply: In replying to the observations made by the member for Wynnum (Mr Shaw) concerning the misuse and abuse of the third-party appeal provisions by objectors, I have to comment that that type of action or abuse appears to be exercised by a whole range of objectors, extending from individuals right through to corporations. However, having regard to the concern expressed about the awarding of costs associated with the outcome of an appeal, I have to advise that I have sufficient confidence in the court to be satisfied that, in the awarding of costs, regard will be had to the bona fides of a particular appellant.

While dealing with the matter of third-party appeals, I should say that the member for Sherwood (Mr Innes) foreshadowed a possible amendment that would ensure that costs as awarded by the court are not apportioned in the normal manner—that is, in accordance with the end result. In discussions that have been held with representatives of the legal profession, it has been stated to me clearly on a number of occasions that the power to award costs will be exercised very carefully and that such awards would be made having due regard to the circumstances that apply in every instance. Having regard to that, it seems to me that the amendment foreshadowed by the member for Sherwood could be unnecessary.

The comments by the honourable member for Sherwood relative to costs associated with the engaging of the services of senior counsel in third-party appeals touches upon an undesirable aspect of third-party appeals in this State, but I consider that it would be improper to interfere with the rights of parties to an appeal to the extent that their representation could be adversely affected. This is a matter that I would like to pursue further in more detail in the future and, to this end, I propose having discussions with the honourable member, with his concurrence, so that the proposal can be examined and considered more carefully.

A number of honourable members criticised the provision of the Bill that relates to the fencing of swimming-pools. Honourable members would be aware that, under the Local Government Act, a local authority has power to make by-laws requiring privately owned swimming-pools to be fenced. Most by-laws require fencing to be in conformity with the standards laid down by the Standards Association of Australia, which include, amongst other things, the height and type of fencing and the provision of self-locking gates.

A number of representations have been made to the Government concerning the need for fencing of swimming-pools within tourist resort complexes. The Government considers that, depending upon the nature of the resort and the likely age of persons using this facility, the need for fencing of swimming-pools may be removed.

The Bill provides for the Governor in Council to identify particular sites at which the requirement for the fencing of swimming-pools at a tourist resort complex will not be required. The determination by the Governor in Council in respect of this matter will be site specific, and relaxation of fencing requirements would not be approved by the Governor in Council if the resort caters for young family activities.

A claim has been made by some honourable members that swimming-pool fatalities are higher in the resort pools than in private pools. This is not supported by fact, which is that the private family swimming-pool is the most hazardous and potentially dangerous facility and that the fencing of private pools is clearly warranted.

The honourable member for Wynnum (Mr Shaw) claimed that a number of swimming-pools that are being built do not comply with the fencing requirements contained in the by-laws or ordinances of a local authority. I can assure this House that, if he furnishes me with details of these instances, I shall pursue the matter further with the local authorities concerned.

The provisions in the Bill are, in my opinion, necessary to allow resorts to be developed to the optimum potential.

I note that there is general support for the provisions that will remove a form of protection that is available only to the deputy chairman of a local authority. I must advise that I share the view held by the honourable member for Wynnum that the reason for such protection being provided in the first place is difficult to understand.

I note with some satisfaction that there is general support for the provisions of the Bill that apply to the old historic subdivisions that have neither access nor services. There has been a growing tendency by certain parts of the development industry to acquire existing lots of this type and to sell them individually to unsuspecting owners for what appears to be a price which is a steal in the market-place. It is only at a later date that the buyer becomes aware of the problems associated with his purchase.

A number of honourable members queried how the provisions of this part of the Bill can, in fact, be implemented, because most town-planning schemes permit dwelling-houses to be established on an as-of-right basis in given zones. In response to these queries, I point out that it is envisaged that, where a local authority considers that it should avail itself of the provisions in this Bill, it would, in the first instance, have to create a new zone within its town-planning scheme, and such a zone could be identified as being a special residential zone. In such a zone, the erection of a dwelling-house would not be permitted as of right but would be a use that would require the town-planning consent of the council. When the approval of the Governor in Council to the creation of such a new zone has been obtained, the local authority would then initiate rezoning procedures to include such lands in the new zone. I believe that this would be a satisfactory means of dealing with the matter.

The honourable member for Sherwood raised a question as to whether or not the provision relating to ownership of materials and pipes vesting in a local authority will apply to Brisbane has been examined. It is considered that such provisions already apply pursuant to the Metropolitan Water Supply and Sewerage Act and section 36 of the City of Brisbane Act.

The honourable member for Townsville (Mr McElligott) requested advice as to the guide-lines that existed for the determination of whether or not a particular local authority could be granted city status. As the Local Government Act is silent on the matter, the Government adopted the policy that the minimum requirements for city status were that the standard of population should not be less than 15 000 for three preceding years at the time of consideration and that there should be at least one centre of population

which meets that requirement. Statistics furnished by my Local Government Department show that Thuringowa has met these criteria.

I assure the honourable member for Rockhampton (Mr Braddy) that I consider a need exists for some consistency in representation whatever the status of a local authority, be it a shire, town or city, excluding Brisbane, of course. To that end, I will request the president of the Local Government Association (Sir Albert Abbott) to have his executive examine the matter of representation and make a recommendation to me regarding adoption of a more uniform approach. I can assure honourable members that there will not be a widespread increase in representation on councils as a result of the provisions of this Bill.

I also inform the honourable member for Rockhampton that the provisions to make an objector appellant responsible for establishing that his or her objection should be upheld follows the normal practice of legal procedure. This practice requires that a person seeking a remedy from a court has to put his or her case first with the onus upon the objector to prove the case. In fact, for many years, that was, until it was the subject of comment by the Full Court of the Supreme Court, the procedure of the Local Government Court. The legal profession fully supports this particular amendment.

In the case of an applicant for town-planning approval appealing to the court against the refusal of an application by a local authority, the applicant has to lead off and prove the case. There is no distinction between the procedure in the case of applicant and objector appeals.

The honourable member for Rockhampton made some observations on the provisions of the Bill that empower the Local Government Court to award costs at its discretion. I have commented on this previously and I would like to add that this provision was carefully considered and is supported by the Bar Association of Queensland. I have every confidence in the Local Government Court and I am sure that the court will exercise wisely its power to award costs.

The honourable member for Callide (Mr Hartwig) referred to problems that can arise under local authority town-planning administration, and he specifically referred to delays that can occur in the processing of town-planning applications.

The provisions contained in the Bill in regard to electricity to rural subdivisions are designed to meet the needs referred to by the honourable member for Callide.

I share his view that there is a need for local authorities to simplify and streamline town-planning procedures. Having said that, I point out that I am of the view there is a need for reasonable town-planning controls to be applied by local authorities. However, it is important that local authorities ensure that developers can get decisions on their applications quickly and that any conditions imposed are just and reasonable. I have previously mentioned my intention of having the Local Government Act reviewed, and I propose that its town-planning section will be dealt with first.

The honourable member for Port Curtis (Mr Prest) spoke about the provision of the Bill that enables a city council to consist of up to 13 members. I have already commented on that.

The honourable member for Port Curtis supported the provision that empowers the deputy chairman of a local authority to be removed by resolution passed by the local authority.

I turn to the amendment that makes the clerk of a local authority its principal administration officer. Under present law, a local authority has power to make a by-law dealing with the matter, and many local authorities have made such by-laws. The last Local Government Association conference at Gladstone resolved that the Act be amended to make the matter apply uniformly to all local authorities. I believe that the amendment is necessary to obviate the procedure that applies in some local authorities where an officer, such as the town-planner, deals directly with the council. Of course, that is undesirable.

In conclusion, I foreshadow three minor amendments that I propose to move at the Committee stage. The amendments relate to clauses 12, 24 and 31. I will give honourable members the details of those amendments at the Committee stage.

Motion (Mr Hinze) agreed to.

Committee

Mr Booth (Warwick) in the chair; Hon. R. J. Hinze (South Coast—Minister for Local Government, Main Roads and Racing) in charge of the Bill.

Clauses 1 to 7, as read, agreed to.

Clause 8—Amendment of s. 6 (1) (i); Towns—

Mr SHAW (3.6 p.m.): At the second-reading stage, the Opposition expressed its view about this clause. The Opposition has several concerns about it, not the least of which is that it is a provision that could eventually extend its influence throughout local government in Queensland and result in an unnecessary increase in the number of aldermen employed by local authorities. A decision has been made for an increase, not because of the pressure and needs of local authorities, but merely because of what has occurred in Thuringowa. For whatever reasons, people have decided that that area should be known as a city. I will not repeat that argument. Because that decision has been made, but because it is not wished to reduce the number of councillors, who are soon to be aldermen, the Act is being amended.

The Opposition is not happy about that. Where will it all end? The decision has been made that, in January, Thuringowa will become a city. Quite frankly, a number of people have regarded it as something of a joke that an area that really ought to be a shire—I have no doubt that it has a progressive council—is obtaining city status. It is difficult realistically to describe it as such. Because that decision was not nipped in the bud, a host of amendments are being made to accommodate the needs of that area. The Opposition opposes the clause.

Mr INNES: Members of the Liberal Party propose an amendment to the clause. We understand the problem that has occurred in Thuringowa, but we strongly believe that, on every occasion when the legislature can reasonably and responsibly indicate its belief in small government, it should do so, particularly in times of recession. Generally, we believe that Governments should attempt to operate on as slender a budget as possible, with as little imposition on the rate-payer or tax-payer as is possible.

The problem can be viewed in two ways. I am aware of the attitude that sectional legislation is not favoured. However, Thuringowa, which sought to do its own thing and become a city, now wishes to avoid some of the consequences of its own decision. It was Thuringowa's decision to become a city. It is a local authority with 13 councillors, who know of the Act's provision that there shall be only 11 aldermen. The Liberal Party believes in the saying, "If you want the glory, take some of the pain." However, in the circumstances, the Liberal Party would be prepared to make special mention of Thuringowa. The Act should not indicate a maximum of 13, in spite of the statement by the Minister that the Governor in Council is required to approve any increase in the number of local authority representatives. Such provisions change from time to time.

When legislation is passed, the law is in train until it is altered. The Liberal Party would prefer that a more conservative view be adopted and that Thuringowa be regarded as a special exception. Despite the fact that the consequences of such a move have been ignored, amendment of clause 8 would allow representation to be increased to 13. I therefore move the following amendment to clause 8, subsection 1—

> "At page 3, lines 15 and 16, omit all words after 'by' in line 15 and substitute the words—
>
> 'inserting after the figure 11 the words "except the City or town of Thuringowa" '."

If the reason for changing the Act is as I have outlined, the required change should be affected by special amendment rather than by changing the entire Act, which would have the consequence that representation on other local authorities could also be increased to 13.

Mr McELLIGOTT: In his reply, the Minister indicated that I had asked for guidelines as to the circumstances under which a shire would become a city. Of course, I did not do that. Some months ago, I asked a question on that matter.

The Minister has said that the shire of Thuringowa contains 15 000 people in one identifiable area. I suggest that that is an excuse for the decision that has been made, and that the Minister still has not informed the Chamber of the justification for the change. Various speakers have indicated that there does not appear to be any good reason for creating another city.

The Minister professed a liking for uniformity. However, rather than uniformity, total confusion will be created, because two cities will be located side by side. One will contain wards, and the other will contain divisions; one will have singular representation for each ward, and the other will have multiple representation; one will elect its members by preferential voting, and one—the new city of Thuringowa—will elect its representatives by the first-past-the-post voting system. The new provision has not created uniformity. Instead, it will create total confusion.

Sir WILLIAM KNOX: It is peculiar that Australia, with a population of 15 700 000 people, is the most over-governed country in the world. Although many people attempt to put politicians out of business from time to time, there are 850 practising members of Parliament in Australia, 8 000 shire councillors and aldermen, and umpteen quangos. It is amazing that a country with such a small population requires so many people to administer it at the policy level, leaving aside the public service sector, which is becoming enormous.

Surprising though it may seem, the greatest growth of each level of the public service sector has occurred in local government. Over the last 10 years, the State Government has contained its expansion in numbers; but in Queensland, the growth in the Federal public service sector and the spectacular growth in the local government sector have become a drain on the public purse. In addition to that, over the last two years, moves have been made to increase the size of the Federal Parliament, with the result that Federal representation will increase by 35. The Brisbane City Council has also moved to increase by six the number of its representatives.

Thuringowa seeks recognition of its historical problems by changing its status. If the Government agrees to that change, it will change the whole system, and there is absolutely no need to change the whole system simply to accommodate the problems of Thuringowa. If one were to refer to a map, the difficulty of the problem would become obvious, because Townsville is virtually encapsulated by Thuringowa. Although most people think that they live in Townsville, in fact they live in Thuringowa, and I recognise the special difficulties that Thuringowa has relative to Townsville.

The growth in population in that conurbation has taken place in Thuringowa, not in Townsville. If Thuringowa does not have a population greater than that of Townsville, it must be very close to it. The growth in population has occurred very rapidly, and it would not be necessary to develop a computer program to find out in which year Thuringowa's population will exceed that of Townsville.

An Opposition Member: Ask me, and I will tell you.

Sir WILLIAM KNOX: Would the honourable member repeat that?

An Opposition Member: I would say the year 2300.

Sir WILLIAM KNOX: We do not have that proposition before us today.

We have previously discussed in this Parliament the amalgamation of local authorities. I am sure that every member who has experience in local authorities knows how difficult it is to get amalgamation of local authorities.

This is a unique situation in the State, because, barring the seaboard, the shire completely surrounds the city of Townsville. The growth in population is phenomenal. All the new services provided in the region are in Thuringowa, not in Townsville. The conurbation is quite impressive. Altogether, it is probably the second-biggest conurbation in the State. The problem is unique. The Minister and his advisers have recognised that. As has been explained by the honourable member for Townsville, the politicians of the region recognise it and understand it.

Certainly, justification can be found for increasing the status of Thuringowa but no justification has been provided for changing the whole system to accommodate Thuringowa. That is why we propose the amendment that Thuringowa be looked after, as is intended under the legislation, without increasing the size of local authorities generally. We see no argument at all for that being done as a general rule. We are already grossly over-governed.

Once the rules are changed, the temptation will be there to increase the size of representation for one reason or another. No matter how many additional aldermen or shire councillors are appointed, while they may not draw a great deal in the way of expenses or allowances, all the servicing required to look after them, all the committees they serve on, all the things they want to do, all they ask for and all the resources they demand will mean an extra charge on the rate-payers. As a matter of general principle, we should resist any unnecessary increase in the size of government while recognising the special concern of Thuringowa.

Mr HINZE: Some honourable members seem to think that Thuringowa has no right to seek to be referred to as a city. I find that difficult to understand. What is wrong if the governing body of a local authority wishes the authority to be classified as a city? We have the cities of Logan, Redcliffe, Brisbane and Ipswich. The decision as to whether or not the request is accepted by the Government is based purely on a population basis of 15 000-plus. If something is wrong with that idea, that is what should be attacked. Conversely, the Albert shire, with a population of about 100 000 decided that it wanted to remain as a shire. Frankly, there is nothing much wrong with a local authority being called a city if it so desires.

I take on board the arguments about increasing the numbers. I was somewhat amused when the Leader of the Liberal Party spoke about keeping costs down. I know that he would like to see the Upper House restored in the Queensland Parliament. If that would not be a needless, very costly exercise, I am not standing here. On that basis, we should forget about the cost of adding one or two members to a little local authority. If my memory serves me correctly, the member for Nundah was one of the people who propounded the idea of an Upper House in the State of Queensland.

Sir William Knox: I am not fighting a crusade for an Upper House. If there were an Upper House, I would support it.

Honourable Members interjected.

Sir William Knox: That does not mean an increase in the size of the Parliament.

Mr HINZE: The honourable member wants 20c each way. I think that I have made my point.

Mr Mackenroth interjected.

Mr HINZE: Did the honourable member notice the other night that the member for Yeronga had to adopt stonewalling tactics until his colleagues returned from Redcliffe, Nundah and Sherwood? The poor old member for Yeronga stumbled on and on. Nobody could understand what he was talking about. When he read the speech the next morning,

he refused to admit that it was his. He said only one sensible thing; he said, "I have been here 22 years and I should know better." It was the worst speech that has ever been made in this Chamber.

Mr Lee: You look in *Hansard*, my boy!

Mr HINZE: If I were the honourable member, I would be ashamed to look at the speech. If I could, I would request that that speech be deleted from *Hansard.*

I do not accept the proposed amendment, as it would constitute sectional legislation that would apply only to the Thuringowa shire. I feel that the provisons relating to local authorities should be uniform.

The composition of each local authority is subject to determination by the Government and confirmation by the Governor in Council. I assure honourable members that the provisions in the Bill will not be able to be used by city councils to gain increases in membership.

Mr PREST: If, as has been suggested, the shire or city of Thuringowa was excluded until the next triennial election, that would be OK. I suppose that it is just as easy to reduce the numbers as it is to increase them. As I said, the boundaries of Thuringowa shire should be changed——

Mr Innes: If you move that amendment, I will second it.

Mr PREST: I thank the honourable member.

Thuringowa shire has an area of 4 100 sq. km and extends from the Haughton River——

Mr Hinze: Stop arguing. I will accept your amendment.

Mr PREST: The Minister will accept it?

Mr Hinze: In relation to "until the next election".

Mr PREST: I thank the Minister very much.

The TEMPORARY CHAIRMAN (Mr Booth): Order! Does the Minister accept the amendment?

Mr HINZE: Yes.

The TEMPORARY CHAIRMAN: Has the Minister seen the amendment?

Mr HINZE: If it is what the honourable member has just said, that is OK with me.

Sir WILLIAM KNOX: I indicate to the Minister that if an amendment is moved along the lines suggested, the Liberal Party is prepared to withdraw its amendment.

Mr HINZE: I think that we have agreement in relation to this amendment. It has been pointed out by the spokesmen for the Opposition and the Liberal Party that they do not wish this provision to remain in force after the next election. I have accepted that as an amendment. All that I am worried about is the actual wording. Members will have to bear with me while that amendment is knocked into shape. Could I suggest, Mr Booth, that the Parliamentary Counsel have time to put the intent of the amendment into the proper wording?

Sir WILLIAM KNOX: I rise to a point of order. Would it be appropriate if the Minister moved for the postponement of this clause and the Committee proceeded to the next clause?

Mr HINZE: To overcome this problem, I suggest that we proceed and come back to this clause.

The TEMPORARY CHAIRMAN: That course will be adopted.

Clauses 9 and 10, as read, agreed to.

Clause 11—Amendment of s. 17; Officers—

Mr SHAW (3.27 p.m.): It is not the Opposition's intention to oppose this clause to the extent of dividing the Committee. However, the Opposition is concerned about the clause and believes that it will cause problems in the future.

This clause has been inserted as the result of a battle that has been going on for many years between the technical and engineering sections and the clerical sections of local authorities. All members who have been associated with local government will recognise the truth of that statement. For many years, those two sections have been conducting a feud or a battle for supremacy. It appears that the insertion of this provision means that the clerks have had a victory. I do not particularly care which section is regarded as superior; however, the powers and responsibilities that will now be vested in a clerk will be extremely onerous. A clerk will have the power to frustrate a council.

Although the aim of this amendment is to ensure that a strong chairman or mayor can, with a competent clerk, get on with the job and overcome the frustrations of a divided council, the exact opposite could also occur. My fear is that a strong mayor or chairman, together with a clerk who supports him, could frustrate not only the town-planners and engineers but also the rest of the council.

Mr PRICE: I want to reinforce the sentiments expressed by the member for Wynnum. Under the system of separate elections for mayors or chairmen, or in the event, say, of a minority council, the mayor or chairman could stifle debate or pigeon-hole reports for his own benefit. An example of that was seen on the Gold Coast a few years ago when Sir Bruce Small was faced with a hostile council with which he could not work. A similar situation could arise under this provision.

The proposed new subsection (1A) (a) states—

"to carry out all instructions of the Local Authority in respect of its officers or to ensure that all such instructions are carried out;".

That seems to detail fairly well the duties of the clerk.

The new subsection (1A) (d) states—

"to be responsible for the conduct of all correspondence between the Local Authority and other persons."

That seems to be in conflict with new subsection (b) in that the clerk has the responsibility to see that those duties and instructions are carried out. The weight of that clause seems to rest with the clerk himself and seems to preclude any delegation to other senior officers. That should be considered.

I suggest that the new subsection (1A) (c) should be reworded in an endeavour to overcome the anomaly. That may prevent frustration occurring between a strong mayor and his council. Either the word "forthwith" should be inserted after the word "transmit" or the words "through the chairman", appearing after the words "Local Authority", should be deleted. That would obviate that danger.

In this context the Minister's second-reading speech seems to contain an interpretation of (c) by the officers of the department, in that the words "other than the clerk" are used. My interpretation of that is that perhaps it exempts the clerk from passing his submissions to the chairman. As I see it, if the department interprets it that way and has had that included in the Minister's second-reading speech, the new subsection (c) might contain an inherent danger that I cannot see. My fear stems not from the new subsection (c) but from the words contained in the Minister's second-reading speech. Perhaps the wordsmiths should be asked to reword the clause, particularly the new subsection (c). I want to get rid of the possibility that a strong council or a minority council could dominate by frustrating the system.

Secondly, there is in that paragraph of the Minister's second-reading speech the inherent understanding that the chief clerk will be exempt from presenting his submissions. My third point is the apparent conflict between new subsections (b) and (d), in that the duties of the chief clerk seem to actually preclude his delegation of work.

Mr HINZE: One member referred to this clause as representing a victory for the clerks. This is not the case. Those of us who have been engaged in local government—the Leader of the Opposition and the Opposition spokesman on local government matters have had lengthy terms in local government—recognise that one person has to have responsibility. In this instance, it has to be the clerk. The amendment merely clarifies that the clerk is the chief administration officer and all reports will pass through his hands for the chairman or the mayor before going to the council.

The clerk will have no right to direct engineers on technical matters. In this area he will be playing a co-ordinating role. There is no anomaly. The clerk is responsible for conduct of all correspondence from the local authority. His responsibility is similar to that of the head of a Government department, who is responsible for all correspondence going out of that department. He does not necessarily have to agree with all correspondence.

Clause 11, as read, agreed to.

Clause 12—Amendment of s. 19; Contracts—

Mr HINZE (3.36 p.m.): As I foreshadowed during my second-reading speech, I propose to move an amendment to clause 12.

I move the following amendment—

"At page 4, line 20, omit the words—

'that has been'."

The purpose of the amendment is to remove any questions that may arise as to whether of not the provisions contained in the Bill are to have retrospective application. Further, I am advised that, from a drafting viewpoint, unless retrospective application is intended, legislation is enacted in the present tense, and that amending the Bill as proposed is consistent with that practice. The provisions of the Bill will therefore apply only to contracts entered into with the prior approval of the Governor in Council after the provisions contained in the Bill have been proclaimed.

Amendment (Mr Hinze) agreed to.

Clause 12, as amended, agreed to.

Clauses 13 to 15, as read, agreed to.

Clause 16—Amendment of s. 31B; By-laws respecting fencing swimming pools—

Mr SHAW (3.37 p.m.): I express the Opposition's gratitude to the Minister for his conciliatory attitude in trying to find agreement on clause 8. However, I think that the Minister will find some difficulty with other clauses in the Bill, one of which is clause 16.

Clause 16 deals with the power of the Minister to exempt resorts from complying with swimming-pool fence regulations. I will not reiterate the case that has been outlined several times already. The Opposition has said that a safety factor is involved and that there is great danger in reducing that safety factor on a piecemeal basis. If the Minister would give an undertaking that there would be a complete review of the swimming-pool ordinances, they would be the only circumstances in which the Opposition would not be compelled to take its opposition further at this stage.

Although that might sound outrageous, I remind honourable members that the Minister said that if I could provide evidence of people not complying with swimming-pool fence requirements, I should bring it to his attention and he would notify the local authorities so that they could take the appropriate action. I suggest that in many instances the "appropriate action" would be no action at all.

The swimming-pool regulations that presently exist are not realistic and do not recognise the aesthetic requirements of owners of swimming-pools or the problems that they have in complying with those regulations. I do not hold a brief for swimming-pool contractors as a group of people, but I know that the majority of them, on the installation of a swimming-pool, advise the owner that he is required under the local authority ordinance to construct a fence. However, they also say, "Nobody worries much about fences, anyway. Just make it as safe as you can." That is not desirable.

As long as the by-laws require people to place, between their homes and swimming-pools, child-proof fences across expensive patios, to lock doors and board up windows, that will not happen. If such precautions are taken, as soon as the inspector is gone people will remove them.

The requirements of safety would be much better met if the Government considered those regulations very carefully and came up with a much more realistic, commonsense requirement that could be enforced with a clear conscience and could be easily met by owners.

At present, the Opposition cannot support a provision enabling, for aesthetic purposes, applications to the Government for exemptions from safety requirements.

Question—That clause 16, as read, stand part of the Bill—put; and the Committee divided—

AYES, 46	
Ahern	Lee
Alison	Lester
Austin	Lickiss
Bailey	Lingard
Bjelke-Petersen	Littleproud
Borbidge	McKechnie
Cahill	McPhie
Chapman	Menzel
Clauson	Miller
Cooper	Muntz
Elliott	Newton
FitzGerald	Randell
Gibbs, I. J.	Row
Glasson	Simpson
Gunn	Stephan
Gygar	Stoneman
Harper	Tenni
Harvey	Turner
Henderson	Wharton
Hinze	White
Innes	
Jennings	*Tellers:*
Knox	Kaus
Lane	Neal

NOES, 29	
Braddy	Warner, A. M.
Burns	Wilson
Campbell	Yewdale
Casey	
Comben	
D'Arcy	
De Lacy	
Eaton	
Gibbs, R. J.	
Goss	
Hamill	
Kruger	
Mackenroth	
McElligott	
Milliner	
Palaszczuk	
Prest	
Price	
Shaw	
Smith	
Underwood	
Vaughan	*Tellers:*
Veivers	Davis
Warburton	Fouras

Resolved in the affirmative.

Clause 17—New s. 32 (5A)—

Mr MILLINER (3.49 p.m.): The proposed new provision is as follows—

"Satellite re-broadcast facilities. A Local Authority, as a function of local government, may provide, or contribute to the cost of providing, facilities to receive and re-broadcast to its Area or part thereof radio and television signals from satellites.

In this subsection the term 'provide' includes operate, maintain, or manage and the term 'providing' has a corresponding meaning."

It is rather interesting that local authorities are to become involved in such an activity and that that involvement should require an amendment to the Local Government Act. I simply ask whether the amendment is designed to allow local authorities to become involved in the Q-Net system that the State Government has set up and so become part of the telecommunications network.

Mr HINZE: All that it does is clarify the function as being involved in local government. If it did not, it could be argued that funds may be spent illegally. The only purpose of the amendment is to include it as a function of local government.

Mr PRICE: I seek clarification. In his second-reading speech, the Minister said—

"... many people in outback areas have installed reception facilities for their own benefit in order to receive ABC television services..."

He also said that it was his understanding that many of the dishes were not salvageable.

My information is that investigations are taking place into that matter. Apparently, the mesh dishes are not salvageable whereas the solid ones—in particular the old Hills-Hoist completely solid ones—will be. The only part that needs to be replaced is the horn-piece that is located in the centre of the dish. That is the latest information, and I mention it for the sake of correctness.

Clause 17, as read, agreed to.

Clauses 18 and 19, as read, agreed to.

Clause 20—Amendment of s. 33 (18); Procedure for processing applications for re-zoning or consent and rights of objection and appeal in relation thereto—

Mr Hinze: I will accept the foreshadowed amendment.

Mr INNES (3.52 p.m.): Since the time I proposed my amendment, I have adopted a slightly different form of wording. I have had discussions with the Minister and his advisers, and I am happy to propose that clause 20 be amended. I will later examine clause 30, which is identical to a provision contained in the City of Brisbane Town Planning Act.

I move the following amendment—

"At page 7, line 13, after the word 'appeal' insert the words—

'instituted after the commencement of the Act'."

Mr Hinze: I suggest, "this Act"; not "the Act".

Mr INNES: I am quite happy to accept the expression "this Act".

The purpose of the amendment is to ensure that people who have instituted appeals under one set of rules are not prejudiced because a change of the rules affects the onus of proof while their appeal is in train. As a question of costs could also be involved, a person could legitimately and validly commence an appeal but could risk having an award of costs made against him, even if the appeal is withdrawn. That would not be fair if an appeal were lodged for a valid reason and in the belief that it had a fair chance of success. By altering my amendment, the difficulty has been resolved.

I again express my appreciation of the constructive attitude adopted by the Minister towards proposals that are of a constructive nature. The form of wording that was suggested by his advisers is an improvement to the amendment and is acceptable to me.

Amendment (Mr Innes) agreed to.

Clause 20, as amended, agreed to.

Clauses 21 to 23, as read, agreed to.

Clause 24—New ss. 33A and 33B—

Mr HINZE (3.56 p.m.): I foreshadowed during the second-reading debate that I proposed to amend this clause at page 8, line 32, by omitting the expression "1 000" and substituting the expression "1 100".

The purpose of the amendment is to accommodate the concern of the Townsville City Council, which has a considerable number of allotments on the hard-rock slopes

of Castle Hill that were surveyed prior to 1900 and have an area slightly in excess of the 1 000 square metres prescribed by the Bill. Therefore, the controls envisaged by the Bill have no application to such lands.

The council has advised that although under the town-planning scheme in force in its area, dwelling-houses may be lawfully established as of right on the subject lands, it is not economically feasible to provide services to such developments because of the prevalence of bedrock at or near the ground surface. The council is concerned that the allotments, which generally have a desirable aspect, could be sold to absentee land-owners who are not aware of the high costs associated with the provision of services to the area.

I am advised that the council is not averse to the establishment of multiple-unit buildings on these sites, as the economics of provision of services become more favourable with an increase in the number of units that may be established on a particular site.

The council therefore requests that provision be made in the Bill to enable it to control the use of the lands in question. I feel that there is merit in its request.

I am advised that the member for Townsville has been made aware of the concern of the council, and it is understood that he is in agreement with the proposed amendment.

I therefore move the following amendment—

"At page 8, line 32, omit the expression—

'1 000'

and substitute the expression—

'1 100'."

Amendment (Mr Hinze) agreed to.

Clause 24, as amended, agreed to.

Clause 25—Amendment of s. 34; Subdivision of land—

Mr CAMPBELL (3.58 p.m.): I bring to the Minister's attention an insidious move in the Woongarra shire relative to rural residential subdivision of land in the Bundaberg irrigation area.

Because of the local government by-laws, no rural subdivision of land is allowed in the Bundaberg irrigation area except at the discretion of the council. In effect, rural land in the Bundaberg irrigation area cannot be rezoned except at the discretion of the council. However, two blocks of land, side by side, could be suitable for subdivision. In one instance, the council may say that it will not rezone the land because it will not use its discretion. No other reason is required. However, when it comes to the block next door, which is virtually the same land, the council may say that it will use its discretion to allow the rezoning.

Developers may be discriminated against simply because local authorities do not exercise their discretion. I cite an example of an area of land just outside Bundaberg. The Department of Primary Industries said that it was OK to proceed with the subdivision, the Water Resources Commission said that it would accept the subdivision, yet the council said that it would not exercise its discretion. Councils can use their by-laws to stop subdivision.

Mr PRICE: I fear than an anomaly exists in proposed new subsection (12GG) (a) (iii), which reads—

"A Local Authority shall not approve an application for the subdivision of land . . .

(a) where the application is for the subdivision of land included in a residential Zone, a Rural Residential Zone or similar zone . . .

(iii) after consultation with the Electricity Commissioner, the Local Authority is satisfied that it is not reasonable to require that electricity be made available to serve the parcels of land resulting from the subdivision;".

I can understand that provision being applied to rural subdivisions. People may want to put in their own generators or even not want electricity provided. It seems to me that that provision allows a local authority, after consultation, not to provide electricity to a subdivision. That seems to be overstepping the mark. I ask the Minister to look at it.

Mr HINZE: I will.

Clause 25, as read, agreed to.

Clause 26—Amendment of s. 42A; Impoundings by private persons—

Mr PRICE (4.3 p.m.): I have no real worries about the clause. However, officers of local authorities are worried that they may be called upon outside normal office hours to impound stray animals. The clause does not seem to cover that position.

About 18 months ago, the pound-keeper in Mount Isa went out at night on horseback to impound animals that were in the river-bed. She fell off her horse. A substantial claim was made on the council, and it had to be met.

If a local authority contains more than one town and is called upon to impound an animal, the pound-keeper, who is located in a central area, might have to travel a fair distance. A person might impound an animal at night and call upon the local authority to assist. That would impose, on the local authority, a burden that it should not reasonably be expected to carry. I ask whether something can be done about that matter.

Clause 26, as read, agreed to.

Clauses 27 to 29, as read, agreed to.

Clause 30—Amendment of s. 22; Objection to certain applications and appeals by objectors—

Mr INNES (4.5 p.m.): I foreshadow an amendment that is in precisely the same terms as the amendment to clause 20, and I understand that the Minister is happy to accept it. I therefore move the following amendment—

"At page 15, line 26, after the word 'appeal' insert the words—

'instituted after the commencement of this Act'."

Amendment (Mr Innes) agreed to.

Clause 30, as amended, agreed to.

Clause 31—New ss. 22F and 22G—

Mr HINZE (4.6 p.m.): As I foreshadowed during the second-reading stage, I propose to move an amendment to this clause. The purpose of the amendment is to maintain a degree of consistency between the provisions that are contained in the City of Brisbane Town Planning Act and the town-planning provisions of section 33 of the Local Government Act.

At this stage, I am not aware of the existence of a problem similar to that which has been encountered by the Townsville City Council and which gave rise to the amendment to clause 24 of the Bill, but it would seem to me that certain allotments could have been created in the distant past that do not meet the requirements for services. On these bases, I consider that an amendment is necessary.

I therefore move the following amendment—

"At page 15, line 40, omit the expression—

'1 000'

and substitute the expression—

'1 100'."

Amendment (Mr Hinze) agreed to.

Clause 31, as amended, agreed to.

Clauses 32 and 33, as read, agreed to.

Clause 34—Repeal of and new s. 31—

Mr INNES (4.8 p.m.): I foreshadow amendments to this clause relating to the matter of costs. The two clauses that the Committee has just skated over contain some important provisions. I did not speak to them, because I did not want to delay proceedings unduly.

The amendment that I will move relates to the town-planning procedures that the new administration of the Brisbane City Council is presiding over. A total review is under way of not only the town plan but also of all procedures that relate to development. Among the matters that are being reviewed are the questions of those areas in which unlawful or non-conforming uses exist where it is seen that there should be an amendment to the town plan rather than a curtailment of activity that should take place.

I would rather keep the Minister out of this, in one sense, because his attitude is generally one of significant neutrality and a preparedness to work with any lawfully or duly elected local authority and anybody who is about the business of furthering local authority matters. However, as was announced with some fanfare in this place, a committee has been set up of metropolitan National Party members, chaired by the member for Toowong (Mr Bailey), to look to the interests of the people of the city of Brisbane.

When it comes to a matter of principle, a very significant change has taken place in the city of Brisbane. The administration is committed to the free enterprise ethic, is committed to making things happen as opposed to stopping them from happening, and is committed to the same broad philosophies that I understand the Government is committed to. A Liberal council has been elected. The National Party saw fit not to contest the recent Brisbane City Council election and the people have shown where their preference lies.

Mr De Lacy: Earle Bailey is contesting their right to govern the city.

Mr INNES: That is so. It is not only Mr Bailey. Whenever an amendment is proposed to the town plan, one knows that the member for Merthyr (Mr Lane) becomes significantly agitated. It was the member for Merthyr who, together with the member for Wavell (Mr Austin), stopped the construction of the northern freeway, which would have brought the same benefits to the people of north Brisbane as the South East Freeway brought to the people of south Brisbane under the guidance of the Minister for Main Roads. That freeway has been a magnificent asset to the city in terms of transportation for people from within Brisbane and outside it. The Minister for Transport, together with the member for Toowong (Mr Bailey), interfered in the new development at the Toowong Railway Station. Those actions give a real indication of where town-planning will go in this State and in this city.

Mr Bailey: Ahead.

Mr INNES: The honourable member says "ahead". The Government itself laid down the ground rules for that proposed development. It issued invitations for expressions of interest. Those expressions of interest had to resolve the matter of the deficiency of parking in Toowong and to resolve an augmentation of the inbound traffic along High Street, Toowong. In fact, according to the invitation to tender, the traffic had to pass on the northern side of the railway so that it was separated from the outbound traffic, which was still to pass along Coronation Drive.

By the time the package was put together, a simple office development over the Toowong Railway Station with seven specialty shops below it became a regional shopping centre half the size of Westfield Shoppingtown Indooroopilly. In doing that, of course, it had to encroach on private lands nearby and completely stop the possibility of that separation of the traffic that would have resolved traffic problems in the area. Not only that, but, according to the City of Brisbane Town Plan, by-laws and requirements, 2 000 parking spaces were necessary and only 1 000 have been provided. That is some indication of the influence of the National Party—as is the participation of its members in this debate—in resolving some of the mechanical and difficult problems relating to the city of Brisbane and other local authority matters and of the sort of limelighting that this exercise is, as opposed to doing the real business of local government.

Mr Casey: I think the member for Ithaca is trying to get in on that act, too.

Mr INNES: I prefer not to speak about the role of the member for Ithaca in this matter.

On the question of costs—I know that the Minister has said that the proposal is to beef up the power of the court. The Liberal Party does not have a reservation about increasing the discretion of the court to award costs in clearly frivolous or vexatious cases. However, at the urging of the Liberal Party in the early 1970s, the principle was established that the small person—in particular, the resident—seeking to protect his residential amenity should not be overborne and not have his rights effectively taken away by the threat of costs and by the threat of a major developer—it is usually a major developer involved in rezonings that seeks to amend the town plan between the official five-yearly changes—taking him to court and keeping him in court for an extended period and his having to pay the costs of the developer as well as his own. When each side paid its own costs, the little person was not deprived of the chance to appear before the court by the threat of having to pay enormous costs. Perhaps, as matters have turned out, some of the appeals that have been lodged have been found to contain borderline objections because of the access, to the court, of small business or business in general to protect those areas through economic impact statements.

The Liberal Party proposes that it be clarified that the greater discretion that is given to the court should not be exercised on the usual grounds on which the court operates. Many courts are given the discretion to award costs. In the exercise of that discretion, the precedent is that costs follow the event. That means simply that if a person wins, he obtains costs; if he loses, he pays them. If a person has deliberately dragged out a case, even though he is successful, he might lose some part of his costs. That is the usual practice.

The words proposed in the clause do not make it completely clear that the court will have an untrammelled discretion and that it will not be more harsh on the small person.

For those reasons, I move the following amendment—

> "At page 21, line 13, after the word 'hearing' insert the words—
>
> ', but such costs shall not be ordered to be paid by an objector solely on the ground that the objector is unsuccessful and special certification by the Court shall be made before costs of Senior Counsel shall be paid by any party to any other party'. "

The Liberal Party moved that amendment because it constantly hears that whenever costs or objections are referred to in the Local Government Court, everybody comes armed with Queen's Counsel and the cost of Queen's Counsel is highlighted as one of the major aspects of cost.

Earlier, I said that the most experienced litigant in the Local Government Court of Queensland, the Brisbane City Council, deals with three times as many cases as all other local authorities put together. I hope that under the new administration, that number will decrease. The Brisbane City Council has consistently adopted a policy of employing

junior counsel only, unless the matter goes to the Full Court on a matter of law or involves associated and significant legal ramifications, such as the case involving the Mount Gravatt Showground. I assume that because developers or public-interest groups feel that they are not sophisticated, they believe they must obtain the services of a Queen's Counsel. If one side employs a Queen's Counsel, the other side does the same. The Brisbane City Council is experienced and sophisticated enough not to be bluffed by that simplistic approach, which certainly adds to costs.

The Liberal Party proposes something that is in accordance with the realities in the court. A person's rights can be perfectly and adequately defended by an experienced junior counsel in the same ways as the rights of the Brisbane City Council are defended. The Liberal Party is not saying that litigants should not be able to employ Queen's Counsel; it is saying that the court should certify specially if the case is such that senior counsel are justified. I hope that that will bring home to litigants in that court that if they want to take Queen's Counsel, they do so not necessarily at the cost to the other party; it is on their own heads. Queen's Counsel are not needed in every case to protect someone's rights. Perhaps that would get rid of the constant cry that everybody comes armed with one or more Queen's Counsel.

The amendment that I moved makes it clear that the discretion to be exercised by the court does not mean automatically that the unsuccessful objector will pay the costs. I know that the Minister's advisers will say that that is not intention of the amendment and that they expect, after discussion with legal authorities, that the Local Government Court would take the wider approach rather than the narrower approach. Because of different personalities and because different judges can do different things, the Liberal Party prefers to make the position crystal clear. That is why it has moved the amendment. It is not designed to denigrate the District Court or the Minister. The Liberal Party merely seeks to make the provision clear.

Mr HINZE: The amendment relates to the awarding of costs by the Local Government Court. The Bill provides, amongst other things, that the court may, in its discretion, award costs to or in favour of or amongst any party or parties to an appeal. Earlier, the honourable member for Sherwood (Mr Innes) suggested that the word "amongst" should read "against".

The word "amongst" appeared in the original City of Brisbane Town Planning Act of 1964. I have received legal advice that the word "amongst" is correct. Therefore, I do not accept that part of the proposed amendment referred to by the honourable member. However, if, in the future, difficulties arises as a result of the provision, I will give the matter further consideration.

I am advised that the Bill will empower the court to exercise a discretion. The honourable member for Sherwood is saying that the discretion is being taken away from the court; that precedent dictates how costs will be awarded. I believe that the court will exercise its discretion before deciding whether or not to award costs. I am confident that the court will exercise its discretion wisely and well.

Mr INNES: The Minister correctly went on to another amendment that I proposed to deal with separately, that is, that the word "amongst" in subparagraph (2) be changed to "against".

The TEMPORARY CHAIRMAN (Mr Booth): Order! The Minister may be unaware that he spoke to the second amendment. I think honourable members should deal with the first amendment and proceed from there. Does the honourable member for Sherwood wish to speak again?

Mr INNES: I will wait until the honourable member for Wynnum (Mr Shaw) has spoken.

Mr SHAW: Debates such as this are an example of how difficult it is to sensibly amend legislation from the floor of the Chamber. The dangers in doing so are clearly apparent. Honourable members have to rely on the integrity of the Minister when he

gives undertakings that he will consider certain matters. I am pleased to be able to say that I have great confidence in the Minister. I am sure that when the Minister says that he will consider something, he means what he says. In the past, he has always been true to his word.

The Opposition rejects the imposition of costs. It is unfortunate but true that many people in the community are very fearful of being involved in court action and putting themselves in the hands of the legal profession. My guess—and one man's guess is as good as another's—is that as many as 50 per cent of people who launch objections to council proposals do not subsequently take it to appeal, because they are fearful of the legal costs that could be involved.

Any provision in the legislation for the imposition of costs will add to those fears and shut out a number of citizens who will feel that they just cannot run the risk of opposing a large company in a court case. Even though the legislation might do everything possible to preclude it, the ordinary citizen will fear that large corporations will impose on him enormous costs that he cannot afford. It is not uncommon to hear someone say, "I would take it to appeal, but I am frightened that I could lose my house." Because of that, he does not proceed.

One method of overcoming that problem is by establishing a body to advise people who are launching objections to what councils are doing and are considering taking the matter to appeal. As the honourable member for Sherwood said, a number of lay people have instituted court actions and have done so very successfully. However, they are not the rule; they are the exception. Perhaps a far greater number of people would do so if advice was available to them in a form similar to the very popular do-it-yourself divorce kit and conveyancing kit. It is not a very difficult exercise. It might also help to overcome the problem that led to the inclusion of this clause, that is, the number of delays that occur in rezoning.

The Opposition is opposed to the imposition of costs on appeal.

Mr INNES: The honourable member for Wynnum (Mr Shaw) raised the issue of delay, which will always be a vexed matter. The first set of amendments introduced by the Minister were prompted by problems of delay. I noted again that, after the Minister indicated that he intended amending his proposals and reverting the matter to the Local Government Court, discussions ensued about changes to the procedures of the court. I mentioned, but obviously it did not register with a number of commentators or observers, that this year procedures of the Local Government Court underwent radical changes. The application by Sir Justin Hickey's company in relation to a site on Ashmore Road—I forget the name of his company—

Mr Hinze: Jaldale.

Mr INNES: That is right. The application was filed only in July and was set down for trial within two months.

The Local Government Court now requires what might be called a summons for directions. Any party—objector, council or applicant—may apply to the Local Government Court, very soon after the filing of the appeal, for a special, short informal hearing in the judge's chambers to sort out the issues and time frames. At that informal hearing, the judge will insist on being told what people propose to do about furthering an appeal, impose time limits and ensure that they come to court. That gets rid of objectors who have no sincere intention of pursuing an appeal.

Judge Row and Judge Quirk have travelled to north Queensland to reduce backlogs drastically, in one place from something like 60 to a dozen. In Bowen, the backlog has been reduced from 15 to nothing. In Mackay, Cairns, Townsville and other places with backlogs, this year the number has been reduced to a level that could be expected to be the limit.

The problem now is that many people involved in development, and their experts, do not realise how quickly the system can move, and themselves drag their heels. If a person anywhere in Queensland wants to have a matter proceeded with and approaches the court, as he is entitled to under the present rules, he can cause the matter to be speeded up and the delay reduced to a matter of weeks. That is a very important consideration to bear in mind when one is considering the matter of costs. By insisting that people either put up quickly or shut up—by having a matter heard speedily—delays are reduced and, consequently, costs are reduced.

In response to the substantial argument on the issue of costs, the Minister has said that he understands himself to be increasing the discretions. However, he is giving to the court a discretion where no discretion exists. Both sides presently pay their own costs. A discretion is being given to the court in wide terms. The point I was making is that, where the law gives a general discretion to the court, the usual way in which that discretion is exercised is according to precedents, which are that costs follow the event, rather than capriciously. The Liberal Party is seeking to ensure by its amendment that that not be so. I understand that there is an indication of an intention by the courts not to apply that traditional rule. However, because the matter is not clearly declared, the Liberal Party wishes to have it made certain so that no change of personnel leads to a change that results in the little person always being hit with the cost. As long as he has a genuine case, costs ought not to be imposed against him even if he is unsuccessful.

Mr HINZE: I do not propose to accept the amendment that has been proposed by the honourable member for Sherwood (Mr Innes). However, I feel that the proposal put forward by the honourable member for Wynnum (Mr Shaw) has a great deal of merit. For people who are concerned about costs associated with appeals, perhaps one of the sections of the department could act in an advisory capacity to inform people of what the costs could be, before a legal process is embarked upon. The suggestion made by the honourable member is one to which I will give serious consideration.

Mr Warburton: It is a good way to chase them away, though, is it not?

Mr HINZE: No, I really do not think so. It should also be remembered that another proposal involves an amendment of the Local Government Court rules that will result in local government town-planning appeals being determined more quickly. By virtue of the provision, objector appeals will have to be determined within two months of being listed for hearing, otherwise the matters will be determined by the Governor in Council.

The amendment indicates a time-frame, which is necessary. In the opinion of the Government, adoption of that time-frame is a factor that could result in reduction of costs. The availability of a legal opinion also could be a matter that is worthy of serious consideration.

Question—That the words proposed to be inserted in clause 34 (Mr Innes's amendment) be so inserted—put; and the Committee divided—

AYES, 6	NOES, 67	
Knox	Ahern	Lingard
Lee	Alison	Littleproud
Lickiss	Austin	Mackenroth
White	Bailey	McElligott
	Bjelke-Petersen	McKechnie
	Braddy	McPhie
	Burns	Menzel
	Cahill	Miller
	Campbell	Milliner
	Casey	Muntz
	Chapman	Newton
	Clauson	Palaszczuk
	Comben	Prest
	Cooper	Price
	D'Arcy	Randell
	Davis	Row
	De Lacy	Shaw
	Eaton	Simpson
	Elliott	Smith
	FitzGerald	Stephan
	Fouras	Stoneman
	Gibbs, I. J.	Tenni
	Gibbs, R. J.	Turner
	Glasson	Underwood
	Goss	Vaughan
	Gunn	Veivers
	Hamill	Warburton
	Harper	Warner, A. M.
	Harvey	Wharton
	Henderson	Yewdale
	Hinze	
	Jennings	
Tellers:	Kaus	*Tellers:*
Innes	Kruger	Neal
Gygar	Lester	Borbidge

Resolved in the negative.

Mr INNES: My next amendment concerns a drafting point. The amendment is not one on which the Liberal Party proposes to divide the Committee if the amendment is rejected.

Unusual terminology is used in this clause. Proposed new section 31 (2) states—

"... the Court has jurisdiction ... to award costs to or in favour of or amongst any party or parties ..."

That word "amongst" is unusual. Costs are usually awarded for or against somebody. An order that one person shall pay another person's costs is an award against that person. The word "amongst" sounds like a recreational type of party rather than a court award. Even if a person is ordered to pay only a proportion of the costs, he still has costs awarded against him.

The order usually is that one of the parties pays to the other party, or parties, costs on whatever basis the court decides. It appears that, as a matter of drafting, the word "amongst", which was changed to "against", has been reinstated, apparently without sufficient reason. The Liberal Party says that the word should be "against", and not "amongst".

I therefore move the following amendment—

"At page 21, line 17, omit the word—

'amongst'

and substitute the word—

'against'."

Mr HINZE: I have already commented on this matter, and I do not accept the amendment.

Amendment (Mr Innes) negatived.

Question—That clause 34, as read, stand part of the Bill—put; and the Committee divided—

AYES, 45		NOES, 28	
Ahern	Lee	Braddy	Warner, A. M.
Alison	Lester	Burns	Yewdale
Austin	Lickiss	Campbell	
Bailey	Lingard	Casey	
Bjelke-Petersen	Littleproud	D'Arcy	
Borbidge	McKechnie	De Lacy	
Cahill	McPhie	Eaton	
Chapman	Menzel	Fouras	
Clauson	Miller	Gibbs, R. J.	
Cooper	Muntz	Goss	
Elliott	Newton	Hamill	
FitzGerald	Randell	Kruger	
Gibbs, I. J.	Row	Mackenroth	
Glasson	Simpson	McElligott	
Gunn	Stephan	Milliner	
Gygar	Stoneman	Palaszczuk	
Harper	Turner	Prest	
Harvey	Wharton	Price	
Henderson	White	Shaw	
Hinze		Smith	
Innes		Underwood	
Jennings	*Tellers:*	Vaughan	*Tellers:*
Knox	Kaus	Veivers	Davis
Lane	Neal	Warburton	Comben

Resolved in the affirmative.

Clause 8—Amendment of s. 6 (1) (i); Towns—

The TEMPORARY CHAIRMAN (Mr Booth): Order! Earlier, clause 8 was postponed. The Committee will now deal with clause 8.

The following amendment is proposed—

"At page 3, omit all words comprising lines 15 and 16 and substitute the words—

'is amended in subsection (1) by adding to the first subparagraph of paragraph (i) the following subparagraph:—

"The preceding subparagraph shall not apply in respect of the City of Thuringowa which city shall, until the conclusion of the next triennial election to be held after the commencement of the Local Government and City of Brisbane Town Planning Acts Amendment Act 1985, be governed by a council of not less than 12 members including the chairman and thereafter shall be governed in accordance with the next preceding paragraph.".' "

Mr INNES: Mr Booth, the amendment, which you must realise one has had to take on the run, appears to reflect the sentiment of the debate. It does not allow open slather. It does not allow everybody to apply for increases. The clause deals with the special case of Thuringowa and will now bring it into line with other cities and towns after the next election.

The contribution by the honourable member for Port Curtis (Mr Prest) was very beneficial and gives the Minister time to conduct a review by Sir Albert Abbott. Provided the worthy draftsmen have been able to operate practicably within the time available, the end result appears to be right. The Minister is very gracious in accepting the amendment proposed, and shows his usual far-sightedness.

Sir WILLIAM KNOX: As the honourable member for Sherwood pointed out, the amendment is most acceptable. It overcomes a very difficult problem. Most honourable members probably do not understand the structure of Thuringowa and Townsville. As I pointed out earlier, a special difficulty exists. I hope that the Opposition will also accept the amendment. The manner in which the Minister has handled the amendment throughout the debate is commendable and has improved the legislation. Although the Liberal Party has not agreed with everything that was proposed, the amendments that have been accepted and proposed——

An Opposition Member: You'll get on very well.

Sir WILLIAM KNOX: The amendment is important. Here is a capable Minister handling a matter in a capable way. I think that that ought to be put on record.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 20 and 30—

The TEMPORARY CHAIRMAN: Honourable members, I draw your attention to some confusion that has arisen over the use of the words "this Act" in the amendments to clauses 20 and 30 that were moved by the honourable member for Sherwood and agreed to by the Committee. If the words "this Act" are replaced by the words "the Local Government and City of Brisbane Town Planning Acts Amendment Act", the confusion will be cleared up.

The question is that in clauses 20 and 30, as amended, the words "this Act" be replaced by the words "the Local Government and City of Brisbane Town Planning Acts Amendment Act 1985".

Amendments agreed to.

Bill reported, with amendments.

Third Reading

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

STATE HOUSING ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 21 November (see p. 2671) on Mr Wharton's motion—

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

Mr YEWDALE (Rockhampton North) (5.1 p.m.): The Bill deals with the purchase of units by pensioners who are qualified to purchase them. The Minister has indicated that the Bill has been introduced to enable the construction and sale of units to pensioners throughout Queensland.

One tends to accept that this type of operation would be beneficial to the ageing population of this State. However, the Opposition has grave reservations about the legislation. Will the legislation fill the gap that exists in the overall needs of elderly citizens wanting reasonable accommodation at a price within their means? The Minister used the term "affordable prices". He pointed out that the units will be much cheaper than those on the private market.

The Minister pointed out also that legislation is not really necessary to allow the Housing Commission to buy and sell units. He went on to say that preserving such units for the aged necessitated a new mechanism.

I turn to the eligibility of applicants seeking accommodation. The first condition is that the applicant be of limited means. I do not know what the Minister or his departmental officers mean by that phrase. It has not been defined or clarified. I hope

that during the debate the Minister does clarify it. The second condition is that the applicant be a pensioner or the spouse of a pensioner. That is a fairly clear definition. The third condition is that the applicant be aged 55 years or over. That is something that should be debated. The fourth condition is that the applicant intend to use the house for himself and his spouse or another person. The fifth condition is that the applicant not own any other house in Queensland or elsewhere.

The Bill deals with public awareness of the units being reserved for eligible persons. That seems to me to be totally unnecessary, because the Government will resell the units that become vacant. The fact that the registrar will establish the eligibility of a person again does not mean anything.

In his second-reading speech, the Minister referred to pensioners of modest means purchasing units that become vacant. I again query that terminology.

That outlines briefly the second-reading speech of the Minister. It also raises many questions that the Minister might answer in his reply.

I repeat the first point that I raised and call on the Minister to take note of the fact that the Opposition does not think it is good enough simply to say that the applicant "be of limited means". The Minister might say something about that. An applicant must be 55 years of age or over to be eligible under any circumstances. The legislation appears to be discriminatory in imposing a condition that an applicant be 55 years of age or over. I am sure that all honourable members would agree that many pensioners in all categories throughout Queensland would be under 55 years of age. Some of those pensioners could have been pensioners from a very early age. I will not go into descriptions of the various categories of pensioners.

Although it may appear to be a facetious suggestion, I say in all seriousness that the Minister should perhaps obtain an interpretation from the Minister for Justice and Attorney-General (Mr Harper) and explain to honourable members the meaning of the condition that the applicant "intend to use the house for himself and his spouse or another person". In view of the recent abortive attempts by the Minister for Justice and Attorney-General to cleanse and purify Queensland's population, perhaps he could interpret the term "other person". If the Minister for Works and Housing is referring to defacto relationships, he should say so. In most instances, such relationships are acceptable. "Another person" leaves room for wide interpretation.

The State is experiencing extremely long waiting-lists of families and pensioners seeking accommodation to suit their needs. The Minister is fully aware of the number of applications made to the various agencies throughout the State. A large number of people are not in the position to provide the $30,000 referred to in a press article I have here. That report also includes comments from the member for Mount Gravatt (Mr Henderson). The amount required each week to service such a debt would probably disqualify quite a number of people. I realise that money is being made available, but it has to be serviced.

It is fair to say that many pensioners are living in all sorts of substandard accommodation. The department is aware of that. Applicants in the south-eastern corner of the State and some of the more populous provincial centres are probably living in substandard rooms or boarding-houses.

The Minister supplied the Parliament with figures showing that, in July 1985, the applications by single and married pensioners throughout the State totalled 329 and 80 respectively in Brisbane and 483 and 264 respectively in the country. In other words, 1 500 people were covered by 1 156 applications State-wide. That is a sizeable number of people seeking accommodation. It would be pertinent to add that, because of the extent of waiting-lists, hundreds of others have probably not bothered to apply and that many others, who are not even aware that the Housing Commission provides pensioner units throughout the State, have not applied. I reiterate that those figures show only the pensioners recorded as seeking accommodation.

I ask the Minister to enlarge on a number of matters. Firstly, I ask him to elaborate on the provision of finance to those who purchase units. I assume that the first units sold will be those at Mount Gravatt. Perhaps the Minister is able to answer quickly and simply the points that I raise. Are there any other charges imposed on purchasers in terms of rates, maintenance or furnishing? I assume that a purchaser would have to furnish his own unit.

Will restrictions be imposed on the occupancy of units? Fairly rigid restrictions apply to units occupied by single people and supporting mothers. My colleague the honourable member for Chatsworth (Mr Mackenroth) has given several illustrations of the department's attitude to grandmothers or grandchildren visiting the occupant of a unit. I wonder whether such a criterion will apply to a unit that is purchased. What happens when a purchaser leaves the unit? There will probably be a number of reasons why that could happen. I will not endeavour to elaborate on them. However, what procedure follows when a unit becomes vacant? Is someone else housed in the unit or is it sold to another person?

On the assumption that the amount of $30,000, in round figures, is involved, could the Minister provide me with the cost of erection for the usual pensioner units constructed in provincial towns and cities throughout the State? It is clear that such pensioner units have been utilised by pensioners for many years.

If a pensioner couple owned a home and disposed of it, and then applied for a pensioner unit, would they be considered eligible? In the Minister's second-reading speech, he indicated that anyone who owned a home would not be eligible for a pensioner unit. I point out that one of the criteria is that a person should not be a home-owner. At a future time, when the amendment is in force, could a Mr and Mrs Brown, who own a home, apply to purchase a pensioner unit? I raise these questions because I do not know what the ramifications of the amendment or the department's policy will be. All I know is that the Minister has said that a person who owns a home is not eligible.

Recently, I examined figures relating to rental accommodation in the public sector in Australia. They indicate that the public housing rental stock available in each State varies. The figures show that, in South Australia, the Australian Capital Territory and the Northern Territory, public sector rental accommodation represents 10 per cent or more of household accommodation. In New South Wales, Western Australia and Tasmania, the public sector rental accommodation ranges between 5 and 7 per cent. In Queensland and Victoria, 3 per cent of house-holders are accommodated in public sector rental accommodation. Those figures indicate that Queensland lags behind Victoria——

Mr FitzGerald: But Queensland has a higher percentage of private ownership.

Mr YEWDALE: I am referring to the figures that indicate the extent of public housing available.

Mr FitzGerald: Because more people own their own homes, should this Government be discredited?

Mr YEWDALE: It is obvious that the honourable member for Lockyer does not consult the records, because a great many poor people are on the wait-list for the Housing Commission accommodation. They are not able to obtain it, despite their waiting for a considerable period.

From June 1980 to June 1984, throughout Australia, the number of applications for State housing accommodation grew from 100 000 to 135 000. The Opposition would readily agree with the suggestion that public housing throughout Australia is a matter of grave concern to most people. The figures that I have mentioned indicate that, in the four-year period between 1980 and 1984, the number of people who have applied for public housing increased by 30 000. An examination of the overall rental stock available discloses that the Australian average is 17 persons per thousand, whereas the Queensland average is 10 persons per thousand. Again, Queensland lags sadly behind.

More public sector rental stock is needed in Queensland. That need has been proven by the figures that I have quoted, and it is obvious that the community is crying out for the Government to provide that accommodation. However, the Government is not servicing that need to the degree that it should—not by a long chalk.

The statistical information that I have also discloses that nine out of ten pensioners who seek public accommodation are sole pensioners. In South Australia, a little more than half are sole pensioners. In Queensland, 10.6 per cent of all the applications made for public housing are made by pensioners. Speaking of pensioner couples and sole pensioners, I am reminded of the involvement of local authorities in the addition of granny flats to private accommodation. I do not think that the Government has considered augmenting pensioner accommodation by the provision of granny flats. I have, several times in this House, raised the matter of mobile units that would be quite suitable for use anywhere in Australia. Honourable members would be familiar with the mobile units that are used by the Department of Education on a much bigger scale for classrooms and libraries. By adaption of that idea, a great deal of difficulty and cost would be avoided by families wishing to accommodate aged parents.

I cite the example of the dilemma in which the Leader of the Opposition found himself some time ago. Mr Warburton took the trouble to build a granny flat onto his private home to provide accommodation for his aged mother. Regrettably, not long after it was completed, Mr Warburton's mother passed away. It seems to me that, if a mobile unit had been available in those circumstances, it could readily have been moved away when it was no longer needed.

Irrespective of whether pensioner couples or sole pensioners required accommodation, that mobile unit could have been moved to another person's property and could have been used to service the very real need of aged people. The Government has ignored that proposition, but I regard it as one that would put mobile accommodation to good use and would avoid the outlay of large sums of money to add granny flats to private homes.

Matters that really affect people trying to get accommodation in Queensland are the imposition of excessive bonds and the total lack of control on rent. It may be said that a good deal of private accommodation is available in Queensland, but people seeking to rent houses are subject to the payment of unlimited bonds and uncontrolled rent. In many instances that prevents them from getting accommodation. Throughout the State, groups of young people who want to rent flats have to pay bonds.

In other States, bond boards operate successfully. On the several occasions that I have spoken about establising a bond board in Queensland, the Minister's response has been that such boards do not work or that they are not successful. That is not so. The bond boards are operating satisfactorily in other States. On several occasions, the Minister for Justice advised Parliament that he had received representations from people who had experienced difficulty in getting their bonds returned from real estate agents or landlords. I receive at least four or five complaints a month from people about difficulties in getting bonds returned. Money is usally paid to the bond boards by the agents. In most instances, landlords can get around the bond boards because no-one knows that they are not complying with the law.

The bond boards have adjudicators to deal with bond disputes. The money accrued by the boards is used by them to meet operating costs. That is much better than what happens when the bond money is handled by the real estate agents. Whatever the real estate agents do with the money lies in a grey area. It may be said that I am proposing the establishment of another quango, but at least the bond board would be paying for itself. Pensioners and people in the lower-income groups, who are central to this legislation, are penalised because they find it impossible to meet the cost of the bond and the rental charged.

In June 1985, the Housing Industry Indicative Planning Council prepared a report that revealed that the number of dwellings begun in 1984-85 and the number forecast for 1985-86 show a distinct decline in the industry. The construction of dwellings and

other accommodation is shown to be in distinct decline when people are struggling because they cannot get the accommodation they require. When a broad cross-section of the community is desperately seeking low-cost homes, the Government is spending untold millions of dollars on propaganda. The Minister for Works and Housing spends quite a few million dollars on propaganda adventures in the media. The Government is spending millions of dollars on propaganda while aged and disadvantaged people continue to live in substandard accommodation. The Minister's conscience may be pricked, but obviously the Government is not worried.

Mr Lee: Are conditions any different in New South Wales?

Mr YEWDALE: I said earlier that the accommodation problem across the board affecting those in the low-income group is nation-wide. I am not arguing about that. I am criticising the Queensland Government. As an Opposition member, I have the prerogative to expose the inadequacies of the Government. At one time, the honourable member for Yeronga was part of the Government, but he was sacked. That is part of his trouble; he could not handle the portfolio when he had it, and was disposed of. The honourable member should know how the Government operates.

Mr Mackenroth: Do you know that Mr Lee was the Minister in charge of housing in the year in which the least number of dwelling units were built?

Mr YEWDALE: I did not know that, but I am glad that the honourable member pointed it out to me.

I refer to the units that are being constructed at Mount Gravatt. I have an article from the newspaper *The Southern Star* containing a photograph of the member for Mount Gravatt.

Mr Mackenroth: Is he kissing a toad?

Mr YEWDALE: No, he is not kissing a toad.

The honourable member made the information available to *The Southern Star,* and I do not argue about that. Probably all members make information available to their local media. In the article the member explained what the project was all about.

I refer to the attitude that is adopted by Ministers, including the Minister for Works and Housing. Whenever money is to be spent in provincial cities, particularly in electorates held by Labor members, the office of the particular Minister informs the media what is going on. About 10 days later, the Labor member, who represents the area, is given the information. That does not happen when money is spent in areas represented by Government members. Obviously it does not happen in the area represented by the member for Mount Gravatt. He was able to give all the information to the media.

Mr Mackenroth: There was more information in that news story about how this Bill will operate than there was in the Minister's speech.

Mr YEWDALE: That is exactly right.

I shall quote what the member for Mount Gravatt said. He indicated that it was not just a matter of the Government's deciding to build those units. He indicated, in his own modest way, that the Government made the decision because he put a lot of pressure on it to get those units at Mount Gravatt.

The story did not finish there. I suppose that this is a bit light-hearted, but it is worth repeating what the honourable member said. The following week, a letter in the letters to the editor in *The Southern Star* was headed "QHC 'flooded' with enquiries". I can understand that. That heading preceded a letter from the member for Mount Gravatt and, for the edification of members, I shall read it. It states—

> "I wish to place on public record my most sincere and heartfelt thanks to the SOUTHERN STAR on the recent article on Queensland Housing Commission units to be constructed in Mt Gravatt."

I will not read all the letter.

Mr Henderson: How disappointing!

Mr YEWDALE: If the honourable member wants me to read all the letter, I shall do so. It continues—

> "Your article produced a flood of enquiries, so much so that the Queensland Housing Commission could probably sell three or four such blocks of units with very little effort indeed."

The Minister must have sold four already. The letter continues—

> "As a result of your marvellous public information policy, which is excellent to see in a truly community newspaper, dozens of pensioners were brought into contact with a housing programme tailor-made to suit their often pressing need for accommodation.
>
> If you, as Editor, could only have seen—"

and this is the punch line—

> "the sparkling and excited eyes of dozens of our senior citizens who, as a result of your article, recognised that they could purchase their own unit, then you would have no difficulty in recognising how deeply grateful they and I are to the STAR for your kindness in printing the article."

I am sure that if members representing provincial cities or other members representing electorates in Brisbane wrote letters to newspapers that had published an article about a subject, the letters would be thrown into the waste-paper basket.

I have referred to the way in which Ministers deal with Opposition members in these matters. I could even give the Minister for Tourism, National Parks, Sport and The Arts (Mr McKechnie) the same sort of bucket relative to funds that are allocated by his department to organisations in Opposition members' electorates. The media, and sometimes the organisation concerned, are given the information. When funds are allocated to organisations in electorates represented by Government members, they present the cheques. Some years ago, Opposition members used to present cheques to organisations, but the Government, in its wisdom, decided that Opposition members should not be given the opportunity to service their electorates in that way. That is another tactic that the Government adopts.

Mr Prest: Their petty attitude.

Mr YEWDALE: Yes, that is the term.

In March this year, a national conference on housing was held in South Australia. All Governments and innumerable organisations concerned with housing were invited to participate. It is interesting to note that all of the States and the Australian Capital Territory contributed, either by way of representation or financial assistance, with the sole exception of Queensland. Queensland did not send any representatives or provide financial assistance. Approximately 700 people attended that conference, but the Queensland Government was not interested. If I am incorrect in saying that——

Mr Wharton: It was a women's conference.

Mr YEWDALE: Yes, it was, and I do not mind if that is recorded in *Hansard.* However, does that make any difference?

The conference looked at the housing problems confronting the community Australia-wide. The report of the conference showed that, in South Australia, women leaving shelters usually get Housing Commission accommodation within approximately eight weeks because the urgency of their situation means that they are given first priority. That does not happen in Queensland, as any honourable member who has tried to find accommodation for people would be aware. I would think that, in Queensland, the waiting-time is closer to about seven or eight months.

The introduction to the 1983-84 annual report of the Queensland Housing Commission states that during 1983-84 demand for public housing in Queensland fell. In the same period, the statistics of Family Emergency Accommodation Townsville (FEAT) show that 110 new families were encouraged to make application to the Queensland Housing Commission for rental accommodation. In the period 1 July 1984 to March 1985, another 181 families with severe housing stress were encouraged to apply for housing or to at least seek assistance with bond guarantees.

That shows that many people in the community do not necessarily know that they can apply for accommodation, although they may not get it immediately. I do not blame the staff of the Housing Commission for telling applicants, whether they apply on a personal basis or in writing, that the waiting-lists are long. At least people know where they stand. However, some people lose confidence and interest in seeking Housing Commission accommodation when they know that they are on an extended waiting-list. In many cases, simply by changing addresses, those people allow their application to lapse, because the commission cannot be expected to locate people if they shift from the address shown on their application form. Therefore, it is important to remind people that they must notify the commission of any change of address. However, when people do not hear from the commission, they become frustrated. They make inquiries and find that, because they did not advise of their change of address, the letter sent to them has been returned to the department.

Over the three years to the end of June 1984, the total gain in Queensland Housing Commission rental stock was 1 470 dwellings. During the same period, 1 296 families presented for housing assistance at FEAT. I am using Townsville as an example because it is the second largest city in the State. For that reason, it has twice the accommodation problems of other provincial cities such as Rockhampton, Gladstone and Bundaberg. Townsville now has a population of more than 100 000 people and its accommodation problems would have a relationship to that population.

A number of Townsville people are concerned about the problems of finding accommodation. In Townsville and in other places throughout the State, in order for a family to be financed into home-ownership, it must first have at least $500 in savings. It is then entitled to a maximum loan of $42,000. That figure may or may not be correct, but that is my information. The opinion is that it is highly unlikely that any family presenting at FEAT in Townsville would qualify; they would not possibly be able to achieve savings of $500 to qualify for a loan. That means that perhaps one element in the community will never qualify for a loan. I do not know whether that criterion will continue. If it does, many people will remain ineligible for Housing Commission accommodation.

With reference to surveys completed in Townsville and published in *Housing Market & Access 1984,* the only properties available for purchase in the $42,000 bracket over the period 1983-1984 were quite inferior in quality and certainly not comparable with those offering in the public rental sector. Large sums of money are invested in the property market, and profits are recouped by a range of financial institutions, construction companies and intermediaries in the property market. As a result, the public housing sector has never represented a viable alternative and, in many States, is no more than a residual sector providing welfare housing. In many cases, those who are constructing houses in the private sector are not catering for people with that income level. Therefore, Governments have to cater for them. I know that, over many years, the State Government has provided housing for that sector of the population. I cannot give the figures, but it has provided houses and units for supporting mothers, deserted wives, pensioners and others.

My purpose in pointing out the foregoing facts is that the Opposition feels that the scheme embodied in the legislation caters for what I would call the upper echelon of society. By that, I mean those who have a better standard of living and who can probably well afford to service finance on a $30,000 unit. In that respect, the Government has its priorities wrong. It should concentrate to a larger degree on those people on lower

incomes and those who are confronted with the high rentals and large bonds imposed by the general business community.

Currently, 138 000 families throughout Australia are on public housing waiting-lists. If all applicants could be assured of obtaining housing without undue delay, that number would probably double. Those families constitute a large proportion of people who rent privately—approximately 21 per cent of the Australian population. Because the information I have is prepared by people from Townsville who attended the Women's Housing Conference in Adelaide, I keep referring to Townsville, where two-bedroom flat accommodation costs between $65 and $70 a week. For reasonable accommodation, a single parent with one child must pay 50 per cent of income for accommodation of that type. I have used Townsville as a guide. In many cases the people have to find the bond money before they can rent those premises. Similar difficulties exist for unemployed families with two children. Larger families are no better off. Indeed, they tend to suffer even greater indignities, because the larger the family, the less likely it is to find rental housing of any kind.

The rent relief scheme introduced in Queensland last year has offered positive and valuable subsidies for some families. Perhaps I should qualify that by saying that, to my mind, rental assistance and bond guarantees are false economy. I know that the schemes were introduced, on the basis of a need at a given time, by people who want to be accommodated. In the long term, it would seem that that money is going down the drain and would be better used for the construction of permanent accommodation that could be used and exchanged.

The private rental market appears to be the least satisfactory for elderly people, particularly women. Some women use up to 80 per cent of their pensions on rent. Although some may receive a rebate, others are not eligible for a rebate simply because they have over $500 in savings. Money is often set aside by people in that age bracket for their funeral expenses.

Caravan accommodation is used extensively throughout the State. In Queensland, the Residential Tenancies Act does not cover caravan-parks. The Opposition has a clearly defined policy of incorporating caravan-parks in the Residential Tenancies Act. The Opposition believes that there should not be discrimination between persons who are covered by the Residential Tenancies Act and reside in a private home, a rental home or a flat, and persons living in caravans.

Today, many aged people are seeking rental accommodation in caravan-parks, especially those in the south-east corner of Queensland, that are close to the coast or in an environment that is suitable to them. Those persons have no tenure or legal rights. If the manager or the owner of a caravan-park wishes to take action against a person, the person is not covered by the Residential Tenancies Act. Surely the Government is conscious of that. If consultation took place between the Minister for Housing, the Minister for Justice and Attorney-General and other persons, caravan-parks could be incorporated in the Residential Tenancies Act. People will be living in caravan-parks for a long time. For many people, it is a way of life. However, the Minister and his colleagues do not see fit to place them under the umbrella of the Residential Tenancies Act. It is obvious that the Residential Tenancies Act needs upgrading and bringing into line with the current situation.

Some caravan-park owners insist on a bond being paid by persons renting caravans. The honourable member for Nudgee (Mr Vaughan) referred to electricity and other costs incurred by people living in caravan-parks.

Mr Vaughan: They are pretty steep.

Mr YEWDALE: That is another problem experienced by people who reside in caravan-parks, particularly elderly people who are most likely receiving a pension.

I have referred to many of the findings of the Women's Housing Conference held in Adelaide. One would expect those findings to be predominantly factual. If the Minister

or his staff refute any of the statements that I have made, I will pass the information on to the people who prepared those details. That could be a matter of discussion and debate.

As to the Townsville Women's Shelter—it seems that, unlike Governments in most other States, the Queensland Government does not accept responsibility for housing some of its citizens who cannot buy their own home or afford to rent. We must start demanding that tax-payers' money be spent on providing more housing. Earlier, I said that the Government uses unlimited funds to disseminate its propaganda in the electronic and printed media. Although the termination of that program would not solve the housing problems in Queensland, every $30,000 or $40,000 used by the Government on propaganda would house, in a fairly nominal home, a family in need.

All other States in the Commonwealth have established some form of bond boards, and they are servicing the community. Persons in the real estate industry who receive commission from landlords are satisfied with the settlement of disputes by those boards.

I turn to housing co-operatives. This Government has totally shied away from them. I am not an authority on housing co-operatives, but I have had the privilege of listening to people who——

Mr FitzGerald: Is that the Juni Morosi type?

Mr YEWDALE: Not that I know of. I am not aware of the details of the one to which the honourable member for Lockyer refers. I read about it in the press, just as the honourable member did.

I am simply stating my opinion on what the Government is and is not doing. It is certainly not doing anything in regard to housing co-operatives. It shies away from them. Even church organisations, which want to develop them, are very sceptical about the Government. The Minister and the Government are not doing anything at all to assist housing co-operatives.

The conference report states that in New South Wales, the Community Tenancy Scheme is administered through the Housing Commission. The broad aim is to provide low-cost housing for low-income groups and the central principal is community-based management where the local community has detailed knowledge of housing needs and can use local expertise. The CTS is funded through the mortgage and rent relief scheme and the funds are used to—

(1) subsidise the difference between the tenant's contribution to rent and actual rental costs; and

(2) fund resource persons to assist in the management of these schemes.

Dwellings are acquired by local schemes through—

(1) head-leasing, where management organisations take responsiblity for leasing dwellings in order to sublet premises to low-income households; and

(2) capital projects, where CTS funds are allocated for the purchase or renovation of dwellings and their subsequent community-based management.

I believe that in Victoria and South Australia, housing co-operatives provide very acceptable accommodation. The finance houses and banks are getting involved in them. People have their own community group within the co-operatives. They are allowed to paint their houses and carry out other work on them. Once a certain number has been reached within a co-operative, a type of management controls the group and meetings are held on a regular basis so that grievances and problems within the co-operative can be aired. Having spoken and listened to people from South Australia and Victoria, I believe that the co-operatives are a marvellous success in those States.

I repeat that the Minister is backing away from co-operatives. He will not talk to people about them. If the Minister wishes to refute that, he can do so in his reply. If he is prepared to tell me why he will not become involved in co-operatives, he can state his reasons in his reply so that Opposition members can inform the community.

I again turn briefly to bonds. Following a brief contribution that I made in respect of bonds, the editorial in the *Daily Sun* on 27 May this year stated—

"Queensland sadly needs better machinery to settle disputes over rental bond money.

Bond payments are the major cause of friction between landlords and tenants.

They form an increasing number of the cases coming before the Small Claims Tribunal.

The problem is going to become rapidly more serious as Queensland's population rises.

But the Small Claims Tribunal was not designed to resolve bond disputes.

The best protection against a rapacious landlord or an irresponsible tenant is a government-appointed body to hold all bond money.

Such bodies work well in the more crowded southern States.

Queensland could do worse than copy this tested and effective solution."

Recently, I noted that the Education Officer of the Consumer Affairs Bureau (Jan Taylor) was very vocal in saying that Queensland does not need bond boards, because it has the Small Claims Tribunal to handle those matters. I agree with the editorial in the *Daily Sun.* I do not believe that the Small Claims Tribunal was intended to handle disputes relating to bonds, even though it is handling them.

I can assure the Minister that I take note of the result of hearings involving bonds. According to press reports, 50 per cent of the disputes dealt with by the Small Claims Tribunal are about the return of bonds. I could show the Minister numerous press cuttings. If he is taking any interest in the matter, he will already have seen them. The fact is that bond disputes are stifling the Small Claims Tribunal. One of the problems is that disputes over bonds are becoming more prevalent in the community, and that is evidenced by the ever-increasing number of bond applications before the Small Claims Tribunal.

Those applications are probably preventing other people from having their claims heard. Why on earth do not the Minister and his Cabinet and other parliamentary colleagues consider setting up a bond board? On several occasions, I have discussed the matter with the Minister for Justice and Attorney-General. I have written to him about it. I have received letters from people in the community who have written to the Minister for Justice. I have received copies of his replies and written to him about them. Nothing seems to be happening.

As I indicated earlier, the Opposition opposes the Government's proposal on the basis that it is catering for people in what I refer to as the upper echelon of the community. At the same time, it is disregarding those who are down the line. I would be extremely happy if the Minister could tell the House that additional funds were to be provided to build pensioner units. I give the Government full credit for the pensioner unit scheme. I have visited many of them and spoken to tenants on a number of their personal problems. They are happy and contented. The surroundings are pleasant.

The Opposition cannot understand the Government's present proposal, however. It contradicts its professed attitude towards the private sector. The Government professes to be a private enterprise Government yet, in this instance, it adopts the hypocritical attitude of competing with the private sector. Why does it seek to do that in a facet of Government activity that causes trouble? The Government ought to use those funds to meet the ever-increasing demand for rental units.

Mr Wharton: We are still catering for the full program.

Mr YEWDALE: I am guided by the Minster's second-reading speech. I have placed my own interpretation on the way in which his proposed scheme will be applied. Many of my colleagues will elaborate on a number of other facets that I have not covered. During the debate, we will continue to advance our reasons for opposing it.

Mr HENDERSON (Mount Gravatt) (5.47 p.m.): It gives me a great deal of pleasure to support the Bill. I congratulate the Minister and the Queensland Housing Commission for devising such a project. It is visionary, exciting and challenging. Most importantly, it fulfills a real community need. What is that need? A significant group in our community, because of their assets, do not qualify for welfare housing from the Queensland Housing Commission. However, they are finding it increasingly difficult to purchase homes in the private sector. The proposed scheme is designed essentially to cater for the needs of that group of people, to give them the opportunity of owning a unit.

I am delighted that Mount Gravatt was chosen for the pioneer development in the project. Sixteen units are to be built between High Street and Mountain Street, Mount Gravatt. On Tuesday, I was privileged to be with the Minister for the sod-turning ceremony. The site is particularly beautiful. It is close to shops and the specialist medical centre. The doctors are just down the road. My office is only a minute's walk away. City council transport is in front of the units and across the road. Transport is available to the Greenslopes and Princess Alexandra Hospitals. The greater city circle bus goes past the QE II Hospital. The units will have excellent views. To the north, they will overlook the city; to the south-west, Mount Gravatt; and to the south-east, Mount Cotton. In summer, the site enjoys cooling sea breezes. In winter, it is sheltered from westerly winds by Mount Gravatt. It is an excellent site that will require very little upkeep.

One of the aims of the project is to bring together a group of homogeneous people. The Opposition has asked: Why has a 55-year age limit been imposed? The Mount Gravatt electorate has three blocks of rental units. Tenby Street has one with 43 units, occupied principally by aged pensioners, the majority of whom are very happy. They enjoy living in their units. They feel that the units are cheap, serviceable and liveable. They feel that it is a privilege to be able to live in them.

I have a similar block of pensioner units in Gowrie Street that contains 12 units. Another block of 12 units is located in Gosford Street. It contains occupants of mixed ages. The group ranges from two pensioners who would be in their mid-twenties to a number of older pensioners. It is this particular pensioner group that has presented me with a number of problems.

A number of complaints have been made by some of the older pensioners about younger pensioners who play radios and televisions too loudly. I have noticed that not a great deal of intermixing takes place among the age groups. I therefore believe that the Queensland Housing Commission has been extremely wise in ensuring that the people who will benefit from the scheme are over 55 years of age. As I said previously, an age qualification brings together people who share common interests and are in a common age group. They are not likely to be disturbed by incongruous activities undertaken by people in younger age groups.

On 17 October 1985, I received a letter from the Minister for Works and Housing. I wish to read it to honourable members because it answers a number of questions raised by the Opposition. The Minister wrote—

"Dear Mr Henderson,

I refer to your personal representations of 8 October, 1985 seeking details about the Pensioner Units being built by the Housing Commission at Mount Gravatt.

The units are being built in accordance with the attached plans.

The sale price of the units is expected to be less than $35,000. The price will depend on the tenders received for the construction of the units.

Some eligibility conditions have been set to prevent speculation and to ensure the units are sold to pensioners. The eligibility conditions are:—

buyer must receive some part of an age pension;

the buyer must occupy the unit;

single and couple pensioners are eligible;

current home owners are eligible provided they dispose of their present home.

To ensure that the ownership in the future remains with age pensioners, legislation is being prepared to set out future eligibility conditions. Reference will be made to this legislation on the strata title.

Buyers will be also able to purchase for cash or they may be eligible for Commission finance. A maximum of $30,000 Commission finance is envisaged. The amount will depend on income and commitments of the borrower. Monthly repayments on the loan would be equal to one week's income.

I suggest that those interested in purchasing the units contact the Commission on 227 8541. Their names will be placed on a list and they will be later advised concerning selling procedure."

That letter sets the conditions that apply to the purchase of these units and they are eminently reasonable.

I was particularly impressed by certain features of the scheme. Firstly, the price makes this accommodation available to people who could not otherwise afford to buy housing in the private market. Secondly, the scheme keeps together a group of people who are essentially the same in age and outlook. Thirdly, monthly repayments on the loan would be equal to income for one week. The condition that relates to repayments is also very reasonable, particularly when it is remembered that finance is provided by the Housing Commission.

I point out to members of the Opposition that the pre-eminent feature of the scheme is that it recycles money. Money that is received by way of loan repayment is used to build more units that are used to house more pensioners. A complete recycling factor is built into the scheme, which is exciting and challenging because it affords opportunities in the future.

I reiterate now comments on page 1 of *The Southern Star.* After that publication was distributed, my electorate office was deluged with telephone calls from pensioners who were very interested in the scheme. By way of example, I mention inquiries received from people who were living in mobile homes, people whose spouses had died and who found it impossible to keep up maintenance on the yard and the home, and people who entered into a mortgage transaction in middle age and, as they reached their sixties, found that they were unable to meet the commitments of the original mortgage. A number of the people to whom I have referred visited my electorate office. I personally took a couple of them to the site, and they were very excited. Some of them were delighted to think that, for the first time in their lives, they had the opportunity to own their own home.

In reply to the Opposition spokesman, I should say that I was particularly interested in his concept of mobile homes to be used as granny flats. In the near future, I will take the opportunity of talking to the honourable member for Rockhampton North about them. He said also that, according to his statistics, Queensland should be ashamed of its rental housing program. I point out to him that, on a per capita basis, Queensland has virtually the lowest waiting-list for Housing Commission homes in Australia. If I remember correctly, Queensland has a waiting-list of about 8 000, whereas New South Wales has a waiting-list of 55 000.

I make clear to the House Queensland's different philosophy in its approach to Housing Commission homes. In Melbourne, in the Albert Park area or in the vicinity of the Melbourne Hospital, or at Redfern in Sydney, the tendency is to build high-rise towers for the housing of recipients of welfare payments. That is not a good idea. It has been totally discredited overseas. I am pleased to note that it is not adopted by the Queensland Housing Commission.

Mr FitzGerald: They are human filing-cabinets.

Mr HENDERSON: They are.

I am delighted with the Queensland Housing Commission's record in building and renting homes. In the Mount Gravatt East housing estate, with which the honourable

member for Chatsworth is very familiar, I gather that there are about 800 homes, half of which are privately owned. That is a big plus for the Housing Commission, because the people have been given an opportunity to buy their own homes.

Yet again, I congratulate the Minister and his department on the Mt Gravatt project. It is my considered opinion that it fills a real need in the community. I am delighted to be associated with it. I am also pleased to think that whatever happens at Mount Gravatt will probably serve as a model for the rest of Queensland. I am sure that the Housing Commission units will be welcomed wherever they are provided, and that many people will welcome the opportunity to purchase them. I look forward to their opening in March next year. I assure the Minister that I shall be there. I am certain that the people who move into the units will thank the Housing Commission and the Queensland Government for what has been done to provide them with housing.

I look forward also to the Housing Commission's building more units. As I did on an earlier occasion, I say yet again to the Minister that if he wants to build pensioner units in my electorate, I shall be the first to knock on his door. If he is having trouble in getting the materials out to Mount Gravatt to build units in my electorate, I shall personally come with the wheelbarrow and wheel him and the materials out to Mount Gravatt. I will give my services free to get them built.

I thank the House for its attention, and I again congratulate the Minister.

Sitting suspended from 6 to 7.15 p.m.

Mr MACKENROTH (Chatsworth) (7.15 p.m.): Like the Opposition spokesman on Housing, I too oppose the Bill. I realise that possibly it is dangerous to oppose the Bill. Undoubtedly, the Minister will say in his reply that the Labor Party is against home-ownership and against allowing people to own units. I can imagine his ranting and raving.

We should look a little more closely at what this legislation will do. The legislation will be nothing but a social disaster for people 55 years of age and over. We need to look very closely at what the Bill will do for those people. We should look also at the economics of the scheme.

In his second-reading speech, the Minister really did not tell honourable members anything about how the scheme will operate. The member for Mount Gravatt (Mr Henderson) probably told us more about the scheme in the article in *The Southern Star* and the letter from the Minister, which he read to the House.

Mr Wharton: I gave you the Bill, too.

Mr MACKENROTH: I read the Bill. It does not talk about how the scheme will operate, other than the way in which the units will be sold.

In his speech, the Minister said that at present the Housing Commission can sell these units, and I do not dispute that. The Government is saying to people. "We will sell you a unit, but you are not allowed to resell it unless we give you permission." That is what the Bill is all about.

The Minister could have told us how the scheme will operate. The bit that the Minister told us and the bit that the member for Mount Gravatt told us in reading the letter that the Minister posted to him lead me to believe that the units will be sold under a scheme that is the same as the interest subsidy scheme. I ask the Minister: Am I right in saying that?

Mr Wharton: Yes.

Mr MACKENROTH: This scheme will be the same as the interest subsidy scheme?

Mr Wharton: They will buy them. They will be freehold.

Mr MACKENROTH: They will buy them. When they borrow the money from the Housing Commission, they will borrow it under the Government's interest subsidy scheme?

Mr Wharton: They have to have money of their own, too.

Mr MACKENROTH: That is the deposit. Everyone has to have a deposit to buy a unit. The Government does not allow anybody to go into a unit if he does not have money. The money that these people borrow will be provided under the interest subsidy scheme.

The Minister said that a substantial number of aged persons are not eligible for commission rental units. I agree that there is a substantial number, and that is because of the stringent eligibility requirements that are placed on people wanting units. That has a lot to do with the way in which the State Government gets money from the Federal Government.

To be eligible for a Housing Commission unit, a person must receive supplementary assistance. To receive full supplementary assistance, a person is not allowed to earn income of even $2 a week. If a person receives supplementary assistance of $15 a week and earns income of $2 a week—in other words, if he has $1,000 in a bank or building society and receives $2 a week interest—the supplementary assistance is reduced from $15 to $14, and that person becomes ineligible for a Housing Commission unit. I agree that a substantial number of pensioners would be eligible for Housing Commission units.

The Minister went on to say that the Housing Commission can build and market units at affordable prices—much cheaper than the private market. I saw the plan that the member for Mount Gravatt produced. It is no wonder that the commission can sell the units at affordable prices—much cheaper than the private market. I do not know anywhere in Brisbane where a unit of 4.5 squares is for sale. The only body selling units so small is the Housing Commission.

If I look at the plan and use imperial measurements, I see that the bedroom in the unit is 10 ft x 12 ft. The kitchen is 5 ft wide. Within that 5 ft area has to be placed a kitchen sink, a stove, a refrigerator and anything else that is to be fitted into the kitchen. I ask the Minister to show me a unit anywhere in Brisbane, which somebody is trying to sell, that is only 4.5 squares in area. It is no wonder that the commission will be able to sell such units at affordable prices. If the commission is to build small, substandard units, it will be easy to offer them at prices of between $30,000 and $35,000, as the member for Mount Gravatt suggested.

Mr Wharton: They are the normal pensioner units; you know that.

Mr MACKENROTH: I do not dispute that, but if the Minister reads the speeches that I have made in this place, he will know that the units that are built in Queensland are smaller than any other units in Australia.

Mr Prest: They don't care about the pensioners, as you can see. There is not a soul here on the Government side except the Minister.

Mr MACKENROTH: I did point that out. The Minister is the only one who cares. If I were not speaking myself, I would call for a quorum.

In his second-reading speech, the Minister stated that, to qualify for one of these units, an applicant must be of limited means, must be a pensioner or the spouse of a pensioner, and must be 55 years of age or over. I do not want to hear the Minister say that, because pensioners have a lot of money, they will not need to borrow very much to buy these units. If they have money, they are not of limited means. The Minister cannot have it both ways.

The Minister has stated that applicants for pensioner units will be able to borrow money from the commission. If the units are to be sold at between $30,000 and $35,000, and an applicant has between $10,000 and $15,000, that means that he will have to

borrow $20,000 from the Housing Commission under the interest subsidy scheme. As the Minister is aware, the present interest rate is 13.5 per cent, so the annual interest bill on a loan of $20,000 is $2,700, which is $52 a week. I imagine that most people buying these units will have to borrow at least $20,000.

Bearing in mind the annual interest bill of $2,700, it is useful to work out the outgoings of a pensioner who moves into one of these units. His annual rates bill will be $600, which is $12 a week. The fee for the body corporate, which the Minister has said there will be, will be $6 a week, or $300 a year. The State Government fire services levy is $48 a year. Added together, the weekly figure—which does not include any payment on principal or interest—is $19. That will have to come out of the pension.

I return now to the $52 a week that the pensioner must pay as interest on his loan of $20,000 at 13.5 per cent under the interest subsidy scheme. To meet that bill of $52, a pensioner must have an income of $208, because the interest subsidy scheme works on 25 per cent of income. However, a single pensioner receives $97.90 a week, of which the Housing Commission will take $26.50 and subsidise the interest between $26.50 and $52. The highest pension that a married couple can receive is $163.30 a week, of which $40.80 will go towards interest payments.

The single pensioner will have a shortfall of $25.50, and the married pensioner, $11.20. I ask the House to make the following assumptions: An inflation rate of 7¼ per cent; a pensioner who borrows $20,000, which I think will be the minimum loan that the Housing Commission will be lending; and a pensioner who is of the youngest possible age, that is, 55. Over 10 years, when that pensioner reaches 65 years of age, he will have paid the Housing Commission 25 per cent of every single cent that he has received by way of pension, but he will still owe the Housing Commission $20,000. Added to that figure must be the outgoings incurred over that period. As I stated, on today's figures the outgoings would be $19 a week. From that, one can see that the pensioner certainly is not in a very good position.

Let me take the case of a single pensioner who is getting the full pension of $97.90. I will point out to the House the real reason why the Housing Commission is trying to con pensioners into coming into this scheme. Undoubtedly, the Minister will say that the Labor Party is against home-ownership, that it wants everybody to rent, and all the rest of it. If he wants to criticise the Labor Party, I ask him to give a copy of my speech to everyone who applies for these loans and see how many of them come back.

Under the present scheme, if a single pensioner, who is receiving the full pension of $97.90, rents a unit from the Housing Commission, he will pay the commission $22 or about 20 per cent of his pension. He will pay no more. He will not have to pay one more cent out of his pension for anything to do with that unit, because, after he pays the rent, the Housing Commission is responsible for the maintenance of the unit. However, if he goes to the Housing Commission and purchases one of these units, there is a dramatic change. Undoubtedly, the Minister will tell the House that he is doing good things for these pensioners, but what will happen? The pensioner will pay $26.50 or 25 per cent of his income in repayments. That compares with the $22 rental. He will have weekly outgoings of $19 from his $97.90. That means that the pensioner will be paying $45.50.

The Minister has said that the people who take on these loans will be well to do and will have money, so I will assume that a pensioner takes out a loan of $20,000 and has $10,000 sitting in the bank earning interest. That $10,000 will become the deposit that is paid to the Housing Commission. By doing that, the pensioner loses the 13 per cent interest that he could have earned in a building society or a bank on the $10,000. That equates to $26 a week that could have been earned by way of interest. That will leave the pensioner out of pocket a total of $39.50 if he chooses to purchase rather than rent. In addition to that, he is $25.50 short of meeting the interest bill to the Housing Commission.

Under the scheme proposed by the Minister, the pensioner can rent the unit from the Housing Commission for $22 a week, but the Housing Commission says to him,

"Why don't you own it yourself?" The pensioner may be old, in which case no financial institution in Australia other than the Queensland Housing Commission will lend money to him. It says, "We're real good fellows. We will lend you money. Instead of giving us $22 a week, give us $26.50, and you will have to pay the rates, the body corporate fees and the fire levy." That will cost him another $19, which makes a total of $45.50.

I will now compare the rent of $22 that comes out of his pension with the $45.50 just so the pensioner can say that he owns the unit, which during his life-time, he will never pay off. In fact, if he stays there until he dies, the Queensland Housing Commission will tell his kids to whom they can sell it, because, under this legislation, the kids will not be allowed to live in it.

Mr Vaughan: What about the maintenance on the unit?

Mr MACKENROTH: The maintenance would be part of the body corporate fees.

The Housing Commission is a great organisation! If a unit-owner dies, the Housing Commission will tell the persons in charge of the estate to whom they can sell the unit. Relatives will not be able to live in the unit. If a pensioner dies and is survived by a son who is married, he will not be permitted to live in the unit. The Housing Commission will tell him that he is not eligible to live in the unit that was owned by his mother. It will say, "We will decide who can buy that unit." The Minister should not tell people that he is giving them home-ownership and that they will be able to achieve the great Australian dream in their later years of owning their own home. The Housing Commission will dictate to whom the unit can be sold. Money will need to be borrowed from the Housing Commission. Unless a pensioner is one of the few persons who reaches the age of 100 years, he will never be able to pay off the loan. I have been using an example of someone aged 55 years. Undoubtedly, the Housing Commission will be lending money to people between the ages of 65 and 70 years.

I suggest that the scheme has been introduced for only one reason—to save the Housing Commission money. Since I have been a member of this Assembly, the Housing Commission has become more and more a money-making machine. It has tried to develop new schemes. The scheme of lending money to people was changed to one under which people could borrow money at a very low interest rate. It now lends money at an interest rate of 13½ per cent. Most of that money is lent to the Housing Commission by the Federal Government at less than 5 per cent; so the Housing Commission is making a large sum of money out of that.

The Housing Commission says that it is subsidising borrowers. If somebody would give me money at 5 per cent interest and I could lend it at an interest rate of 13½ per cent, and if a person could afford to pay only 9 per cent interest, I could say, "I will subsidise the difference between 9 per cent and 13½ per cent until you can afford to reach that level." That is what the Housing Commission is saying. Everyone would think that I was a good fellow if I told them that I was subsidising the scheme. I would not be saying to them, "But I am making 4 per cent that I am not telling you about. When you finally reach the stage in a few years of being able to pay back the capital, you will still owe me the same amount." That is exactly how the Housing Commission scheme will operate.

The Opposition is opposed to the legislation but is in no way opposed to home-ownership or to aged people owning their own homes or units. The Minister should not enter this Chamber with a half-baked scheme and try to sell it to the public as a scheme under which pensioners will be able to own their own units. I would like to see the actuarial studies that have been carried out. The Minister has his advisers. Undoubtedly, actuarial studies have been undertaken. In the past, honourable members were shown the amount of profit that the Housing Commission would make out of subsidising home-buyers. I would like to see the actuarial studies on this scheme to work out how long it will be before anyone could pay off a unit, if that is at all possible.

The Queensland Government talks about wanting to keep the family together and wanting to see people living in their own homes. The legislation is supposed to allow

people to buy their own home. Recently, I wrote to the Minister about a divorcee who wanted to borrow money from the Housing Commission to buy the family home. I received a letter from the Minister outlining what must be one of the most ridiculous instances of Government red tape and Government bungling. The Minister stated that a woman who was divorced had to sell her house so that her husband could receive half the proceeds. She was told that, if she sold the house in which she was living, she would be eligible to borrow money from the Housing Commission to buy a house. The Housing Commission could not lend her money to buy the house in which she was living. The woman was told that she should sell the house. That would involve the payment of real estate agent fees, which increased only this week. The real estate agent would receive about $1,500 from the sale. In addition, she would have to pay solicitor's fees.

The woman would get half the money from her husband and would be able to buy a house. The Housing Commission would lend her the money the next day. That is one of the most ridiculous situations that I have ever heard of. If the State Housing Act states that that cannot be done, it is about time the Minister got off his butt and amended the Act. Amendments to the Act are being introduced tonight, and that could have been done.

About 18 months ago, a similar situation occurred, in which a woman who was divorced wanted to buy the family home and live in it. The Housing Commission would not lend her the money to do that. I spoke with officers of the Housing Commission and came to an arrangement with them. That would be the most ridiculous thing that I have ever heard of. The woman sold the house to a friend of hers who sold it back to her the next day when the Housing Commission lent her the money. I repeat that that is ridiculous. Stamp duty and solicitors' fees had to be paid. I suppose the Government makes money out of the stamp duty.

If the Housing Commission wants to keep these women in homes, if it does not want them living in shelters and so on, and if it is prepared to lend them money, why does it not lend them money to buy out their former husbands? That seems to me to be a far better way of doing things. If it necessitates an amendment to the State Housing Act, that should be done. I ask the Minister to take on board my comments in that regard.

Today, I witnessed one of the most refreshing things that I have seen in the eight years that I have been a member of Parliament. Much as I do not like to compliment him, the Minister for Local Government, Main Roads and Racing accepted an amendment that was proposed not by the Government but by the honourable member for Sherwood (Mr Innes), who is a member of the Liberal Party. On previous occasions, the Minister for Local Government has accepted amendments proposed by the Opposition. However, in the eight years that I have been a member of Parliament, the Minister for Local Government is the only Minister who has got broad enough shoulders to say, "Your idea has some merit. I will accept that. I will change the legislation."

I can remember the first speech that I made on housing, which was seven and a half years ago. The Minister for Works and Housing said to me, "Yes, that is a good idea, but I will not do it." The Minister would not do it. He would not accept it from me because I am a member of the Opposition. This is a similar case.

I ask the Minister not to play politics in this matter of divorcees. If the Minister believes that divorcees should automatically qualify for Housing Commission finance, he should agree that they qualify to buy their own home. If that is the case and all it will take is an amendment to the State Housing Act, why does not the Minister do it?

In conclusion, I state briefly that, under the proposed redistribution of the State electoral boundaries, I will lose a Housing Commission estate to an electorate currently held by the National Party. I am very sorrowful about that. It will not receive a good representation. I refer to the Mount Gravatt East housing estate, which I have represented for eight years and undoubtedly will represent until the State election. Naturally, I would

have liked that estate to stay in my electorate, because at least 72 per cent of the people who live in the area are good people and know who to vote for.

Mr Casey: You will still have to look after those people because the National Party doesn't worry about Housing Commission residents.

Mr MACKENROTH: I will still have to. Although the Opposition opposes the legislation, it is not opposed to home-ownership. I do not want the Minister to say in his reply that we are. I repeat that the Labor Party is not opposed to home-ownership. However, it is opposed to the half-baked social disaster that this scheme will be.

Mr BORBIDGE (Surfers Paradise) (7.38 p.m.): In rising to support the legislation, I cannot help but comment on the rather ridiculous statements made by the honourable member who preceded me in the debate. He said that the Opposition is not opposed to home-ownership but that it is opposed to the Queensland Housing Commission making available, to pensioners, homes for sale or purchase. I am at a total loss to understand the logic behind the Opposition's contribution to the debate.

Mr Simpson: It is the double-talk of the Labor Party.

Mr BORBIDGE: Indeed. Opposition members are not opposed to home-ownership, but they intend opposing a Bill that will provide pensioners with home-ownership. How they manage to work that out in their muddled, twisted logic, I cannot understand. A great many people in the community who read the record of this debate will condemn the Labor Party and its members who have contributed to the debate for attempting to prevent them from owning their own homes. I say to the honourable member with a smile all over his face that he should be hanging his head in shame.

Mr Mackenroth: If you want to use my name, acknowledge my interjection.

Mr BORBIDGE: The honourable member for Chatsworth has had his say. He should sit and cop it. We on this side of the House sit and listen to the rubbish that honourable members opposite throw across the Chamber; but, when we attempt to put the Government's point of view, we are subjected to inane interjections, stupid points of order and totally illogical contributions to the debate. How the Labor Party can claim any credibilty in the wider communtity outside is totally beyond me.

Mr Simpson: This measure is as a result of popular demand.

Mr BORBIDGE: As the honourable member for Cooroora has said, the legislation before the Parliament has been drafted because people in the community have requested it. The Government is responding to the needs and aspirations of people in the community who otherwise would not have the opportunity of home-ownership. I look forward to their reaction when they are made aware of the shameful and disgraceful comments made by honourable members opposite.

Mr Simpson interjected.

Mr BORBIDGE: As my friend from Cooroora says, they will never vote Labor. If they ever voted Labor before, they will never again.

It was interesting to hear the Opposition spokesman say that members of the Opposition are opposing the Bill because they consider that it reflects an inappropriate priority; that more money ought to be spent on welfare housing. That statement is made every time a housing Bill is before the Parliament. Honourable members opposite continually fail to acknowledge the considerable problems experienced by the Queensland Government as a result of Commonwealth Government funding. In view of the stupid opposition emanating from the Opposition benches, I will mention again what I have previously referred to in debates on housing matters: if Queensland received the same per capita funding as every other State in Australia, 1 200 people fewer per year would be on our Housing Commission waiting-list. In spite of that, Queensland has one of the shortest Housing Commission waiting-lists in Australia.

Mr Mackenroth: Tell us why we don't get the same per capita funding.

Mr BORBIDGE: Despite the massive financial discrimination imposed by the Canberra colleages of the honourable member who is interjecting, Queensland has one of the shortest waiting-lists in Australia.

Mr Mackenroth interjected.

Mr BORBIDGE: The honourable member who is becoming so excited is a hypocrite. When will he say to his colleagues in Canberra, "Give the Queensland Housing Commission the same treatment as you are giving the New South Wales Government, the Victorian Government, the South Australian Government and Western Australian Government."? He and his colleagues will not do so. It is a cop-out. They continue to betray the people of this State, who look to this Government to provide the necessary welfare accommodation. I repeat that the price of the Federal Government's financial discrimination is that 1 200 Queenslanders a year are deprived of housing.

In spite of that, the Queensland Government is proud that this State has one of the highest rates of home-ownership anywhere in the world. The legislation will certainly consolidate that standing. I ask honourable members opposite: Why are they against it? Why are they proposing that pensioners who would not otherwise be able to purchase homes or home units in Queensland should not benefit from legislation such as this? Members of the Australian Labor Party oppose the Bill, and that is absolutely stupid and an example of plain bloody-mindedness. I can only suggest to honourable members opposite that they will rue the day that they made ridiculous assertions and comments on this Bill.

What the Minister has proposed is not in competition with private enterprise, because the Government wishes to help people who would not otherwise own a home. The people who are eligible for Housing Commission assistance would pay rent for the rest of their lives if it was not for the efforts of the Minister for Works and Housing and the Government. The legislation is an example of the forward-thinking policies produced by the Minister, and will fulfil a legislative void. The Bill represents a commitment to home-ownership in this State.

I understand that the purchase price will be in the vicinity of $32,000. The Opposition claims that people who would not be in a position to purchase a home or a home unit will take advantage of the legislation, and should not be able to do so. I suggest that when members of the Australian Labor Party voice vitriolic opposition to home-ownership, that is the most naked example of their mentality.

Mr Davis: The honourable member for "Sufferers" Paradise—can I ask you a question?

Mr BORBIDGE: The honourable member for Brisbane Central is becoming excited, and I can understand why he is sensitive to the remarks I have made. Members of the Australian Labor Party have nothing to be proud of in terms of the attitude that they have displayed in the Queensland Parliament tonight.

Mr Simpson: Their policies are all wrong.

Mr BORBIDGE: What the honourable member for Cooroora has said is absolutely correct. Their opposition indicates another of their policies that is all wrong. Their opposition to the Bill is dead wrong, and they will rue this day. The honourable member for Brisbane Central is generally a reasonable man. I would have thought that he would embrace the principles that are embodied in the legislation, despite the fact that he will have to face a tough pre-selection battle in the months ahead.

As the Minister indicated in his second-reading speech, research conducted by the Queensland Housing Commission confirms that a substantial number of aged persons in Queensland, because they do not receive supplementary rent assistance, are not eligible for Housing Commission rental units and cannot afford to buy a unit on the open

market. The Housing Commission has suitable land available, and it can build and offer for sale unit accommodation at an affordable price. No other organisation could do that—not private enterprise, and not the Australian Labor Party. The Queensland National Party Government is prepared to take up the challenge of looking after those people.

I suggest that the Minister for Works and Housing should receive unanimous support from honourable members who have a genuine commitment to the principle of home-ownership. Those who oppose the legislation obviously do not embrace that commitment.

By including qualifications that attach to eligibility, the legislation provides a mechanism by which a community of interest will be preserved when the unit is offered for resale at a later time.

Mr Price: Will the units contain air-conditioning?

Mr BORBIDGE: The honourable member for Mount Isa mentions air-conditioning among the many comments that he makes in the House. I wonder whether the honourable member is saying that the units should have air-conditioning, because I thought the attitude of the Opposition was that the scheme had no merit—at least, that is the attitude that is being conveyed.

Mr Price: If the units are not air-conditioned, they will cause the death of pensioners.

Mr BORBIDGE: The honourable member for Mount Isa is obviously at odds with the other members of his political party, but I cannot help that. I am disappointed in him, because I thought that he also was a reasonable man.

Mr White: If the pensioners who presently live at Mount Isa were to come down to Redcliffe, they would not have to worry about air-conditioning.

Mr BORBIDGE: The observation made by the honourable member for Redcliffe is valid and could also relate to other pleasant areas of Queensland, such as the Gold Coast.

The requirements relative to the sale or resale of units include conditions that an applicant must be a person of limited means, must be a pensioner or the spouse of a pensioner——

Mr Vaughan: You would not know, would you?

Mr BORBIDGE: Does not the honourable member know what a pensioner is? May I enlighten the honourable member, who does not seem to know what a pensioner is?

Mr Vaughan: What does "limited means" mean?

Mr BORBIDGE: I was trying to tell the House that what the Government is doing will benefit a large number of people—as has been confirmed by market research—who would not be able to buy their own home, and would not normally benefit by being eligible for Housing Commission assistance.

Mr Vaughan: How much deposit?

Mr BORBIDGE: I ask the honourable member who is interjecting whether he is against that.

Mr Vaughan: We want information.

Mr BORBIDGE: I suggest to the honourable member that he has been given all the information he requires. I invite the honourable member to be condemned by his comment: is he opposing the rights of pensioners in Queensland to own their own home units? I have asked the honourable member for Nudgee a question, but he is sitting in stunned silence. He has not the courage to tell the Parliament where he stands.

The other requirements relative to purchase are that the person must intend to use the house for himself, for himself and his spouse, or for himself and one other person.

Mr Vaughan: What about "herself"?

Mr BORBIDGE: For the benefit of the honourable member for Nudgee, I will say "him or her".

The other condition is that no other house must be owned in Queensland or elsewhere. I am at a loss to understand the comments made by the honourable member for Nudgee.

Mr VAUGHAN: I rise to a point of order. The member for Surfers Paradise said "him or her". As I read page 3 of the Bill, it says, ". . . himself; himself and his spouse; or himself and one other person . . ." No reference is made to "herself".

Mr DEPUTY SPEAKER (Mr Menzel): Order! There is no point of order. I think the honourable member for Nudgee knew that before he took his point of order.

Mr BORBIDGE: The honourable member's point of order was rather pointless.

Mr Alison: It was a waste of time.

Mr BORBIDGE: It was a waste of valuable time, and it reveals the sensitivity of honourable members opposite.

I again ask the honourable member for Nudgee whether, by opposing the Bill, he is opposing the right of pensioners to own a home or a home unit in Queensland. The honourable member has not the courage to answer "Yes" or "No". He stands condemned in the eyes of the people of Queensland because of his stupid comments in this Parliament. I suggest to the honourable member for Rockhampton North, who is sitting next to the honourable member for Nudgee, that his contribution was not much better.

If honourable members opposite had taken more than a passing interest in the legislation or had taken more than a cursory glance at it—if, for example, they had read the Minister's second-reading speech—they would be aware that the Minister confirmed that market research carried out by the Housing Commission has convinced the Government that this legislation will satisfy a public demand and will permit pensioners with modest means to purchase units at an affordable price. It will provide pensioners with yet another choice in their latter years.

Mr Vaughan: You tell me when they will own it.

Mr BORBIDGE: In reply to the honourable member's interjection, I refer him to the third page of the Minister's second-reading speech. If he bothers to take an interest, he may learn something.

As the honourable member for Mount Gravatt said earlier, the first units will be built at Mount Gravatt and, as demand indicates, an increasingly wide range of choice will be made available. I suggest that the demand could well be considerable. As I indicated earlier in the debate, the Government is doing something that has not been done before. Many people in the community stand to benefit from the very real and genuine reforms contained in this legislation.

It is all very well for Opposition members to talk about the need for more welfare housing. If they are fair dinkum about that, they should start talking to their colleagues in Canberra about a fair deal for this State in the provision of capital funding. Opposition members use that cry as a smoke-screen because they do not really believe in home-ownership. They do not really believe that pensioners in this State should have the right to own their own home or their own home unit.

Mr Alison interjected.

Mr BORBIDGE: As my friend the honourable member for Maryborough says, the Labor Party believes that pensioners should be dependent on the State. It would tie them up for ever. This Government does not believe in that policy. Through this legislation, the Government is doing something that will be particularly beneficial.

This legislation is of extreme importance. When the legislation was discussed by the Minister's committee and in the party-room, I thought that, because of the principles contained in it, the legislation would have received the unanimous support of Opposition members. From the comments that have been made during the debate, that apparently is not the case.

I record my disappointment at the attitude of Opposition members. I am not surprised at that attitude because they adopt the ongoing tactic of trying to drag down every positive initiative that the Government introduces. Government members have become used to that. Mr Deputy Speaker, I assure you that, outside the walls of this Chamber, this legislation will be widely acclaimed. I commend the Minister and congratulate the Government for introducing the legislation.

Mr WHITE (Redcliffe) (7.56 p.m.): It is with great pleasure that I support the legislation introduced by the Government. The Liberal Party has always felt very strongly about home-ownership. I do not think that there is anything more important for a family, and particularly for aged people, than owning their own home. It gives them a sense of pride. That has been an integral part of the policy of the Liberal Party ever since the party was incorporated in 1944. I well remember reading the remarks of a former Federal Labor Minister—I think it was Mr Dedman—who feared private ownership of housing because he thought that it would turn people into little capitalists. If it means turning people into little capitalists, I am all for it. If it means giving pensioners a little more dignity and allowing them to have their own garden and surrounds and to be proud of them, it is a very good idea.

There might well be bugs in the legislation, but I do not think that that is any reason why the Liberal Party should be negative about it, as the Opposition is. I am sorry that the Opposition spokesman on Housing was so definite in his opposition to what I regard as a very positive initiative. My electorate has probably the largest percentage of aged pensioners of any electorate in the State. Over the years, and again recently, I have spoken to pensioner groups. Even though there is a waiting-list, they are extremely appreciative of the work being done by the Housing Commission, particularly with pensioner units. On behalf of the people whom I represent, I take this opportunity to express my appreciation to the Commissioner of Housing (Mr Hall), who is present tonight, and to his staff for their assistance in helping to accommodate the people in my electorate.

Mr Yewdale: In pensioner units?

Mr WHITE: Yes. The pensioner units are really terrific, and the Housing Commission is to be commended.

I have attended ministerial council meetings. At those meetings, it was interesting to see the change in attitude of some of the Labor Ministers when a Federal Labor Government came to power. There was always a shortage of funding. We all know that there are waiting-lists and that Governments of all political persuasions are doing what they can to reduce those waiting-lists. The problem cannot be overcome overnight.

Before dealing directly with this Bill, I will speak a little about what has happened in my electorate. I thank the Minister for his assistance, and I extend my appreciation to him for the way in which he took up the suggestion that I put to him some time ago that pensioner units should be named after pioneer families who lived in the area. Over recent years, the Warbrick Lodge and the Filmer Lodge were established. Recently, the Minister opened the Dunnell Lodge in Maine Road, Clontarf. Earlier, a magnificent block of units was established in Oxley Avenue, Woody Point, and a very pleasant, smaller development was constructed on the corner of Murphy Street and Landsborough Avenue, Scarborough.

It is very easy to be critical of the commission. I used often to say to the Minister of the time that I would find it very hard to find the answers to housing problems. It

is not an easy task, but at least this Bill shows initiative and is a move in the right direction. The proposal should be supported.

The Federal Labor Government's first home ownership scheme has been a great success. One ought to be fair in one's outlook on these matters. I find it difficult to accept the attitude of people who have to take a partisan view on matters such as this. If the Government is doing a job well and is taking initiatives, everyone should be big enough to say, "That's good." One has only to look at the increase in home-ownership among young people that has been brought about by the first home ownership scheme to realise that it has been successful. However, I am disappointed that the Federal Government has cut back its funding for the scheme.

Mr Milliner: Here we go again.

Mr WHITE: The honourable member for Everton expects laudatory words to be spoken about the Federal Government at all times. However, the facts of life are that, unfortunately—and I regret to say this—the Federal Government is to cut back its assistance to the first home ownership scheme. That will make it more difficult for young people to get into their own homes. It also means that greater demands will be placed on welfare housing. Nevertheless, I make the point that the Federal Labor Government ought to be congratulated on what it has done to push that scheme along. It is sad that funding is to be cut back because that will have a severe impact.

I understand that the cost of the pensioner units is to be of the order of $32,000. Perhaps, in his reply, the Minister would indicate whether that is so. In his second-reading speech, he laid down the criteria for eligibility. He also stated—

> "The commission has suitable land and can build and market the units at affordable prices—much cheaper than the private market."

I find that a bit hard to come to grips with. How can a Government instrumentality do it cheaper than private enterprise? Has the cost of land been taken into consideration because, as I understand it, most of the housing contracts these days go out to private enterprise. I support that policy very strongly, as does my party. I am delighted at the work that has been carried out across the State. I must admit, though, that I find it hard to come to grips with the suggestion that the commission will build these units more cheaply than private enterprise.

Mr Milliner: Do you support private enterprise?

Mr WHITE: I thought the honourable member for Everton would know that.

Mr Milliner: If you support private enterprise, why are you trying to monopolise chemist shops?

Mr WHITE: As the member for Everton would well know, there is no monopoly in the pharmaceutical-retailing world. It is one of the most competitive areas of retailing in the nation. If one had a monopoly in that field, one would be very happy, but the facts of life are that Queensland has more than 1 000 retail outlets and my wife and I own only five. They have a relatively small impact.

Mr Eaton: I hope you will make a claim on the tax-man for the cost of the advertising that is included in this speech.

Mr WHITE: The member for Mourilyan brings me back to the debate.

I would like to know from the Minister precisely how the Housing Commission will build those units cheaper than private enterprise can build them. I realise that Governments have to, and ought to, deliver a number of services, but I question how in the construction industry and in the housing industry the Government can build them cheaper than private enterprise can build them. I leave that with the Minister. Perhaps he will be kind enough to comment on that in his reply.

I move on to the eligibility criteria contained in the Bill. The first is that the applicant be of limited means. No amount is given. I hope the Minister can spell that out.

In his second-reading speech, the Minister said—

> "In order to provide a public awareness that the units are reserved for eligible persons only, the title of the land and, later, the titles for each of the units will be noted by the Registrar of Titles with the following endorsement—
>
> 'Attention is directed to the provisions of section 23B of the State Housing Act 1945-1985 relating to change of registered proprietors.' "

I ask the Minister—I hope he will enlighten the House in his reply—whether once an eligible pensioner buys one of those units, he can sell it to another person. Does the Bill mean that before a sale or a transfer can be effected, it has to be approved by the Housing Commission? I interpret the Bill as providing that, but I would like to have that confirmed.

Mr Yewdale: Would you agree with me that in his speech the Minister said nothing? He said a lot of things, but he said nothing.

Mr WHITE: Well, having been a Minister myself, I can understand why.

In fairness, the Minister ought to spell out how the transfer of these properties will take place. I am a little concerned that somebody will have to go to Big Brother, as it were, and get permission to transfer the ownership.

I also raise the question of subletting, apart from reselling. Will age pensioners who own those units be able to rent them if they so desire? Say for argument's sake that they were hospitalised for a long period. What will be the position with relatives and so forth? A number of aspects involving transfer of ownership need to be clarified.

I know that the Labor Party, in expressing its objection, made the point that it is not opposed to home-ownership. I find it very hard to reconcile that statement with its opposition to the Bill. If it is not opposed to home-ownership, why does it oppose this Bill? I would be more than delighted to see some of the units built in the fair city of Redcliffe, if the Minister sees fit to have them built there. I know the Minister is well aware of my representations. Redcliffe has a very high pensioner population.

Mr Davis: If you get those units there, how about the pensioners going down there by train?

Mr WHITE: The member for Brisbane Central refers to the "ghost" train. I will be interested to see whether or not the Premier makes the promise for the fourth election in succession.

I do not think that the pensioners of Redcliffe are very impressed with politicians who come down to Redcliffe at election-time and make promises. It will be interesting to see what happens in the forthcoming election. The pensioners of Redcliffe are well catered for. The housing problem is being tackled by the Housing Commission, for which the people are extremely grateful. We ought to encourage anything that will bring about home-ownership, whether it involves a young couple, an age pensioner or a middle-aged couple. That brings with it a sense of pride as well as an investment in one's own country. It will also lead to a better environment.

The standard of lawns and gardens on commission estates varies greatly from the standards at private enterprise developments. One of the key reasons for that is that many people regard themselves only as tenants and do not make any effort to maintain their properties. That is regrettable, particularly as those persons are receiving heavily subsidised rentals. It is therefore desirable to do everything possible to facilitate home-ownership in this State.

I again indicate the Liberal Party's support and congratulate the Minister on taking the initiative. I appreciate the help that the Minister and his department have given me in Redcliffe.

Mr VAUGHAN (Nudgee) (8.11 p.m.): When I read the Minister's second-reading speech and the Bill, I thought that the proposal was not a bad idea and that it had some merit. I made that initial assessment because of a particular situation that was brought to my notice by a person who lives outside my electorate.

A woman who had recently lost her husband was tired of living by herself in a rather large home. She decided to sell her home and move into a mobile caravan village. It is important to relate the circumstances in which she placed herself. This lady is an age pensioner. She bought a so-called mobile unit for approximately $23,000. She paid to have the mobile unit located in a caravan village. She paid $350 to have the unit connected to the sewerage system. Currently, she pays $5-odd a week for sewerage and water supply. She pays rent of $42 a week for the site. She pays for her electricity, which has increased from 13.5c per unit to 16c per unit. That lady would be better off selling her unit, investing her money and renting accommodation.

As I said, when I first read the Minister's speech and the Bill, I thought that the scheme was not a bad idea. However, in the light of the analysis given by the honourable member for Chatsworth (Mr Mackenroth) and the economics of a person entering into the purchase of a Housing Commission unit and paying the interest on the money borrowed from the Housing Commission, the rates, the fire services levy and other costs, it is not a very good proposition.

I wish to make some comments in an advisory capacity. The Minister, in his second-reading speech, said—

> "My purpose in introducing the Bill is to provide legislation that will enable the Queensland Housing Commission to sell units to aged pensioners."

The Minister mentioned "aged pensioners". In fact, he mentioned "aged pensioners" throughout his second-reading speech. The legislation does not make provision only for age pensioners. The Minister mentioned also that the applicant must have attained the age of 55 years. One cannot be an age pensioner at 55. To be an age pensioner, a person must be a female aged 60 years or a male aged 65 years. I was somewhat misled when the Minister referred to age pensioners in his second-reading speech.

As has been mentioned by other members, to qualify for a home, a person must be of limited means. A big gap appears in the legislation in that the Minister has not spelt out what is meant by a person of limited means. Does it refer to a person who has $15,000, $20,000 or $32,000 in the bank? That was referred to by the honourable member for Surfers Pradise (Mr Borbidge). That is one of the reasons why I probed the honourable member for Surfers Paradise in an endeavour to find out what is meant by limited means.

It is all very well to say, as the honourable member for Surfers Paradise did, that these units will be built at a cost of approximately $32,000. If a person on an age, invalid or widow's pension, as outlined in the Bill, borrows that amount or anywhere near that amount, it will be on the never-never system, having regard to the extent of their income. So whilst great play has been made by Government members on what is being done so that pensioners will own their own home, the fact is that they will never own their own home. It is a never-never proposition.

The honourable member for Surfers Paradise went through the Bill and referred to "himself." That is one of the points on which I want to take the Minister to task. I know that the Government does not want to embroil itself in an argument with the feminists in society. However, it is a provision of the Bill that "that person intends to use the lot as a home for himself". No mention is made of "herself". One would assume that it does not apply to females. The Bill refers to "himself" and "himself and his spouse". What about "herself and her spouse" if "herself" happens to be the person who is of limited means?

The Bill goes on to say, "himself and one other person", not, "himself or herself and one other person". No definition is given of the other person. Will the other person be a male? Will the other person be a female? Will it be a de facto relationship? Will

it be a homosexual relationship? After the amendments to the Liquor Act last week, honourable members know the Government's views on that subject. The door is being left wide open. I do not advocate any particular course. However, the Bill does say "himself and one other person".

Does the other person have to be an age pensioner? If the other person is not on an age, invalid or widow's pension, who will that person be? Is a person who is a "himself" and in receipt of the age pension to be allowed to purchase one of these units if he intends to move in with another person who is not in receipt of an age, invalid or widow's pension? What is the position?

I want to raise a matter that was referred to by the honourable member for Chatsworth (Mr Mackenroth). It relates to a person in my electorate. Unfortunately, it involves a broken marriage. The marital home is about to be sold. The person to whom I refer has three children and has lived in the house for 10 years with her husband. Now that she has obtained a divorce and they are about to sell up, she wants to buy the house because that is where she has raised her children. At present, her husband lives in the house and she does not. The woman has been told that she is eligible for a Housing Commission loan. However, officers of the Housing Commission have told her that she can buy any house she chooses but not that house.

I believe that that is wrong. It is time that the legislation was changed. Why cannot that woman, who has raised her children in that house, has some equity in that house and is eligible for a Housing Commission loan buy any house except that particular house? Why has she to be faced with paying the stamp duty and the solicitor's fees when she could buy that house without those outlays? The stage has been reached at which a different attitude has to be taken. We are living in an enlightened age, and it is about time the Housing Commission recognised that.

My last point relates to units for single persons. The Minister is aware of an instance that I raised with him recently of an invalid pensioner, 59 years of age. For various reasons, I will not relate to the House the circumstances in which she has been living. She has not been paying rent, but she has been doing a little work in exchange for free board and lodging. She has applied for State rental accommodation but faces a wait of three or four years. It could be said that she might be eligible to purchase one of the units to be provided under the terms of the Bill. However, the first block is to be built at Mount Gravatt. I do not know how many will be built after that, but the suggestion is that it will not be many.

The invalid pensioner to whom I have referred has not been paying rent and therefore has not been receiving supplementary assistance. As a consequence, she is not eligible for a Queensland Housing Commission unit. There is something wrong when a person such as that is faced with a three or four-year wait.

I have heard the Minister refer in the Chamber to the reduction in the waiting-time for Housing Commission units. However, that is not so for single persons. If a person in our community is single, that is tough cheese. He cannot secure a Housing Commission unit for three or four years, if then. That is wrong. The Government is making great play of benefiting invalid pensioners, age pensioners and widowed pensioners by allowing them to purchase their own units—and I repeat that I have reservations about that—so why, for heaven's sake, can it not provide for the 59-year-old single invalid pensioners? Many people in the community are living in circumstances similar to those of the person whose plight I have related. The Government ought to enable those people to obtain State rental accommodation. They seem to be the forgotten ones.

Mr GYGAR (Stafford) (8.21 p.m.): I, as a member of the Liberal Party, support the Bill because of its intent. Quite clearly, its intent is to bring home-ownership within the reach of people who presently do not meet the requirements, either because of financial difficulties or for other reasons. The Bill is therefore worthy of the support of every honourable member.

It is also worth mentioning that there is a significant contrast between the policies of this Government and the past coalition Government and those of the Federal Labor Government. The housing policy of this State—and I am happy to see that this measure continues the policy instituted by a coalition Government—has always been directed towards people owning their own homes. The Bill is just another of the many schemes that have been introduced by Queensland to achieve that end. All honourable members recall the low-deposit scheme and the buy-in scheme, under which a person could have his rent set aside towards the eventual payment for the home.

All of those schemes were designed for the one purpose: so that people could own their own homes. It is a goal that both the Liberal Party and the National Party seek to attain—a goal that is completely opposed by members of the Australian Labor Party. They should have to answer to the people of Queensland and to the people of Australia for their policies. Why has there been a change in the policy of the Queensland Housing Commission about whether or not people may buy the homes that they live in? The simple reason is that the Federal Government will not allow it. It seems incredible that in this country, with its home-ownership ethic, the Federal Government has the nerve and the hide to adopt policies deliberately designed to prevent people from owning the homes that they have lived in, often for many years.

Again I urge the Minister to take whatever steps he can in his dealings with the Federal Government to bring about a reversal of those un-Australian policies. That is what they are—un-Australian, like so much of what the Australian Labor Party has been doing in recent years, since left-wing foreigners began taking it over. An alien policy for Australia—that is what the Labor Party is about, and that is what the Bill is totally opposed to.

Mr McElligott interjected.

Mr GYGAR: If the member for Townsville wishes to interject and tell us that he is proud of the policy of his Federal colleagues that will prevent Australians from owning their own home, I am delighted to have him recorded in *Hansard* as saying that; but I am sure that 99 per cent of the people in his electorate—and 99 per cent of other Australians—do not agree with that policy. They will show that at the next election.

Having supported the Bill in general terms, I turn now to remark on the content of the Bill and the way in which the Government has set about achieving this admirable objective. If I may say so, I think one of the great faults of this National Party Government is that, although it knows what it wants to achieve, it experiences extreme difficulty in achieving its aims, because it lacks the depth of experience and high quality of advice that it formerly received from the Liberal Party.

I suggest that the provisions of the Bill could be much clearer. They would have been, if the same sensible and rational people who formerly assisted the Government with its legislative drafting had been able to do so again. I am uncertain about who will benefit from the implementation of these provisions. I suggest that it is not enough to bring before the House a Bill that is couched in bland generalities by referring to people who are unable to buy a unit on the open market. Although many people find themselves in such a predicament, when a Government introduces a new scheme, it behoves the Government to show who it is intended will benefit from the scheme, so that the merits or otherwise of the Bill can be judged by Parliament.

For example, the Minister has said that in order to qualify, a person must be of "limited means". Because all things are relative, the terms of the Bill ought to be defined. Honourable members have already witnessed Brian Maher being the recipient of legal aid. I hope that he would not qualify for a pensioner unit through the scheme. The House should be informed of exactly what "limited means" means, but I do not see any definition of that term contained in the Bill.

Other aspects that should arouse disquiet are the Minister's statements about free enterprise, and how the private sector is so much more effective than the public sector. Yet the Minister, in his second-reading speech, made the extraordinary statement that

the commission can build and market the units at affordable prices "much cheaper than the private market". If that statement is true, the Minister deserves a medal, because it is a world first. He has discovered the secret of eternal political victory, because he has at last provided a Government that can do things cheaper than private enterprise can do them. I would be delighted to see how that will eventuate. I would also be interested to hear the Minister's explanation.

Mr Yewdale: The Minister is not bound by local authority by-laws.

Mr GYGAR: Never in history has a Government been able to do things cheaper than the private sector can.

I am quite sure that the Minister is not proposing that the Housing Commission should construct substandard, jerry-built units that would not comply in every sense with standard building codes.

Mr Yewdale: He has not even told us what the provisions are about.

Mr GYGAR: The honourable member for Rockhampton North reinforces the point I am making—that not enough certainty is contained in the provisions of the Bill.

However, I take the matter a little further. The House should be concerned that the Bill creates a new form of title. The law has always recognised property dealings as being either in fee simple, leasehold or rented. Clear and distinct categories are provided for the beneficial ownership or occupancy of land. I am afraid that the provisions of the Bill present a rather alien concept.

The essence of purchase and ownership is known in law that relates to property as fee simple, which means that the land belongs to the purchaser and the purchaser can do as he pleases with it. However, the provisons of the Bill introduce a restrictive covenant that means that the ownership does not fall into the category of fee simple—not by any stretch of the imagination. The reason is that a restriction is placed over the ownership in terms of who the property can be sold to. That proposal has grave dangers inherent in it.

Members of the Government should recall the horrible example of a previous coalition Federal Government that introduced retrospective legislation. That policy was wrong, and most people knew that it was wrong. Members of the Liberal Party in Queensland knew exactly what would happen further down the track—that is, it would be used as an excuse by the socialists to introduce policies that would be totally repugnant to everyone. That is exactly what happened, because retrospective legislation is now a fact of life. I ask the Minister to bear that historical experience in mind when he thinks about derogating from the time-honoured principle of land owned in fee simple being truly owned by the people.

Frankly, if I were in practice as a solicitor, I would never advise any person to purchase one of these units because he cannot sell it. Can Opposition members truly say that anyone truly owns anything if he does not have the right to dispose of it?

I ask the Minister to think of what the socialists will make of this 10 years down the track. Does anyone honestly believe that he really owns anything if he cannot dispose of it?

The Minister said that the registrar will not register a change of proprietor subsequent to the first sale from the commission unless it is accompanied by a form of consent from the Queensland Housing Commission.

I should like to know, and the House deserves to know, more about this quite extraordinary new provision on what is allegedly a fee simple holding. It has been said that it will be sold, and that it is in fee simple. But it is not. The House deserves to know more about this new, exciting and rather disturbing method of holding land in the State of Queensland.

Mr Borbidge: Do you support the Bill?

Mr GYGAR: I support the Bill. I support the thrust of the Bill and what the Minister is trying to do, but I come back to the point that I made earlier, namely, that this legislation is an example of good intentions not being carried forward properly because insufficient thought and consideration have been given to the mechanics.

Mr Borbidge: What do you propose?

Mr GYGAR: The Minister has introduced a novel concept. Frankly, I do not believe that it is appropriate. It is like being pregnant. A woman is either pregnant or she is not. A person either owns a unit or he does not. These people just do not own their units. If they cannot sell them, they do not own them.

I would like this measure to be expanded greatly so that we may get a true idea of the restrictions that the people will face. For example, under what conditions will the consent be refused? The Minister said quite simply that unit-holders will have to sell them to other pensioners. What happens if there are no pensioners wanting to buy the units?

Mr Davis: We will create them.

Mr GYGAR: *Hansard* must record the interjection made by the honourable member for Brisbane Central. He virtually said that if there are not enough pensioners, he will create a few. That is in the time-honoured Labor tradition. For quite a long time, Labor has been creating new pensioners and new welfare recipients, particularly people on the dole. Labor is also well down the track to creating a few homeless people because of the way that it is treating interest rates.

I am sure that all honourable members recall the famous promise made by the Prime Minister of Australia, "Elect me, and interest rates will be down in 1985." Interest rates in real terms are now at the highest level they have ever been in this country.

Opposition Members interjected.

Mr GYGAR: I can tell, from the braying of the incompetents, the economic blunderers on the Labor benches, that they do not like the facts. They do not want something like this to become public. They do not want the truth to be revealed to the Australian people about the rotten mess that the Federal Labor Government has made of the housing industry in Australia and of accommodation for Australians.

Mr Vaughan interjected.

Mr GYGAR: How does the honourable member for Nudgee explain to his constituents the sky-rocketing mortgage payments, the fact that they cannot buy a home because they cannot afford to meet the interest rates that have increased sharply, thanks to the economic incompetence of his colleagues in Canberra. Yet Opposition members still have the gall to allegedly support them. On other occasions, we have discussed un-Australian activities. The Federal Government's action is a classic example of such activities. Do Labor members say that the Prime Minister is a truthful man?

Mr Vaughan: He's an honourable man.

Mr GYGAR: He is an honourable man who just happens to twist the truth occasionally?

Mr Vaughan: Fancy you guys talking about that.

Mr GYGAR: Is not this Prime Minister the man who went to the Australian people and said certain things? I think I recall him saying, "Interest rates will go down." This honourable man told the Australian people that interest rates would go down. The honourable member for Nudgee might recall that the Prime Minister told the people a couple of other things. What did he say about capital gains tax? As I recall, he stood up and said, "Let me make one thing perfectly clear: there will be no capital gains tax under my Government." The honourable member finds those things embarrassing.

To return to the Bill—a bit more clarification is needed. This is an attempt to create what to me is really a new form of title. The covenant that is placed on the title is so restrictive. It says, "You can't sell unless we let you." I suggest to the Minister that, under those terms, it is very hard to say that the people do truly own the unit. They cannot dispose of the unit without consent in writing from someone else, which is lodged with the registrar.

Of course, the Bill contains other interesting matters. One is tempted to consider the broad range of housing issues. As the Minister has chosen to spend money on pensioner housing, one could look at other schemes that could and should be introduced to assist in providing home-ownership so that fewer people are found in the predicament of not having housing. The Minister should have a look at the Stamp Act. One of the greatest acts of injustice that have been committed in this Parliament in the last 12 months was the amendment to the Stamp Act. Under that amendment, millionaire farmers can pass their properties to their sons and pay no stamp duty. Yet a widowed pensioner in the metropolitan area of Brisbane still has to pay full stamp duty on the transfer of property to his or her children. That is disgraceful. The Government should be ashamed of that provision, and the Act should be changed.

As has been stated often in this place, legislation should be equitable. If there is one provision that is inequitable in the Stamp Act, it is that dreadful provision that so penalises the ordinary working people, widows and pensioners in city areas, yet gives a gross advantage to the millionaire cow-cockies who live outside town. I do not think that that is good enough.

If the Minister wants to save some money and get full usage from the money expended by the department, the department should look at the utilisation of presently vacant land. We have been told that the units will be built at Mount Gravatt. I am interested to know for how long the Government has held that land at Mount Gravatt, and how much land that the Government is holding all over the State is not being used.

Mr Davis: They have already turned the sod and everything else and the legislation is only now being brought in.

Mr GYGAR: The honourable member for Brisbane Central alleges that the project is proceeding without the authority of this Parliament. I find that very hard to believe. The honourable member should be aware that the authority of this Parliament is not required for the turning of sods and the construction of buildings. In this case, the authority of Parliament is required to introduce this new and interesting form of title that we have been discussing. Yet again, the honourable member displays a total lack of knowledge about the law of the State. That is common with most of his colleagues on the Opposition front bench. God save us if they are ever elected to Government!

I was discussing a more appropriate utilisation of vacant land so that funds are not tied up unnecessarily in Housing Commission projects that are not providing housing for anyone. In this instance, I direct the Minister's attention to the large block of land at the corner of Farrant Street, in the electorate of Stafford. I assure the Minister that that land will no longer be required by Mr Patrick Blake for use as an electorate office when he runs as a National Party candidate. The Minister can now afford to build the home units that have been promised on that block of land for so many years. The garage has been demolished. The old office block is no longer there to be used as an electorate office in the next State election. There is no point in keeping the land vacant. Four years ago, the people of Stafford were promised that the land would be used for the construction of pensioner units. They still have not been built.

I ask the Minister to be a bit fair about this matter. Over many years, he has had an excellent record for the way in which he has adopted an even-handed and fair approach in the administration of his portfolio. I have congratulated him on that previously, and I congratulate him on it now. The Minister, his officers and his personal staff have an enviable record that could well be emulated by other Ministers and other people of authority in this State.

I urge the Minister not to fall for the cheap political stunts that have become popular with some of his ministerial colleagues. OK, fair enough, the Government has chosen to do something innovative and to throw it into one of its own electorates in a desperate and despairing bid to save the temporary member. But not all of the money should be poured into marginal National Party electorates in vain attempts to hold onto power. It should be spread round. It should go to areas in which there is an established and genuine need for pensioner accommodation.

I happen to have one of those areas in my electorate, and it would be remiss of me in my representation of my constituents if I did not, in the strongest possible terms, urge the Minister to put the block of land to which I have referred high on the list of priorities. It is well known that the units are needed. It is also well known that it is a tremendous advantage for elderly people to be able to get into Housing Commission units.

Pensioners seeking these units do not want to move away from the areas in which they have lived for years, and in which they have their favourite shops and their friends, so it is an excellent policy to build units in the suburbs in which the people already live. I urge the Minister, in line with his reputation and past history, to be fair and even-handed in the allocation of resources for the construction of pensioner units.

The idea behind the scheme is a good one, and I applaud it. The Liberal Party supports the policy, and it will continue to do so because it gives people the opportunity to own their own homes and to fulfil the great Australian dream. In these days of Federal Labor Governments that bring down policies designed to stop people from owning their own homes and do not care about the massive interest rates that are driving people away from the dream of home-ownership, all the help that can be given is needed. I congratulate the Government on doing that. However, some of the details need to be tidied up.

In particular, I express concern about this new form of title and this restrictive covenant that will fall over these homes. I do not believe that it is necessary. All of the commission pensioner units that I have seen so far are perfect for pensioners. Frankly, nobody else would want them. The pensioner units that were built in my electorate some years ago are outstanding. They are just what pensioners want. But, for the life of me, I cannot imagine anyone other than a pensioner wanting them. There is not enough room in them to swing a cat. That is what pensioners want. They do not want to have to look after vast areas that they are not going to use, and they have neat, tidy, little gardens that need very little maintenance. They are obviously unsuitable for anyone other than a pensioner, so why is it necessary to have this restrictive covenant? The Housing Commission could put on the market tomorrow every pensioner unit that it owns in Stafford and, although they might be owned by other people or bought by families, I guarantee that their occupants would almost exlusively be pensioners. They would be bought by the sons and daughters.

Mr Price: They're hot-boxes.

Mr GYGAR: The honourable member for Mount Isa said that pensioner units are hot-boxes. Well, on the basis of his criticism, I urge the Minister to re-examine his works programs and build, in Stafford, the units that the commission was to build in Mount Isa. I will take as many as the commission can build.

I do not think that it is necessary to have this restrictive covenant. I can understand why it has been put forward, but it introduces a whole new field that is not necessary in the laws of this State. I suggest that it will create unnecessary competition.

Mr Veivers: Do you support the Bill or not?

Mr GYGAR: It is regrettable that the honourable member for Ashgrove has difficulty thinking at this time of the evening. Really he has difficulty all the time. I will go through it chapter and verse again just for him. I am aware that, by agreement, the time limit for speeches on this Bill has been reduced to 20 minutes. I am sure that, even if I did

say it all again, the honourable member for Ashgrove would be no wiser; perhaps a little better informed, but certainly no wiser. Most honourable members have given up on him.

I urge the Minister to re-examine this measure. I do not think that the covenants are necessary. The object of the Bill will be achieved merely by building the units as pensioner units, because they will be occupied by pensioners.

Mr PREST (Port Curtis) (8.44 p.m.): When the Minister first announced the concept of this Bill, all honourable members were very much excited about it, because it seemed that the provisions would be of very great benefit to the pensioners of the State. The Minister's second-reading speech did not say very much, and now we all have reservations. After hearing the statistics quoted by the member for Chatsworth (Mr Mackenroth), we have even more reservations. One of the things that have been lacking in the introduction of the Bill is that, in his second-reading speech, the Minister failed to spell out the nitty-gritty of what will be required of pensioners to meet their obligations.

Pensioners' repayments to the Housing Commission will be at least one week's pension each month. On top of that, they have payments to the corporate body, payments of rates and charges to the local authority and payments to the local authority for the fire services levy, which it collects on behalf of the State Fire Services. When insurance premiums and the cost of electricity are taken into account, very little will be left from the pensions.

Honourable members should not forget that when a pensioner purchases one of these units, he does not get the supplementary rent assistance that is available if he rents a house in the private sector and pays approximately $40 a week rent. The way the payment is made with supplementary rent assistance is that 10 is taken off the 40 and the remainder of 30 is divided by two. That gives $15, which is the amount of assistance. In effect, the net rental is $25. However, when a person is renting, he does not have to pay rates or charges, the fire levy, insurance or body corporate fees. That means that any money he has in the bank remains there and, at the end of his life, at least that money is still there—unlike the position that will arise from the purchase of one of these pensioner units.

To qualify, pensioners must be 55 years of age and must be of limited means. Obviously the purchaser, if he is of limited means, will have to borrow money from the commission to pay for this unit. As the member for Chatsworth pointed out, with an interest rate of 13.5 per cent, it will take him about 10 years before he returns to the $20,000, which was the original capital borrowed. One of the things that has to be considered is that the House has not been told from what materials these units will be constructed. Will they be built of brick, timber, fibro or some other material? It was not the Minister but the member for Mount Gravatt (Mr Henderson) who told the House that these units would cost in the vicinity of $30,000 to $35,000 for a 4½-square unit. That is a pretty fair price to pay. Not too long ago, a Housing Commission house could be purchased for $30,000-odd. On the current open market, a fair-sized house can be purchased for $40,000 to $50,000. That would be a much, much larger house than one of these units. In fact, it would be more than double the size.

A person who is thinking about buying one of these units will find the going very tough. If a pensioner buys one of these units at age 55, he does not get back to the amount of capital borrowed until he turns 65 years of age. Only then will he start paying off the $20,000 that he borrowed.

When the person dies, the relatives cannot sell the property on the open market. They are restricted in the persons to whom they can sell the property. They have to sell to a person over the age of 55 years and of limited means. There is no way in which the relatives will be able to recoup the money that has been paid out by the original owner as they would on the open market. It is significant that the unit must be sold to someone over 55 years and of limited means. The pressure that is applied to the new

purchaser is similar to the pressure applied to the previous owner who had to borrow money. It is never-ending.

On the open market, people receiving more income than pensioners are having great difficulty in meeting their repayments because of high interest rates. The Housing Commission interest rate of 13½ per cent is not cheap. It is not far behind interest rates on the open market. People are having trouble meeting their repayments and additional home-ownership costs. I am very concerned about pensioners being required to borrow a large sum of money and their ability to make repayments on a pension.

The Opposition would like everyone to be given the opportunity to purchase his own home. On the open market, a person who is 55 years of age and who is on a pension does not have much opportunity to purchase a home. No-one would believe that he could meet his repayments, which include a large percentage of interest. The same situation applies under the scheme that is proposed.

As the spokesman for the Opposition (Mr Mackenroth) pointed out, the scheme looked very good on paper. The honourable member for Chatsworth has a good knowledge of Housing Commission matters. He has shown that the scheme is something that must be examined very carefully. As I said, the scheme looked very good at first. The Opposition was very keen on it. However, the more one looks at it, especially with the limited details and figures supplied by the Minister, the more concerned one becomes. It is something about which Opposition members are very concerned.

I am certain that the Bill will be passed on the numbers, but if problems are created for people who rush in without due consideration and without being advised wisely, I hope that consideration will be given to amending the Act. The Minister should consider the plight of those people who find themselves in financial difficulties and give them some relief.

Hon. C. A. WHARTON (Burnett—Minister for Works and Housing) (8.54 p.m.), in reply: I thank all honourable members who made a contribution to the debate. I have taken on board their comments.

The honourable member for Port Curtis said that I gave limited advice. I do not know what type of advice he requires. The Bill sets out clearly what is proposed. I have made the restrictions clear. The Bill contains one major clause. The Housing Commission can already sell units to anyone. The Bill places a restriction on the sale of units so that they will remain in the ownership of persons aged 55 years or over.

I might as well say this now, because it will probably be said later. Surely honourable members opposite would not want pensioners living in a block of units, be they owned by the Housing Commission or privately, to have young people moving in amongst them. That is why the Housing Commission wants to set the units aside for a particular age group.

Mr Vaughan: Cut it out! You've got a mixture of people in your pensioner units at Allworth Street, Northgate.

Mr WHARTON: I will accept interjections. These people will own these units.

Mr Mackenroth: How long after they sign the contract do they own them?

Mr WHARTON: They will own them from that day, the same as if they bought a motor car.

Mr Mackenroth: They own the mortgage.

Mr WHARTON: That does not matter. The honourable member for Chatsworth probably has a car that is mortgaged, but it is his car.

Mr Mackenroth: When do they get a title to it?

Mr WHARTON: The honourable member for Chatsworth has made his contribution. He mentioned some figures. Honourable members have seen his figures before.

They do not always add up. The honourable member has got a mate in the press gallery who takes down all those figures. He is a great critic of the Government. He is a star-gazer. With respect to the other members of the Opposition, I must say that they do not appear in the press very often.

Mr Mackenroth: Any story of mine that goes out of this House goes to a subeditor, whom I do not know. If you say something worth reporting, it will get in the paper. You've never said anything worth reporting.

Mr WHARTON: I do not talk rot. That is why my comments are not reported in the newspapers. Many articles in the newspapers contain untruths put out by members of the Opposition. If Opposition members make a stupid statement, the newspapers will print it. I keep out of the press, because I have got common sense, which I try to apply, and I keep out of trouble.

I have been side-tracked. I will return to the subject-matter.

Mr Mackenroth: What about the time I offered to go on TV and debate it and you wouldn't go?

Mr WHARTON: I would never shirk my responsibilities. With his big white teeth and nice smile, the honourable member for Chatsworth cannot resist appearing on television. He is not too bad. It is a pity that he cannot see himself.

I have listened with interest to the contributions by all honourable members. First I will deal with the comments made by the Opposition spokesman, the honourable member for Rockhampton North (Mr Yewdale). Surely the honourable member must have misread the Bill, because I fail to understand why he and other Opposition members would want to criticise a Bill that provides home-ownership for another group of people.

This Government looks after pensioners. If a pensioner meets the criteria, he can buy a unit. A pensioner who has a home and some money but cannot afford a unit in private premises will have an opportunity under this scheme to buy a unit and be with people of his own age. The pensioners can sell their units if they so desire. The scheme is voluntary; there is no compulsion. Pensioners will have freedom of action to do whatever they wish with the units.

The honourable member for Rockhampton North raised several matters. First he questioned eligibility. Clause 6 sets out the criteria, which have been drawn so that, provided one of the occupants is over 55 years of age, it would be possible for a person who is not at present a penioner, but will because of changing circumstances become one, to become eligible to buy a unit. The honourable member requested such a provision. Would he want the units to be sold to persons who already own a home? I am sure that the honourable member would not want that. This provison will apply to people who do not own a home.

Mr Yewdale: I didn't say that. I said: if they had a home and sold it, would they be eligible?

Mr WHARTON: That is what I said. I asked the honourable member would he want the units to be sold to persons who own another home.

Mr Yewdale: You didn't say that in your second-reading speech.

Mr WHARTON: There is only one clause in the Bill. How much does the honourable member expect me to cover in my second-reading speech?

Mr Yewdale: What I am saying is: if a person wanted to apply for a Mount Gravatt home unit, and is now living in a home, can he sell that home and come along to you and buy one?

Mr WHARTON: Yes, he can.

Mr Yewdale: They are the people with limited means? They get $60,000 for a house and go and buy a unit. They are of limited means?

Mr WHARTON: That is all very well——

Mr Yewdale: That is what you are saying.

Mr WHARTON: He can sell his house and buy another one.

Is it wrong for somebody to live in a pensioner unit instead of spending the proceeds from his house on a palatial unit? The Bill provides for pensioner units. The honourable member for Chatsworth said that they would be small. Obviously, being planned for pensioners, they are built on the same basis as existing pensioner units.

Mr Prest: When a person sells the house that he is living in, how long will he have to wait to buy a unit?

Mr WHARTON: He can apply for the units presently being built. At the moment, there is no waiting-list for them. A number of people have applied so far. However, as with our other housing, it will depend on when units become available. This scheme caters for those who own a house and have some money but do not qualify under our pensioner unit scheme. I am sure that, when the scheme is put into effect, members opposite will agree with it and will not oppose the legislation.

Because the units are being provided for persons on low incomes, it would be unrealistic to allow ownership of other housing. The honourable member for Rockhampton North agrees with that.

I turn now to the provision relating to "another person". That other person could be a brother, sister, friend or de facto. Would the honourable member expect us to incorporate, in the Bill, a precise description of all possible combinations? He is aware that people may take rental accommodation today——

Mr Yewdale: Yes, I accept that.

Mr Mackenroth: I thought that we should have included in the Bill that deviants weren't allowed.

Mr WHARTON: The member for Chatsworth will hit the headlines again, talking that sort of tripe.

Mr Mackenroth: Do you think that we should sell these units to heterosexuals?

Mr WHARTON: The Government does not dictate to people. The scheme provided by the Bill is voluntary. The member is not entitled to stand over a Minister and ask a lot of rot.

The units are to be strata-titled and sold. The owners will be entitled to sell them on the private market for the amount that the market decrees. They will be, except for the restricted sale to aged persons, exactly the same as units purchased in the private sector.

Mr Campbell: I have one question. That is all I want to ask.

Mr WHARTON: I know the type of question asked by the member for Bundaberg, and I know the answer before he asks it. That will save him the trouble of asking it. He wastes the time of the House on many occasions. He has always been wrong. He is always arguing about the Rural Reconstruction Fund. He should stick to that, but it does not apply to pensioner units.

Finance is being provided by borrowings at market rates of interest. The program for the provision of rental houses and pensioner units will not be reduced. Surely, by now the honourable member for Rockhampton North knows that our rental programs are being increased each year. That thrust of providing increasing housing will continue. Would the honourable member wish to see those persons who cannot afford the high

cost of aged persons' housing that is provided by church organisations and private developers and are ineligible for rental penioner unit accommodation denied the opportunity of purchasing affordable housing?

Because additional parking space has to be provided, sale units cost marginally more than rental units. It is expected that the cost of the first units will be less than $35,000 each. The units will be managed by a corporate body, which will be established, in the first place, by Housing Commission management. It will then pass to a body managed by the owners or, if they wish, to a professional management body.

I remind the honourable member for Rockhampton North again that Queensland is the only State of Australia with decreasing waiting-lists. I cannot see that happening in the Labor-mismanaged States.

The program being put forward in the legislation is a first in Australia. It is brand new. It is a new idea—a new scheme—and it will work. When a unit is sold, the money will be diverted to the provision of further units.

I was pleased to hear the honourable member for Rockhampton North (Mr Yewdale) say that the mortgage and rent relief funds should be used for the construction of more rental housing. I totally agree with him, and I hope that he conveys his opinion to his southern friends and to Canberra.

Under the Local Government and Community Housing Program, over the last two years the commission has financed six housing co-operatives. More than $600,000 has been advanced to those co-operatives.

The honourable member also mentioned the Residential Tenancies Act and suggested changes. I point out, however, that in the first place the administration of that Act does not come within my portfolio, although I am aware of southern legislation that will destroy investment incentive in rental property. Is that what the honourable member wants to achieve? At least as it stands, the Act gives rights to the landlord, who is the provider, and those rights must be preserved if the community is to be assisted by the private sector in obtaining rental accommodation. No-one would expect the Government to provide all the accommodation that is necessary, and the Opposition must realise that the private sector must be given a share of that responsibility. The private sector plays a role in providing rental accommodation, and if the Australian Labor Party kills the goose that lays the golden egg, by increasing interest rates——

Mr Yewdale: The Government does not want private enterprise to be involved in this. The Minister has told us that the Government is in competition with private enterprise.

Mr WHARTON: That is not the case at all. This proposal complements the private enterprise exercise, and the honourable member for Rockhampton North knows that. The Government does not want to destroy investment incentive that is represented by rental accommodation.

I thank the honourable member for Mount Gravatt (Mr Henderson) for his support and his very lucid explanation of the reasons behind the provision of the units in his electorate.

Mr Yewdale: Why would he not support you? The units were constructed in his electorate.

Mr WHARTON: The honourable member for Rockhampton North could achieve a similar thing for his electorate, if that is what his constituents want. Unit accommodation is provided State-wide and is not restricted to the electorate of Mount Gravatt. I point out that the honourable member for Mount Gravatt made an approach to me, and did a great deal towards the provision of the units for his constituents. The people of his electorate appreciate his efforts on their behalf.

The honourable member for Chatsworth criticised the size of the units and seems to have overlooked the fact that in Queensland more than 3 000 units of similar size

are occupied almost without exception by happy, well-satisfied people. I fail to see how people who buy the units with a full knowledge of what they are purchasing will not be satisfied. I think that the honourable member for Chatsworth will accept the truth of that statement.

The honourable member attempted to reduce the matter of the provision of units by the Housing Commission to strictly financial terms. As usual, he used figures carelessly to draw an inaccurate picture of the situation. He attempted to illustrate how badly off a purchaser would be compared with a person who pays rent. However, his political philosophy showed through, because he failed to recognise that the majority of Australians want to be independent in terms of home-ownership, and not dependent.

The honourable member also failed to acknowledge that inflation and increased pensions—even taking into account that only 25 per cent of a person's income was required as repayment—repay the loans. Despite what the honourable member claims—

Mr MACKENROTH: I rise on a point of order. The Minister has misquoted what I said. During my speech, I stated that when an inflation rate of 7¼ per cent is taken into account over a period of 10 years, a single pensioner would get to the stage at which the principal of the loan would start to be reduced. Because what the Minister has said is incorrect, I ask him to withdraw it.

Mr DEPUTY SPEAKER (Mr Row): Order! I would like the Minister to indicate to me whether he thinks the point of order is justifiable.

Mr MACKENROTH: I rise to a further point of order, Mr Deputy Speaker. The Minister stated that in the speech that I made I did not mention or take account of inflation. In my speech, I stated what the inflation rate was and what its effect would be. I did refer to those things, and he cannot say that I did not. The Minister must withdraw that statement.

Mr WHARTON: For the sake of kindness and one thing or another, I will withdraw the remark at the request of the honourable member. But let me repeat what I said, because I can demonstrate that the honourable member did not listen to me. I said, "The honourable member also failed to acknowledge the fact that inflation and increased pensions—even though only 25 per cent of income was required—repay loans."

Mr MACKENROTH: I rise to a further point of order. The Minister has just repeated the exact words that I asked him to withdraw. He said that I failed to acknowledge the facts he outlined. I did acknowledge those facts in the speech that I made. The Minister is misrepresenting me, and I ask him to withdraw that remark.

Mr WHARTON: I am not making——

Mr DEPUTY SPEAKER: Order! The honourable member for Chatsworth has suggested that his speech has been misinterpreted by the Minister. Does the Minister deny that?

Mr WHARTON: I have already withdrawn what appears to have offended the honourable member, but he has not listened to me. I will now read the final part of the sentence: "repay loans." Despite inflation and despite everything else, people are still able to repay loans, and that is what I said. Surely that is not offensive to the honourable member, because it is true.

Mr Mackenroth interjected.

Mr WHARTON: Despite what the honourable member has claimed, the majority of units for sale will be paid for in cash, or the loans in respect of them will be repaid quickly. The honourable member for Chatsworth was not listening to me, so I will repeat it for his benefit. Despite what the honourable member claims, the majority of units for sale will be paid for in cash, or the loans in respect of them will be repaid quickly. I instance the example of an elderly pensioner who has taken up residence in the home

of a son or daughter but wishes to re-establish his independence by owning his own home.

Alternatively, an elderly couple whose family has grown up and left home may want to sell up their larger home and move into a more suitably sized living unit.

The operating costs will be well below those required by organisations and private developers. I suggest to the honourable member that he inquire about those costs.

Like the member for Rockhampton North, the member for Chatsworth seemed determined to deny people in the grey area, where assistance is not available, the opportunity to buy units.

My thanks go to the honourable member for Surfers Paradise for returning the debate to a logical, sensible base and reminding the House of the need and demand for this type of accommodation for the aged.

I was pleased to hear the honourable member for Redcliffe pointing out the well-proven advantages of home-ownership. The price of $35,000 includes the cost of the land and is based on cost only. Private enterprise could build at the same cost, but a certain amount would have to be included for profit. I sincerely hope that private enterprise will see the demand that obviously exists and build for the market. I want to stress the appropriate size and suitability of these pensioner units. They are the same as the pensioner units that are now available.

The honourable member for Redcliffe asked several questions about the ownership of units. As I have already said, the units are strata-titled, and the purchasers acquire all the rights of a purchaser of private strata-titled units. They could therefore sublease. However, sale or transfer must be to an eligible person. I made the point that it would not be very satisfactory if people of a different age group become involved. That is a strong point.

An Opposition Member: They can sublease?

Mr WHARTON: Yes. Because they own the units, they can do many things with them that they could not do with a rented unit. The honourable member should know what he could do with his own unit.

Mr Mackenroth: Can they have their grandchildren staying with them for the night?

Mr WHARTON: Because they own the unit, they could do so if they had the room.

Mr Mackenroth: Can they have the grandchildren staying there or not?

Mr WHARTON: Goodness me, have I to repeat the answer?

Mr Mackenroth: Yes.

Mr WHARTON: Yes, they can, because they own the units.

Mr Mackenroth: Why can't people who rent units have their grandchildren staying overnight if the units are the same size? You reckon that they are too small. Answer that question.

Honourable Members interjected.

Mr WHARTON: Mr Deputy Speaker, are honourable members talking about the Bill?

Mr DEPUTY SPEAKER (Mr Row): Order! The honourable member for Chatsworth has raised a matter of policy. The Minister has stated the policy on the matter in the Bill under consideration. Any other matters of policy should properly be raised at another time.

Mr WHARTON: I will continue to discuss the Bill.

The honourable member for Sandgate visualised a problem with the criteria. For the benefit of the honourable member for Rockhampton, I have already explained, "limited means". The legislation does not mention an age pensioner. If the honourable member examines the legislation, he will see that. An eligible person is required to be a pensioner of limited means, and a person can be a pensioner at 55 years of age.

The honourable member for Stafford expressed concern about the restriction on sale. The purpose of the legislation is to ensure that occupancy of units is kept to the age category. I have already explained that. I am sure that the honourable member would not wish a mixture of age groups and all the friction that that would cause. The honourable member should also note that similar legislation is to be found in other Acts.

The honourable member referred to a parcel of land in his electorate. Possibly some pensioner units will be built on that land next year.

In the same way as other honourable members, the honourable member for Port Curtis was concerned about the ability of persons to pay. I assure him that there will be no problem about payment or repayment. That is for obvious reasons. Pensioners will sell their home or find some other way of doing it. As I said, they will probably pay the units off very quickly. They will probably pay cash.

Mr Prest: They are of limited means.

Mr WHARTON: The honourable member said that they would be of limited means. They would usually be pensioners with a house and very little else. They can sell the house if they think it is too big and use the money to buy a unit. If they go into the private market or buy a unit, that will be OK.

I think that I have answered the comments made by honourable members. I very much appreciate what honourable members have said. I have taken on board the comments that have been made.

I commend the Bill to the House.

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

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

NOES, 27	
Braddy	Warner, A. M.
Burns	Yewdale
Campbell	
Casey	
Comben	
D'Arcy	
De Lacy	
Eaton	
Fouras	
Gibbs, R. J.	
Goss	
Kruger	
Mackenroth	
McElligott	
McLean	
Milliner	
Palaszczuk	
Prest	
Price	
Smith	
Vaughan	*Tellers:*
Veivers	Davis
Warburton	Hamill

Resolved in the affirmative.

Mr DEPUTY SPEAKER (Mr Row): Order! The question is that I do now leave the chair and the House resolve itself into a Committee of the Whole to consider the Bill in detail.

Mr McLEAN having risen from his seat—

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

As many as are of that opinion say "Aye"——

Honourable Members: Aye!

Mr DEPUTY SPEAKER: To the contrary "No". I think the "Ayes" have it.

Committee

Mr Booth (Warwick) in the chair; Hon. C. A. Wharton (Burnett—Minister for Works and Housing) in charge of the Bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—New s. 23B—

Mr YEWDALE (9.23 p.m.): This clause is the heart of the legislation. Having listened to the Minister's reply, it is obvious to me that the Bill was badly prepared by the Government. The Government back-benchers who spoke to it knew very little about it.

Honourable Members interjected.

The TEMPORARY CHAIRMAN: Order! I ask the Committee to come to order. The honourable member has suggested that the main point of the legislation is contained in this clause, and the Committee, which should consider the clauses in detail, should listen to what he says.

Mr YEWDALE: Thank you, Mr Booth, for your protection from the rabble.

This clause sets out the salient features of the legislation, and as each and every speaker from the Opposition indicated at the second-reading stage, the criteria laid down for eligibility are vague. In his reply, the Minister was unable to give honourable members an idea of what was to happen. In fact, I do not think that he is conversant with the provision.

The Opposition opposes the legislation positively. It is a clumsy attempt to provide units for pensioners on conditions that are not acceptable to the Opposition or to the majority of pensioners in the community, especially if they are made aware of what they will be up for. My colleague the member for Chatsworth (Mr Mackenroth) indicated freely that the hidden cost to a person contemplating buying a pensioner unit is such that he or she would never own one.

I reiterate that the Minister has not been able to clarify to the House the terms and conditions of purchase. The vast number of pensioners scattered throughout this State who would be highly delighted to be able to obtain accommodation in a Housing Commission unit would be very sceptical of the conditions in the Bill. I, for one, would be very happy to see the Minister expend funds to build units of this nature in whichever centre in Queensland he believed had the highest priority. I think it is fair to suggest that those who are currently residing in pensioner units throughout the State are very happy and contented with their accommodation, their surroundings and their neighbours. That has been the case for many years.

There is no factual basis on which to say that the provisions in the Bill will really assist those pensioners who need assistance. When the Minister was replying, I asked him whether a person who owned a home—that would disqualify him from purchasing one of these pensioner units—and sold that home would qualify for one of these units. The Minister said that that was the case.

It seems to me that the ordinary pensioner living in a home somewhere in Brisbane who wanted to sell the property would receive, for an average home in reasonable condition, between $60,000 and $70,000. The Minister says that such a person is eligible

to purchase one of these units. In some respects, such a person is one of the hierarchy of the community, particularly if he received that sort of money for his home and then moved into one of these units. If this scheme gets off the ground, the Housing Commission will be providing homes for people who can well afford to move into one of these units. I warn those people now—I will do it publicly in the media tomorrow—of all the pitfalls that will confront them. The scheme is ill-conceived and ill-prepared. It will not succeed in catering for those people who really need accommodation. That is the very reason why the Opposition opposes the legislation.

Mr MACKENROTH: The point I raise relates mainly to who is eligible to buy one of these units and what a pensioner is entitled to do once he buys one. During the debate, much has been heard about the right of people to buy their own homes and the right to do with them what they like. A very close look at the legislation reveals that a person who buys one of these units must be of limited means. The Minister has not explained to the Chamber in any way what is meant by "limited means". However, in his reply at the second-reading stage, he suggested that some people might pay cash for them. I suggest to him that if somebody has $35,000 cash he should not be regarded as being of limited means. In itself, that is a contradiction.

Mrs Chapman: Nowadays you would be. It will all go in inflation.

Mr MACKENROTH: I point out to the member for Pine Rivers that if she goes further through the Bill, she will find that one clause states that a person must receive a pension under the Repatriation Act. If the honourable member examined the legislation further, she would find that those people are not of limited means and, under this Bill, would not qualify.

The Housing Commission is saying that these people should be able to buy their own homes and look after themselves, but it is also saying to them that they must use the unit for themselves, for themselves and their spouses or for themselves and one other person, not for any other person. They are being told by the Housing Commission, "You can buy the house or unit from us, but we will dictate to you for the rest of your life who can stay in it." The Bill states that the person must intend to use it all for himself and for no other person except those listed in the Bill. The Minster stated that pensioners would be able to have their grandchildren stay overnight. That is not what the Bill states. The Bill states that it is for no other person. The same situation applies to a person who is renting a unit from the Housing Commission. The Housing Commission will not allow grandparents to have their grandchildren stay overnight. They cannot baby-sit. The same thing will happen under the Bill. The unit will be sold to a person who will own it by himself. He will be the proud home-owner. However, the commission will tell him who can and cannot enter the premises and to whom it can and cannot be sold. I suggest that that is not home-ownership; it is lending money to the Housing Commission. In no way is that person being given any form of home-ownership.

I ask the Minister to tell me specifically whether two persons living in one of the proposed units can have their grandchildren staying in that unit. I ask the Minister to give a specific answer to that question.

Mr WHARTON: I am glad that I did not enlarge on any matters in my second-reading speech. If I had done so, Opposition members would not have understood it. Opposition members do not want to understand the Bill. They sit in the ALP caucus and try to work out something. Although they might find a few snakes, they do not know what the Bill is all about.

Mr Vaughan: You have made a great booboo.

Mr WHARTON: The honourable member is the booboo.

The Government is continuing all its programs with age pensioner units, rental housing and home-ownership schemes. There will be no alteration to them. The Bill does not cater for an existing program; it caters for a new program. The criteria set out

in the Bill relate to the eligibility of persons who wish to purchase units. As soon as a unit is purchased, the person owns it. The owner can take in whoever he wishes. It is his own unit. Surely that is clear enough. Apparently the honourable member does not know what property-ownership means. I will tell him. Owning a unit is similar to owning a house. The owner can do what he likes with it.

The honourable member for Chatsworth (Mr Mackenroth) has complained about the conditions imposed in the Bill. I have already explained that the units will be for pensioners who are aged 55 years or over. I point out to him that there are pensioners over 55 years of age. The honourable member said that a person may own a house. Although a person may have a few dollars, he is eligible to apply. If a person sells a house and he has money to pay cash, he can do so. He can borrow money and make repayments, the same as anyone else. Once a person has sold his house and he has nothing else in the world except $60,000——

Mr Yewdale interjected.

Mr WHARTON: The honourable member is laughing. Although he might not have any money, he has a home that is surely worth $60,000. If a person has sold his home and he has some money, he can purchase a unit. What is wrong with that? The honourable member hates to think that anyone will own anything, particularly a house or a unit. Opposition members have introduced a number of issues that do not apply to the Bill.

The honourable member should have read the Bill, because it sets out the conditions that apply. As I have said, the conditions apply only at the point of purchase. Once a person has brought a unit, it is his property and it can be used for his own purposes.

Mr MACKENROTH: I am pleased with the Minister's answer. If one returns to the replies that he made during the second-reading debate, one notices that he admitted that the units of 4.5 squares are exactly the same size as the present Queensland Housing Commission pensioner units. If that is correct, one class of citizens will own or buy units and one class will rent them. Will the Housing Commission say to grandparents who own a unit, "Your grandchildren can stay overnight.", but say to grandparents who are renting a unit, "No, your grandchildren cannot stay overnight, because you are renting the unit, not purchasing it."? That is one of the most discriminatory things that I have ever heard of.

I invite the Minister to state right now that grandparents who are renting pensioner units will be able to have their grandchildren stay overnight, just as grandparents who purchase units can. The units are the same size. People over the age of 55 years will be living in them. The Minister said that there is no difference. The only difference is that one person will own the unit and the other person will rent it.

Mr BORBIDGE: The comments made by honourable members opposite earlier, particularly in regard to this clause, have demonstrated once again that all Opposition members are interested in is preventing pensioners in this State from owning their own home units. The Opposition's use of red herrings has failed to disguise its blatant hostility towards home-ownership. The conduct of honourable members opposite is an absolute disgrace.

This clause simply seeks to create the mechanism whereby those people who would not otherwise be eligible for Housing Commission assistance will be able to own units. One would think that honourable members on both sides of the House would not only warmly support that but also embrace it; yet the comments made in Committee and during the second-reading debate confirm the class hatreds of honourable members opposite.

Opposition members do not believe in home-ownership. They have not got the courage to admit that, so, to their eternal shame, at the Committee stage of the Bill they are going on with a load of nonsense to try to frustrate the Government, which,

as a result of its very genuine concern, is introducing a reform that will benefit thousands of Queenslanders.

The honourable member who preceded me in the debate said that he is looking forward to talking to the media tomorrow. He should be hiding in the cupboard; he should be ashamed of his attitude.

I support the Minister. This clause is essential to the legislation. It is the mechanism by which the legislation will work for many people in this State who otherwise would not have the opportunity to benefit from the programs of the Housing Commission and own their own home units.

Mr WHARTON: I thank the honourable member for Surfers Paradise for his comments. What he said is correct.

I cannot seem to get the point over to honourable members opposite; they do not know anything. The honourable member for Chatsworth (Mr Mackenroth) made a silly statement. The pensioners will own the units. They can do what they like in them, just as a person who owns a house can. Opposition members can forget about rentals; I am not talking about rentals. The corporate body may impose restrictions.

I repeat that I cannot get across to Opposition members that the pensioners will own these units. Not all grandparents will want their grandchildren to stay with them. The pensioners will own their units and they can do what they like with them. The Government should be given credit for that.

Mr YEWDALE: In the light of what the honourable member for Surfers Paradise said about the Opposition wanting to deprive people of the right to buy their own homes, I reiterate my earlier comments. The Minister, in reply to a query raised by me, said that a person who owns a home is not eligible. I very distinctly asked him that question. I asked, "If a person who owns a home sells that home, would that person then be eligible to buy a unit?" He said, "Yes."

I quoted a hypothetical figure of something like $60,000. That is not an extremely high amount. I ask the Minister to confirm that he said that, if a person sold his home for $60,000 or $80,000—and in the metropolitan area of Brisbane, that is not an exorbitant figure—he would be eligible to buy a unit under the scheme outlined in the Bill. However, he did not know about that earlier. He could not tell us that in his second-reading speech. His back-bench members know nothing about it. None of them spoke about such details.

The Minister says that he is catering for those in the community who can sell a property for between $50,000 and $80,000. He says that they will be eligible under this scheme. The Opposition says that the Government is catering for people who are well able to buy their own unit. The Government is not catering for those who require rental unit accommodation—and there are hundreds of them in Queensland. It is catering for those in the upper echelon. Would the Minister confirm what I have just said?

Mr WHARTON: I would not like to confirm anything that the honourable member for Rockhampton North has said. He is totally wrong. He does not understand. The units to be provided under the terms of the Bill are for ownership. Numerous people would not want to sell their homes—they would rather remain in them—but others would prefer to. They will be eligible under this scheme. They will have to find only about $30,000. The Government is catering for those in the community who are beyond the pensioner group. Oppositon members cannot seem to get that into their thick heads. I repeat what I have said on a number of occasions: the units are for ownership. People can deal with them as they see fit. They will be able to purchase if they have limited means. Surely that is sufficient.

Mr CAMPBELL: It is important at the Committee stage to ensure that the clauses are correct. The member for Chatsworth (Mr Mackenroth) asked the very relevant question: Is there discrimination, in that pensioners who are renting units cannot have

grandchildren in their units, yet pensioners who buy their units are able to? That is a very simple question. Does that discrimination exist?

The honourable member for Surfers Paradise (Mr Borbidge) said that people who were not presently eligible to rent Housing Commission units would be able to buy units. I refer honourable members to a specific instance of a person in Bundaberg who could not rent a unit. I wrote to the Minister about a returned serviceman, Mr McGlynn, who benefited from the generosity of a landlord who allowed him to stay in a derelict house at very little rent. He has been there now for years and years. As a result, Mr McGlynn has not received supplementary rent assistance and is consequently ineligible to rent a Housing Commission unit. Tonight the Committee was told that a person in those circumstances would be able to buy a unit.

Do Government members realise how that problem has to be overcome? People in circumstances similar to Mr McGlynn's must say to the generous landlord, "You will have to charge me extra rent so that I can go to the Housing Commission and tell them that I am being charged extra rent. I will then be eligible to obtain supplementary rent assistance." In order to be eligible for a Housing Commission unit, he must bodgie the system by becoming eligible for supplementary rent assistance. Government members say that a person in those circumstances may buy, but he cannot rent.

Mr Borbidge: You are wrong again. You have been wrong every day this week.

Mr CAMPBELL: The member for Surfers Paradise may not be aware of pensioners who are in those circumstances.

I can assure all honourable members that, although I have taken this matter up with the Minister and made statements to the media, the rules stand. I say it is wrong that the rules prevent a person from renting accommodation but provide accommodation that is for sale if the person is eligible to purchase. On that basis, the Bill should be rejected. I make the offer that, if the Minister can refute what I am saying, I will accept everything that he has said, but he is silent.

I now turn to describe a situation that is even more discriminatory for an ordinary pensioner. If a person were to have his or her parents residing in his home and no rent was being received—in my case, I would feel morally obliged not to charge my father or mother rent because of all that they have done for me—the parents would not be able to obtain supplementary rent assistance, which renders them ineligible for a Housing Commission unit. Moreover, the Government has the financial capability to allow people to purchase Housing Commission unit accommodation. That is an example of discrimination, and that kind of discrimination cannot be accepted.

I realise that the Bill will be passed irrespective of the arguments advanced by the Opposition. All I now ask is that the conditions that attach to a person of limited means renting a unit be changed. I suggest that the only reason the conditions have not been changed by the Minister is that the Minister wants to be able to say that Queensland has the least number of names on its wait-list of any State in Australia. That is the only reason the Government will not allow people who do not receive a supplementary rent allowance to have their names entered on the wait-list. The Minister wants to gain political mileage out of being able to state publicly that Queensland has the shortest wait-list in Australia, and that is a shocking state of affairs.

It must be remembered that many pensioners would like to live in pensioner units but are unable to do so because of the tight limitations and stringent qualifications attached to eligibility. I find it very difficult to accept that a Government would be prepared to do such a thing to pensioners, particularly when I remember that, in accordance with the provisions of this Bill, if a person were suddenly given the means with which to purchase a unit, the Government would provide assistance that would enable him to do so. In marked contrast to that, if a person wished to rent accommodation, the Government would not want to know him.

Mr MILLINER: I was interested to hear the Minister state previously that, once a person purchased a unit, that person could do as he pleased with it. I am interested in subsection (6) (a) (iv), which states—

"(iv) that person intends to use the lot as a home for—

(A) himself;

(B) himself and his spouse;

or

(C) himself and one other person,

and for no other person;".

The Minister has said that a person can do anything he likes with the unit once it has been purchased. If that is the case, when the unit has been purchased and the purchaser decides to have family members living with him, according to the Minister that will be quite all right. However, as I read the provisions, they expressly prohibit that, and I ask the Minister to clarify the situation.

Mr WHARTON: Honourable members opposite—members of the Australian Labor Party—are the greatest theorists of all time. The honourable member for Bundaberg (Mr Campbell) would be the biggest theorist in this State and he has excelled himself this evening. He does not know what he is talking about in the Chamber and in his electorate. He appears on television to harp on things and shows his pretty face, but he is always telling untruths.

Mr CAMPBELL: I rise to a point of order. I take offence at the Minister's remarks. I do not mind the Minister debating an issue with me and saying that I am wrong or that I do not know what I am talking about, but I take offence at what the Minister has said. When the Minister and his staff say why I am wrong, I will accept it. Until then, I ask him to withdraw his statements that I do not know what I am talking about.

The TEMPORARY CHAIRMAN (Mr Booth): Order! There is no point of order.

Mr WHARTON: I did not say that. I said that the honourable member was a theorist. That is true. He cannot dispute that. If that offends him, I will withdraw it. The honourable member is a theorist.

Mr Campbell: I am pretty smart, too.

Mr WHARTON: The honourable member said that. He made a great speech about pensioners, social service and so on. He is good at it, because he is at it every day. He is always criticising the Government. His criticism does not hold water and he cannot substantiate his claims. On this occasion, he cannot substantiate his claim. He said that the Government is discriminating. It is not discriminating.

The Government is building apartments in Bundaberg for persons who do not receive supplementary rent assistance. That illustrates the extent of the honourable member's intelligence. I will leave it at that.

In reply to other honourable members, I point out that the Government is not discriminating. On the one hand, it is dealing with rental premises and, on the other hand, with home purchase, when a person owns the unit. One honourable member asked, in an airy-fairy way, about what people can do in their own houses. They can live in them. When a person buys a unit, he will live in it.

Mr VEIVERS: Will the Minister be good enough to explain to me what he meant when he said that, if a pensioner couple sell a home for $80,000, they can still be eligible to participate in this scheme? If the residue after purchase of a unit is $50,000 and the purchase price of the unit is about $30,000, what will they do with the $50,000? If it is invested, the income accruing from the investment will make them ineligible for a pension. They will no longer be pensioners. Will the Minister explain what he means

by a person of limited means and how the people I have mentioned can become eligible to participate in the scheme if they do not qualify for a social security pension?

Mr WHARTON: That is repetitious.

Mr Prest: You keep on saying that.

Mr WHARTON: I have to keep on saying it. It is correct.

Mr Prest: Give us some satisfaction.

Mr WHARTON: I have given satisfaction. Apparently the honourable member cannot read.

The TEMPORARY CHAIRMAN: Order! Earlier in the debate, in defence of members of the Opposition, I said that, because the Committee is dealing with details, we are entitled to hear. I suggest that the honourable member extend to the Minister the same respect.

Mr WHARTON: I can only say that, to qualify, a person has to be a pensioner in receipt of some form of a pension or part of a pension. If he qualifies, he can apply. If he sells his property, he can apply for a pensioner unit and buy one. That is simple enough. I will not put any level on it. A pensioner may sell his house for $100,000, $200,000 or $1m. I am not talking about that. I am talking about people of limited means with a part pension.

Mr CAMPBELL: The Minister said that units would be built at Bundaberg and that that would allow pensioners who do not receive supplementary rent assistance to move into them. Can he provide more information on how that will be done?

Mr WHARTON: I made the statement. They are to be built in Bundaberg. I will later tell the honourable member where they are to be built. I do not know the address off the cuff.

Clause 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

STAMP ACT AND ANOTHER ACT AMENDMENT BILL

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer), by leave, without notice: I move—

> "That leave be given to bring in a Bill to amend the Stamp Act 1894-1985 in certain particulars and to amend the Real Property Act 1861-1985 in a certain particular and for a related purpose."

Motion agreed to.

First Reading

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

Second Reading

Hon. W. A. M. GUNN (Somerset—Deputy Premier and Minister Assisting the Treasurer) (9.56 p.m.): I move—

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

This Bill to amend the Stamp Act and the Real Property Act provides for a number of amendments, which can be grouped into three broad categories—

there are some new concessions;

there are amendments that are directed at countering duty avoidance and preserving the existing policy of the Act following recent court decisions; and

there are amendments that are generally concerned with the ongoing implementation and administration of the Act.

I will outline, firstly, those amendments that are of the nature of concessions. The proposals are—

(a) That there be a concessional duty of $5 for transfers of securities incidental or ancillary to mortgages over land and land and improvements which are also transferred (clause 23 (a) (ii)).

Transfers of mortgages themselves are already subject to this concessional rate, and its extension as proposed is necessary to fully achieve the purpose of that concession.

(b) That under the declaration of trust heading, there be a specific provision that declarations of trust made consequential upon the retirement or appointment of a new or additional trustee attract only nominal duty of $4, if certain specified conditions are met (clause 23 (b) (ii)).

The conditions are to ensure that the declaration is not a means whereby any benefit may be conferred upon the trustee or any other person and that the concession does not apply where there has been a change of beneficial ownership on which duty has not been accounted for since the retiring or continuing trustee was first appointed.

A similar concession already exists under the conveyance or transfer heading, and it is reasonable to extend it to declaration of trust. The corresponding conveyance concession, however, presently does not allow the commissioner to look at whether duty has been paid on changes of beneficial ownership since the retiring trustee or continuing trustee was appointed, and the Bill provides for the concession also to contain this provision (clause 23 (a) (ii)).

The new declaration of trust concession has been implemented administratively since 9 April 1985, and the provisions are to be retrospective to that date.

(c) That persons who are exempt from making rental duty returns because of the low volume of their business—that is, where annual turnover is less than $10,000—are not to be required to lodge hiring agreements in respect of that business for impressed stamping and that such agreements be exempt accordingly (clause 23 (c)).

In the second group, the proposals are—

(a) That, in the light of recent court judgments, amendments be made to the relevant provisions so that they are again interpreted as reflecting policy such that—

deeds of forgiveness to trustees of debts are assessed as deeds of gift (clauses 3 (a) (iii) and 23 (d));

a resettlement of trust property attracts duty on the value of trust assets without regard to the trust liabilities (clause 3 (b)); and

an assignment of an interest in a partnership attracts full ad valorem conveyance duty on the full unencumbered value of the proportionate interest in the partnership property which is assigned (clause 3 (b)).

I will explain in greater detail. As to deeds of forgiveness, it has been a long-standing interpretation of the Act by the commissioner and a long-standing assessing practice that deeds of forgiveness of debts owed to persons by trusts attract duty at ad valorem conveyance duty rates as a deed of gift under the heading, "settlement, deed of gift or voluntary conveyance" in the first schedule to the Act.

It is important to the scheme of the Act that such instruments attract such ad valorem duty, or it would be possible for persons to achieve an effective settlement or to set out deliberately to avoid settlement duty by purporting to lend money to a trust and then forgiving the debt rather than settling money on the trust outright. It is proposed that this be rectified by ensuring, in the definition, "deed of gift" that a disposition of property includes the forgiveness of a debt.

Further, the court in this case adopted a narrow interpretation of the words, "containing trusts" in the definition, "deed of gift", such that it confined the definition to instruments setting out the terms of the trust and did not extend it, according to long-standing interpretation and practice, to instruments "relating" to or "referring" to trusts.

Such narrow interpretation could make duty easily avoided if persons refer, in instruments, only briefly to the relevant trust. Not only does this interpretation of the words, "containing trust" cause difficulties for the interpretation of the "deed of gift" definition, but also it causes difficulties under the duty provision, under which such deeds of gift and other instruments in relation to trusts are dutiable.

In this regard, a similar interpretation could be adopted of the words, "containing any trusts" in the "settlement, deed of gift or voluntary conveyance" provision, with the effect that, for such instruments to attract duty, they would need to contain the terms of the trust and not just relate to or refer to the trust, and this could similarly undermine these duties. It is proposed that this situtation be rectified by confirming long-standing interpretation and practice.

As to settlements of trust property—in a recent case, contrary to long-standing Stamp Duties Office interpretation and assessing practice, it was held that, in determining the full unencumbered value of property the subject of a settlement, regard needed to be had not only to the assets of the trust but also to the countervailing liabilities in respect of which the trustee had a right of indemnity.

In this, the court drew on a similar decision in the Kemtron case in respect of unit trusts. For unit trusts, the problem created by the Kemtron decision was rectified by the insertion, last December, of section 56B in the Stamp Act, and duty is calculated with reference to the full unencumbered value of the trust assets without regard to liabilities.

This latest decision would also create similar difficulties for assessing declarations of trust and other instruments in relation to trust property. If this interpretation were allowed to be maintained, it would result in inconsistent treatment among tax-payers in respect of comparable transactions, that is, conveyances of ordinary property would be assessed on full unencumbered value, but dealings in respect of trust property would be assessed on net value after deducting the liabilities of the trust.

It is therefore proposed, for the purposes of all dealings in respect of trust property or interests in trusts, that it be ensured that duty be assessed by reference to the full value of the trust assets or the relevant proportionate element therein without regard to the liabilities of the trust.

Recent cases have also raised doubts in some instances as to what would now be the judicial interpretation of the provision utilised to assess instruments attracting ad valorem duty in respect of partnership interests according to current policy.

Apart from the alterations to the definition of deed of gift and the narration in the settlement, deed of gift or voluntary conveyance heading, it is proposed that the difficulties in this area be overcome by inserting in the Act a comprehensive definition of "full unencumbered value" which will be the duty base in these cases (Clause 3 (b)).

The proviso to the definition provides for specific criteria as to what is to be regarded as the "full value" of property—

> Where property comprises trust property, it is the full value of the property held by the trustee without regard to the debts or liabilities of the trust.

Where the property is an estate or interest in a trust, it is the proportion of the full value of the trust property that the estate or interest represents.

Where the property is an interest or a part of an interest or an additional interest in a partnership, it is the greatest of the following: the undivided share in the partnership property, without regard to the debts and liabilities of the partnership represented by the interest; the consideration in the transaction, if any; or the total capital amount represented by the relevant partnership interest.

There are provisions to assist the commissioner in determining the undivided share in the partnership property represented by the partnership interest and as to matters he may regard and disregard in determining the total capital amount and consideration.

There is also provision in the case of both trust and partnership property that the duty applies only in respect of trust or partnership property in Queensland or that part of a business, if any, carried on in Queensland and for a true apportionment to be made where necessary.

Provision is also made for the references to the full value of property in the sale of business provisions and in the declaration of trust heading in the schedule to be consistent with the remainder of the Act by providing instead for references to "full unencumbered value" (clauses 18 and 23 (b) (i)).

(b) A further strengthening of the unit trust and discretionary trust anti-avoidance provisions in sections 56B and 56C is proposed.

Where these are not complied with, for example, where there is a disposition of a unit or share and the dutiable instrument is not made up, there is to be an alternately dutiable document. It is proposed that the relevant trust deed be dutiable in those circumstances with the trustee and the unit-holders or share-holders, as the case may be, being liable (clauses 19 (1) (d) and 20).

(c) To counter the possibility of duty avoidance on transfers of property purported to be by way of security it is provided—

(i) That such transfers of land attract full conveyance duty with an appropriate refund if the property is later retransferred to the original owner (clause 21).

(ii) That such transfers of property other than land attract security duty initially, with full conveyance duty applying should the person taking the transfer later obtain title not subject to an interest of the transferor. There will be an allowance for the duty already paid (clause 21).

There has been evidence of avoiding land transfer duty by the above method in the past.

The current approach in countering duty avoidance in respect of land, adopted in 1980, is for the Real Property Act 1861-1985 to prohibit transfers by way of security. Such transfers should not be necessary, in any case, as the bill of mortgage facility is available. This method involves a transfer being accompanied by a declaration that it is not by way of security and, unfortunately, the lodgement of these creates an administrative burden for the Titles Office. The proposed new approach will be more efficient in this regard.

The Bill also contains the necessary amendment to the Real Property Act under which the situation prior to the 1980 amendment above is reinstated (clause 24).

(d) The wording of section 53 is to be tightened to ensure that conveyance duty is payable on subsales (clause 17).

(e) It is proposed that the current provision which provides for the duty-free reregistration of vehicles transferring from other States be amended (clause 3 (a) (ii)).

In future, duty free reregistration in Queensland will apply only where stamp duty has been paid in another State. In some circumstances registration can be effected in

another State without payment of duty and in these circumstances the current provision could be an avenue for avoidance.

The third group of amendments, those concerned with ongoing implementation and administration of the Act, are as follows—

(a) The definition of "instrument" is to be recast in the light of recent amendments to section 4 in relation to a copy being assessable where the original of an instrument is not available for stamping (clause 3 (a) (i)).

The principal purpose of the amendment is to ensure that where the original of an instrument is not available for stamping, the commission may assess a copy of the instrument. Under the current definition, before the commission can do this, he has to be satisfied that the copy is intended to be used in Queensland in the stead of the original. When the current definition was inserted, an instrument was dutiable only when executed in or brought into Queensland. The charging provisions have since been amended, so that the original instrument whether executed in or out of Queensland is dutiable where there is the necessary Queensland connection, and it is accordingly irrelevant for duty purposes whether the copy is intended for use here. The current definition also seeks to attach duty where persons bring only copies of parts of documents into the State. This has also lost its significance. The new definition reflects changes already implemented in this regard.

(b) Section 42B of the Act provides for persons carrying on a credit card business, that is, Bankcard, American Express, Diners Club, etc., to pay duty at a rate of 10c per merchant transacted with during the billing period less 10c per billing period.

The concept of the provision is to preserve cheque duty.

Mr Davis: This is top stuff.

Mr GUNN: I know that it is over the honourable member's head. However, it is not only for his benefit. However, the previous centralised system of Bankcard processing has been abandoned, with the result that transactions with common merchants cannot now be identified by the major banks for the purposes of applying the provisions. It is proposed that duty on credit cards (other than store cards for which the current method of assessing is to be maintained) be accounted for on the basis of 10c per transaction in connection with which the credit card is produced less 10c per account (clause 14). The Governor in Council will approve those store cards to which the existing scheme of provisions is to continue to apply. Store cards generally do not attract duty except where they can also be used outside the store; for example, for car rentals or where branches are controlled by different companies. The accounting changes were effective from 1 July 1985. The new duty basis has been implemented administratively from 1 July 1985, and the legislation will have retrospective effect to that date.

(c) New section 31J provides for a convenient means of accounting for duty on Queensland incorporated company securities and securities of foreign companies registered in Queensland traded on the London exchanges (clauses 7, 8 and 23 (a) (iii)).

At present, transfers need to be forwarded to Australia for stamping before they can be registered.

Under the scheme, a company established by the London exchange will hold the Australian securities traded on its exchange as nominee, and changes of ownership following trading on the London exchange are to be noted by book entry by the company.

Owners of shares in the United Kingdom will be issued with certificates that the system holds shares on their behalf rather than with the usual share certificate issue by a company. Duty will be payable by return at the rate of 0.6 per cent in respect of dispositions noted by it.

There will be exemptions for going into and out of the system for transactions usually exempt—for example, a disposition to or by a religious body—and for transactions

usually attracting exemptions in the London market—for example, short-term interbroker and interjobber sales.

It is expected that all States will enact similar provisions. Some already have. The amount of duty involved is not expected to be large.

(d) Certain amendments are proposed to the section 56B anti-avoidance unit trust provisions in the light of administrative experience (clause 19).

Under the provisions, an instrument evidencing the disposition of a unit must be made up. This becomes dutiable.

Firstly, the definition of "unit trust scheme" is to be altered so that approved deposit funds are excluded from its scope. This exclusion is to operate from the commencement of section 56B; that is, 12 December 1984.

The Governor in Council, by Order in Council, is to be able to approve further types of unit trust schemes not to be within the scope of the definition.

In addition, it is to be ensured that duty on an allotment of units sold for cash is calculated as for a conveyance for transfer of the relevant property excluding such cash.

Further, allotments and redemptions of units are to be allowed not to attract duty where certain conditions are met, including that the unit-holders remain the same and that their existing proportionate interest remains the same and there is no change to their rights.

(e) To counter a form of avoidance, section 56C was introduced last year.

In private discretionary trust arrangements where there is a corporate trustee, persons were able to avoid duty by providing that the holders of the shares from time to time, without being named, in the trustee company were to be the beneficiaries.

To achieve an alteration of the ownership of property, all that persons needed to do was to sell the shares in the trustee company, which is usually a $2 company.

Section 56C provides that a company that is a discretionary trustee shall not enter in the books of the company a disposition in relation to a share unless a transfer or instrument evidencing the disposition is stamped with ad valorem conveyancing duty based on the full unencumbered value of the trust property affected.

Transfers of such shares would not ordinarily need to occur in arm's-length transactions unless they were for the purpose of duty avoidance. However, one exception has arisen. It is proposed that these provisions are not to apply to transfers of shares of a company established by a practice of accountants or solicitor to act as discretionary trustee for the clients' trusts where such transfer is upon a change to the composition of the practice or its employees. Clause 20 refers to that. It specifies qualifying conditions to be met before the concession applies.

(f) A deficiency that presently exists in the Act is to be corrected so that a person who is not registered as a person carrying on a credit and rental business is still required to make returns in respect of such business transacted during that time in which he was liable to register but did not do so (clauses 9-11).

That will facilitiate back accounting when non-registration is eventually discovered.

In conjunction with the amendment, it is proposed to amend an aspect of the penalty provisions. Currently there is a special penalty equal to double the duty payable for persons who are required to be registered but are not. This penalty provision is not effective, because the commissioner needs returns to calculate the amounts, but there is no provision for the returns to be provided. In its stead, the Bill makes the ordinary penalty provisions apply (clause 12).

Further, now that persons are required to make returns in respect of periods for which they are not registered, the possibility exists that where a person pays duty on a section 35E statement in respect of a transaction with an unregistered person, such

unregistered person may later make a return of duty including duty in respect of the same transaction. Clause 13 provides for a refund in these circumstances.

(g) A special exemption for the financing transactions of public bodies is now redundant, as comprehensive exemption provisions are provided in the Statutory Bodies Financial Arrangements Act. The outdated provision in the Stamp Act is to be repealed (clause 4).

(h) It is proposed that the commissioner's powers of inquiry under the Act be strengthened so that the court will be able to order a person convicted of an offence for not complying with the commissioner's request to in fact comply with such request. A person who fails to comply with such court order is to be liable for a maximum penalty of $2,000 or six months' imprisonment or both (clause 6).

(i) I outlined earlier that it was proposed, under qualifying conditions, that declarations of trust consequential upon the retirement or appointment of a new or additional trustee attract concessional duty of $4.

There is already such a concessional provision under the conveyance or transfer heading applicable if similar conditions are met.

It is proposed that there now be provision for follow-up when the criteria for these relaxations of duty on declarations of trust and conveyances upon the retirement or appointment of a new or additional trustee are not met in retrospect. The commissioner is to be able to withdraw the concession.

Parties to the instrument are required to notify the commissioner upon the happening of one of the events which would trigger the concession being removed, and there is to be a penalty equal to the duty to be assessable where the commissioner is not so notified, in addition to duty reassessed under the provision (clauses 15 and 16).

In respect of declarations of trust the provisions will be retrospective to 9 April 1985.

(j) Section 17 provides that, where an instrument is chargeable with ad volorem duty in respect of a money amount and the instrument is in a "foreign or colonial currency", the duty is to be calculated on the value of the money in British currency according to the current exchange rate in Queensland.

The section is to be modernised by inserting a reference to currency other than that of the Commonwealth of Australia. It is also to provide for a basis for conversion into Australian currency (clause 5).

(k) New section 57A (clause 22) provides that where duty has been paid or is to be paid upon an instrument at ad valorem conveyance duty rates and the dutiable amount includes the value of a vehicle, duty payable under the heading "application for registration or transfer of registration of a motor vehicle" may be refunded or set off against duty payable on the instrument to the extent that the duty on the instrument is attributable to the value of the vehicle and provided that such refund or set off does not exceed duty paid on the application for registration.

Similar refunds have been made up till now on the basis of an Order in Council dated 9 March 1967. On review, this order appears to be invalid. The provision therefore has retrospective effect to that date.

I commend the Bill to the House.

Debate, on motion of Mr Burns, adjourned.

LOCAL GOVERNMENT SUPERANNUATION BILL

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing), by leave, without notice: I move—

"That leave be given to bring in a Bill to provide for superannuation benefits for permanent employees of local authorities and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. R. J. HINZE (South Coast—Minister for Local Government, Main Roads and Racing) (10.21 p.m.): I move—

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

In 1964, the Government introduced legislation that provided a scheme of superannuation for permanent employees of local authorities, whether they were white-collar or blue-collar workers. Over the years, the principle of having a common scheme of superannuation for local government employees has become well accepted and is now regarded as an integral part of local government employment.

The scheme introduced under the 1964 Act consists of two sections—an insurance section for male employees under the age of 55 years and female employees under the age of 50 years, and a provident fund section for employees over those ages. A female employee, however, has the right to elect to contribute to the provident fund in lieu of taking out insurance under the insurance section.

In general, both the insurance and provident fund sections are organised on the basis of contributions at the rate of 10 per cent of the annual salary or wages of each employee, but an employee has the right to elect to have his contributions limited to 8 per cent. The contributions are paid in advance by the local authority and one-half of the contributions in respect of each employee is deducted from his salary or wages payments throughout the year.

The insurance section of the scheme is handled by the State Government Insurance Office and entails an insurance policy of the endowment type on the life of each permanent employee, payable at age 65 years or prior death.

Contributions made in respect of employees subject to the provident fund section of the scheme are paid into a provident fund and invested in gilt-edged investments. Interest received on such investments is credited to the employee's account each year and the amount standing to the credit of his account is paid to the employee upon his retirement, or to his personal representative on his death.

It will be noted that the benefits payable under the existing scheme bear no direct relationship to the salary or wages payable to the employee at the date of his retirement. Most modern superannuation schemes include such benefits as an integral part of their structure. In addition, the existing scheme makes no provision for disability benefits in the event of an employee's becoming permanently or temporarily disabled and, again, most modern superannuation schemes make provision for such benefits.

The current scheme, therefore, has certain inherent disabilities, and the Local Government Association, the Local Government Superannuation Board and the unions concerned have been discussing, for a considerable time, the introduction of a new scheme that will incorporate the modern provisions that I have enumerated. The Bill makes provision for this.

As I have said, the new scheme has been the subject of extensive discussions between the Local Government Superannuation Board, the major unions involved in local government employment and the Local Government Association of Queensland, and general agreement was reached as to the conditions thereof. I can assure honourable members that the terms of agreement will be incorporated into the new scheme.

I am aware that, in recent times, representations have been made to honourable members expressing concern at some of the provisions contained in the Bill. I will proceed to set those concerns at rest.

Some members of the present scheme, particularly female members who are contributors to the provident fund, claim that they will suffer a loss of benefits under the new scheme. I have had this aspect of the proposed new scheme examined and I am convinced that, on the whole, female contributors will be in a superior position under the new scheme. As well as being entitled to benefits that bear relationship to their annual salary at the time of retirement or withdrawal from the scheme, they will be entitled to permanent and temporary disability benefits. Moreover, the new scheme provides that benefits payable thereunder to an employee who was a contributor to the current scheme will not be less than those payable under the current scheme.

To illustrate that point, let me give honourable members three examples of actual cases of benefits payable to female employees—without, of course, naming the contributors concerned. In one case, the female contributor joined the local government service in 1970 and as at the 31 December 1985 will have accummulated just over $51,000 in the provident fund. Under the new scheme, and based on 1985 salaries, her benefit in the event of sudden death would be $109,000, with a similar benefit in the event of total and permanent disability. Under the current scheme her benefit would only be $51,000. In addition, the contributor concerned would be entitled under the new scheme, in the event of temporary disablement, to a benefit of $1,136 a month for a maximum period of two years. She would have no entitlement to a benefit in these circumstances under the current scheme.

The details of the other two cases are—

Benefit under current scheme	Benefit under new scheme on death or permanent disability	Benefit under new scheme for temporary disability
$35,000	$74,000	$775 a month
$ 3,400	$45,000	$475 a month

These examples have been taken over a variety of circumstances and illustrate clearly that the benefits on death or disability are substantially greater under the new scheme.

As to benefits payable on resignation—the new scheme provides that these benefits will be the same as or better in money terms than those payable under the current scheme at the date on which the new scheme comes into operation.

It may be that in some instances a female contributor to the provident fund could receive, on resignation, less benefits than those available under the current scheme. It should be recognised, however—and this is an important point—that in order to provide those additional benefits, the temporary and permanent disability benefits would have to be abandoned. On balance, I feel that most female contributors would prefer the course that the Government has adopted.

Whilst on the question of a comparison of benefits under the two schemes, I would like also to quote the circumstances of a case of a senior male officer that has been brought to my attention. I am informed that, because of total and permanent disability, this officer is likely to retire soon after the coming into force of the new scheme, and will receive a benefit in excess of $135,000. Under the current scheme, his benefit would be in the vicinity of $57,000. So it can be seen that there are substantial additional benefits in this area under the new scheme.

Another matter that lately has been the subject of some contention in relation to the proposed new scheme is the question of early retirement. Under the current scheme, the normal retirement age for males is 65 years and for females 60 years, with no provisions for retirement benefits at an earlier date. The proposed new scheme provides for retirement for all new members at age 65, with retirement at age 60 preserved for all current female members who so elect. However provision is made for early retirement within five years prior to a member's normal retirement date, with benefits being scaled

down according to the years of actual service. This entitlement, which is a common provision in modern superannuation schemes, is not available under the current scheme.

During discussions on the conditions that would apply to the proposed new scheme, the possibility of providing for retirement at age 55 years was proposed. The Government has considered that proposal on a number of occasions, and rejected it. Such a condition is not available in any other superannuation scheme applicable to statutory bodies, and it is felt that the new local government scheme should contain uniform provisions in that regard.

There are three other matters of major principle in relation to the proposed new scheme to which I should refer. Firstly, under the current scheme, members' benefits are updated annually having regard to the contributor's salary at the time of updating. In future, benefits will be updated at six-monthly intervals. Secondly, I have referred already, in passing, to death and disability benefits available under the proposed new scheme, but I will now give honourable members a more detailed explanation of these benefits.

Under the current scheme, the benefit payable upon the death of an employee is the value of the endowment assurance policy effected on the contributor's life, plus accruing bonuses. As I have said, these benefits may bear no relationship to the employee's salary. Under the new scheme, the benefit payable at death will be 13.5 per cent of the contributor's average salary of over the three years immediately preceding death, multiplied by his years of service under the new scheme, plus an amount derived by a similar calculation, at reduced percentage rates, for years of contribution under the old scheme.

In the case of permanent disablement, the benefit payable is a lump sum equal to the death benefit and, in the case of temporary disablement, provision is made for a monthly payment to be made to the employee commencing six months after disablement and calculated on a formula basis.

Finally, retirement benefits payable under the new scheme will be more generous than those under the current scheme. The current scheme merely provides for the payment of the maturity value of the endowment assurance policy taken out on the life of the employee plus bonuses or the amount held in his account in the provident fund, whichever is applicable.

Upon retirement under the proposed new scheme, a contributor will be entitled to 13.5 per cent of his final average salary for each year of service since the date of the coming into force of the new scheme, plus an amount derived by a similar calculation, at reduced percentage rates, for years of contribution under the old scheme.

The Bill repeals all existing Acts which are applicable to the Local Government Superannuation Scheme. It has been necessary, therefore, to re-enact many of the machinery and procedural provisions of the existing law. I do not propose to elaborate in detail on those provisions.

I will, however, briefly describe to honourable members the more significant aspects of the Bill which have not already been explained.

The Bill carries forward from the existing law the power for the board to take over superannuation schemes which were established by a local authority for the benefit of its employees before the commencement of the 1964 Act and which have not already been taken over by the board.

It is also provided that a local authority will have no power after the coming into force of the new legislation to contribute to any scheme of superannuation for its employees other than the new scheme.

The Bill contains provisions relating to the winding-up of these existing schemes. The trustees of such a scheme will be given one month after the commencement of the new Act to apply for the winding-up of the scheme, and the board is empowered to enter into arrangements with those trustees for such winding-up.

Provision is made in the Bill for the constitution of the Local Government Superannuation Board, the membership of the board, the filling of vacancies thereon, and the conduct of meetings and proceedings of the board.

The Bill provides that the board as constituted at the date of the coming into force of the new Act shall continue in office until reconstituted under the new Act.

Provisions have been included for the appointment of a secretary to the board and such other advisers and officers as it deems necessary and for the continuation in office of the present secretary to the board.

Requirements with respect to the keeping of funds by the board have been included in the Bill, and provision is made for the board to keep such accounts as will properly record its financial transactions and prepare and present suitable financial statements. The books and accounts of the board will be audited by the Auditor-General or his nominee.

The usual type of provisions are made for the board to obtain temporary financial accommodation when required and for the investment of surplus moneys held by the board at any time.

Provision is made for the board, with the prior approval of the Governor in Council, to appoint some person or body to manage the new scheme on its behalf and for the new scheme to be subject to regular actuarial investigation.

The inclusion of those provisions will ensure that the new scheme is kept under constant review and that the maximum benefits are made available to contributors.

As I have already indicated, I am firmly of the view that the new scheme of superannuation for local authority permanent employees envisaged in this legislation will provide for those employees and their dependants benefits that are superior to those presently available.

I am informed that representatives of the Local Government Superannuation Board recently toured the State conducting seminars for the purpose of explaining in detail the proposed new scheme and answering questions that contributors raised.

A report furnished to the department following the completion of this exercise indicates that the proposals were very favourably received at all locations and that there were few complaints of any substance.

The new scheme is proposed to be effective as from the 1 January 1986. I am confident that once it is introduced and becomes operational, the benefits thereunder will become obvious to all concerned and will be very favourably received.

I commend the Bill to the House.

Debate, on motion of Mr Prest, adjourned.

PETROLEUM ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 21 November (see p. 2694) on Mr I. J. Gibbs's motion—

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

Mr VAUGHAN (Nudgee) (10.35 p.m.): The Bill seeks to amend the Petroleum Act in a straightforward way. It seeks to include in the Act the new definition of "Declared pipeline". It will be a petroleum products pipeline. The Bill also seeks to insert, in the Act, a new section dealing with petroleum product pipelines.

As I understand it, the purpose of the legislation is to facilitate the construction and operation of long-distance pipelines for the transport of petroleum products. The present provisions in the Petroleum Act cover the construction of petroleum pipelines, such as the pipeline that recently was built from Jackson to Moonie and, previous to

that, the Moonie pipeline. From press reports and other news items from time to time, I understand that the ultimate intention of this legislation is to facilitate the construction of pipelines to carry petroleum products, such as petrol, to Toowoomba and also to the Gold Coast.

Because of its rich natural resources in oil and gas, Queensland has a number of pipelines. There are gas pipelines. There is talk about the construction of a gas pipeline from the Denison Trough to Gladstone to supply natural gas to that area. The construction of petroleum product pipelines to Toowoomba and the Gold Coast would be a step in the right direction.

Mr Burns interjected.

Mr VAUGHAN: Possibly so. That is probably an advance in technology.

These days, with the amount of traffic on the road, the aim should be to reduce the number of heavy vehicles on the road. Although the drivers of petrol tankers might be skilled, an accident involving a petrol tanker causes a great amount of damage and is a terrific hazard on the road. That is why I say that the construction of petrol pipelines initially to Toowoomba and the Gold Coast would be a step in the right direction.

Recently, in company with the Minister, I attended the opening of the automated Esso petroleum terminal at Port Alma. That terminal provides Esso with the facility to supply central Queensland. Previously, a limit of about 80 km was placed on the transportation of petrol by road tanker. I understand that that limit has been lifted and that the transportation of petrol by road tanker is virtually unlimited.

In May of this year, when the Government called for expressions of interest for the contruction of an oil pipeline from the Bodalla South and Tintaburra oilfields, an advertisement appeared in the *Queensland Government Mining Journal.* Some criticism appeared in the press about the conditions that were attached to the advertisement in the *Queensland Government Mining Journal.* The concern that was expressed by people in the industry was that the Government reserved the right to determine the construction, ownership or operation of any pipeline arising from the action that it was taking. If the Government is to allow the construction of petrol pipelines, firstly to Toowoomba and the Gold Coast and ultimately to other places, I hope that it does not place upon the companies constructing those pipelines the conditions that have been placed on the construction of the pipeline in far-western Queensland. Those restrictions relate to the construction, ownership and operation of the pipeline.

The Opposition sees no reason to oppose any provisions in the Bill, and I will leave my comments at that point.

Mr FITZGERALD (Lockyer) (10.40 p.m.): It has been said that this Bill enables any company to come to Queensland with confidence because, if it can put together a package to construct a pipeline to carry refined petroleum product from Brisbane, the legislation is in place. This is exactly the same type of legislation as that covering pipelines that carry gas and oil from the oil and gas-fields to Brisbane.

When the earlier legislation went through the Parliament, it was a pity that the state of development in Queensland was not considered to be at the stage at which companies would express interest in the possibility of putting in a pipeline to carry petroleum product. I am sure that where it is more economic to transport refined petroleum product by pipeline than by road, all honourable members would think it desirable to support the proposal whole-heartedly. I endorse that concept myself. At times, petrol tankers cause tremendous problems on the roads, and people are concerned about accidents involving tankers, the volatile nature of petrol and the inconvenience of diesel tankers on the roads.

The crunch is that consumers on the Darling Downs and on the south coast cannot expect that a pipeline will go through in the immediate future, but this legislation will allow companies to investigate the feasibility of constructing a pipeline. In my electorate, which covers the area from Yarraman to Toowoomba, restrictions with regard to the

carrying of fuel by road apply, but problems arise in policing the legislation. Breaches are committed by carriers who get lost when going to Lowood and end up travelling via Yarraman. I asked a question in the House about a fuel tanker that rolled over on the southern side of Yarraman and lost its whole load. It would not have had a permit to be on that part of the road.

Fuel product is also carried by rail but, if a pipeline were constructed, competition would be keen and that is the basis of our free enterprise society. I wholly support the introduction of another competitor. I feel also that rail charges should be lowered.

If a fuel pipeline is to be economic, the operators will have to be willing to transport fuel at a price lower than that of rail and road. If that happened, violent fluctuations in fuel prices would not occur. Everyone wants lower fuel prices. However, violent fluctuations do not help the market-place, and people in Toowoomba and other places will be able to receive a consistently lower price if fuel can be carried more cheaply. At times, the jobbers who are operating buy loads of fuel and, in my opinion, cart it illegally. Although they sell it at a lower price, which means a temporary discount for the consumer, it is very disruptive to the industry as a whole and is not beneficial to the trade.

Mr Price: Do you think the oil companies will pass on any of the savings to the consumer if they have a pipeline?

Mr FITZGERALD: It is not the oil companies that will necessarily own the pipelines.

The legislation enables those who are interested in building pipelines to carry out feasibility studies. If that proves to be feasible and the proposition is put up, the Government is likely to grant the franchise. I support the Bill before the House.

Mr BURNS (Lytton) (10.44 p.m.): The Moonie gas pipeline passes through my electorate. The Ampol oil refinery is situated in my electorate. I am naturally concerned when these types of proposals come before the House, because the placement of pipelines has already imposed restrictions on the development and use of local properties. Signs are located above the Moonie pipeline all the way from the Lytton electorate to Moonie. Those signs declare a transportation corridor and warn against development in the corridor. I support the legislation.

The Bulk Ships Co., which runs the coal-loader at the port at Fisherman Islands, is one company that is keenly interested in developing a pipeline proposal.

When modern technology is taking over, one of the things that should be thought of is the redundancy of employees in existing industry. As soon as fuel is transported over the border to New South Wales by pipeline, those who load fuel, drive the tankers and do other jobs in the oil transport industry will become redundant. In itself, that may not a bad thing if something is done about redundancy. Modern technology opens up other opportunities. One opportunity that is coming up has been caused by the Government's decision to modify the railway's monopoly on the carriage of fuel.

I think it is about time that the establishment of slurry pipelines was investigated. One of the great problems faced by the Gumdale, Wynnum and Tingalpa areas is the threat of a railway line proposal from Toowoomba to Acacia Ridge and through those suburbs to carry coal to the port itself. For quite some time, the suggestion has been made that large quantities of coal could be carried from the Darling Downs coal-fields by slurry pipeline to the port. Brisbane has a good port, upon which millions and millions of dollars has been spent in development. The quantity of coal being exported through the port is increasing substantially at regular intervals. However, one of the problems is the quantity of coal that can be carried on the old railway line that runs through many residential areas. The possibility of a slurry pipeline carrying coal from Wandoan, Millmerran and Pittsworth down the range to Fisherman Islands should be investigated.

I applaud something that the Government has been proposing for some time—the piping of natural gas from the far-south-western corner of the State to the Gladstone and central Queensland areas. The Government should undertake that project itself if no others are interested. The gas should be piped to central Queensland, because that is one way of ensuring that more industry will develop in the area. The availability of cheap fuel will ensure that. Those alternative forms of fuel should be made available so that not only petroleum and coal but also cheap gas is available.

I know of many companies that are interested in establishing in the Lytton area because cheap gas is available on site from the pipeline to the industry in the area. That induces industry to establish in the area.

In essence, I ask the Minister to ensure that when these pipelines are established, they be put in areas that have already been put aside for that purpose. I believe that Mr Caspari and his team at the Bulk Ships Co. have been interested in this type of pipeline for some time. They will want to transport oil from Ampol and from Bulwer Island under the river to the Ampol refinery and along the route currently followed by the Moonie pipeline. If they do, that would create very little disturbance to the areas of Tingalpa, Hemmant, Lindum, Gumdale and Belmont Heights.

Mr DAVIS (Brisbane Central) (10.48 p.m.): I am very pleased to be able to speak to this Bill, because, as is well known in the community, I am one of the supporters of cut-price petrol in the community.

Mr Burns: You started it.

Mr DAVIS: I do not like to claim the credit, but, as the member for Lytton said, I did start it. Anything that can reduce the price of petrol must be given a resounding cheer by the whole community.

Mr Price: How will it cut the price of petrol?

Mr DAVIS: Which side is the honourable member on?

As we are debating the Petroleum Act Amendment Bill, honourable members can refer to cut-price petrol.

Mr Randell: Bob Hawke started that.

Mr DAVIS: I am glad that the honourable member of Mirani has raised the fact that Mr Hawke, when president of the ACTU, brought in the cut-price petrol system.

Mr Randell: What happened?

Mr DAVIS: We got cut-price petrol. That is what happened; no trouble at all. The people of Brisbane certainly respected it.

The former Leader of the Opposition in the Queensland Parliament (Mr Wright) said recently in the Federal Parliament that the Petroleum Institute was waging a campaign of misrepresentation and untruth about the present high price of Australian petroleum. Mr Wright said that false statistics were being poured out to the media and that pamphlets and stickers were being produced claiming that taxes on petrol amounted to 35.33c a litre or 63.2 per cent of the price of fuel. Those statistics were completely untrue.

Mr Wright is quoted as saying—

> "A recent advertisement by the Shell Oil Company in the Bulletin magazine further misrepresented the issue with a graph showing that total taxes on petrol amounted to 35.33c."

Opposition members are used to such statements.

Mr Randell: Do you know how much they got—$5,800m, and they gave back $1,200m.

Mr DAVIS: The honourable member for Mirani has raised a point. I do not think that anyone likes to see the Government taking too much from the motorist.

One must go back to the Government that introduced world parity pricing. My colleague the honourable member for Port Curtis (Mr Prest) will remember 18 May 1978. On that date, my colleague and I spoke during the debate on the Petroleum Products Subsidy Act Amendment Bill that assisted the Commonwealth to subsidise petroleum products. At that time, the honourable member for Flinders (Mr Katter) was not a Minister. He jumped to his feet and took umbrage at the fact that the honourable member for Port Curtis and I criticised the then Anthony Government.

The honourable member for Flinders said—

> "I would like to reply to some comments of the member for Brisbane Central. He attacked the Anthony policy on petrol pricing. It is very interesting to observe the way in which he interprets that policy. If he had any working knowledge whatsoever of the world energy crisis or of economics, he would realise that the Anthony policy is the only logical one to adopt. The only way we can continue to have what is a very rapidly dwindling resource such as petrol is to somehow get people to cut back on their usage of it—and the way to do that—"

this National Party member is quoting the National Party policy—

> "is to raise the price of the product. Would he like to suggest any alternative?"

He was referring to me.

That statement was made by the honourable member for Flinders, who is now the Minister for Northern Development and Aboriginal and Island Affairs. He supported whole-heartedly the world parity pricing system. He took umbrage at the statements made by the honourable member for Port Curtis. When Government members complain about world parity pricing, they should remember who introduced it—their darling Doug Anthony, leader of the National Party. He introduced world parity pricing and put an added burden onto the motorists of this country. That system was supported strongly by Government members.

Mr PREST (Port Curtis) (10.54 p.m.): Although the Bill is small, it is very important. Changes are being made to the transport system in this country. It is time that the Petroleum Act was extended to allow for long-distance pipelines to transport petroleum products.

As the honourable member for Nudgee (Mr Vaughan) said, in this day and age, especially on the Gold Coast, loaded tankers have become a hazard on the roads. If an accident involving a tanker did occur—and, of course, it is always on the cards— the results could be devastating.

This is probably the way in which commodities should be transported. As the honourable member for Lytton said, job losses could occur. However, the construction of the pipelines could also create jobs.

When the Bill dealing with long-distance pipelines was introduced, I was somewhat disappointed that it did not mention the gas pipeline from Roma to Gladstone, which has been referred to. In fact, it has been stated repeatedly that a decision would be made in relation to the construciton of that pipeline. One of the big items on the agenda of this year's National Party State conference was the $400m pipeline from Roma to Gladstone, which was going to create a great deal of work and be readily available to other industry.

Only last night, at a function, I was talking to a very senior officer of the department, who told me that the pipeline is still in its infancy. Unfortunately, there is no news at the end of the line. For many years, the gas has been available. However, someone has to pay for it.

The honourable member for Roma (Mr Cooper) said that it is difficult for gas to compete against electricity because of the ease with which electricity can be produced

from coal in this State. I agree with that. However, I sincerely hope that at some stage the project will come to fruition. As the honourable member for Lytton said, it could create increased interest in development of the central Queensland area.

The honourable member for Brisbane Central (Mr Davis) reminded honourable members that on 23 May 1978, the member for Flinders (Mr Katter) said that the only way in which a dwindling commodity such as petrol could be conserved in this country was to put the price of petrol beyond the capacity of the user to pay. That policy was implemented by the Liberal-National Party Federal Government at that time. The stage has been reached at which petrol, which was selling at the bowser for 16c a litre in 1978, is now selling at about 54.9c or 55.9c a litre.

The Federal Government saw that as a way of raising revenue. The policy was implemented by the Liberal-National Party Government in the Federal sphere, and almost the only policy that that Government ever adhered to was that of increasing prices. It did that very well, to the disadvantage of this wonderful country. As the honourable member for Brisbane Central said, that is something that the present Minister for Northern Development and Aboriginal and Island Affairs will never live down. The blame for the high cost of fuel today in this country lies with the Liberal-National Party Government, which implemented the Country Party policy of 1978.

Mr PRICE (Mount Isa) (10.59 p.m.): I am quite excited about the transportation of fuel by pipeline. It may not be economically viable, however, to build a pipeline from Townsville out to Mount Isa at the moment, especially as the cartage of fuel is deregulated. Competition in the transportation of fuel from Townsville raises the possibility of savings. Since the argument began a couple of years ago, I have been an advocate of competition.

So far, however, not a great deal of success has been achieved in having the savings brought about by competition passed on to the consumer. The present freight charge on fuel carted by rail from Townsville to Mount Isa is 6.8c a litre. Through the provision of what are known as block trains, the Railway Department effects a saving of 2.57c a litre. That has been absorbed by the oil companies. It has certainly not been passed on to the consumer. The 6.8c a litre charged by the Railway Department was fully funded by the Federal Government's subsidy scheme. In May last year, 4c of that 6.8c was taken away by the Federal Government. If the remaining 2.8c was added to the 2.57c, the additional cost of fuel to the consumer in the west would be in the vicinity of 1c only—perhaps an acceptable surcharge—but none of those advantages have been passed on to the consumer. In spite of the claims in northern provincial cities, the north west possibly has the dearest fuel in the country. The retail cost of petrol in Mount Isa is 68.9c a litre.

I fully realise the safety aspect inherent in a fuel pipeline. On the other hand, however, the resultant loss of jobs in the Railway Department would be detrimental. The introduction of tankers would have that result, anyway; but there might be an exchange of jobs from one industry to another. If there was a pipeline, those jobs would have to be picked up in some other industry, but not particularly in the petroleum industry.

Any savings effected through the transportation of fuel by pipeline would be the gain of the owner of the pipeline. If private enterprise was involved, it would become a toll line, with the charge being added to the price of fuel. Assuming that the cost of construction of the pipeline would be considerable, the price that people in Mount Isa would be required to pay for the concomitant safety and the encouragement of decentralisation would be exorbitant.

As to the exorbitant cost resulting from the distance between Townsville and Mount Isa—if the pipeline was owned by the State, the cost of cartage of petroleum products could perhaps be made cheaper if the cost was amortised over as long a period as possible.

In a few words, then, I add my argument to that of the Deputy Leader of the Opposition (Mr Burns) in advocating State ownership of any pipeline.

Hon. I. J. GIBBS (Albert—Minister for Mines and Energy) (11.4 p.m.), in reply: I thank all honourable members for their contributions, which in the main have been constructive and supportive.

I deal first with that of the Opposition spokesman, the honourable member for Nudgee (Mr Vaughan). He spoke about various pipelines, including the gas pipeline from Bodalla South. Decisions will have to be made on those matters, depending on whether or not the pipelines will be based on the common-user principle or multiple usage. When that is being decided, the debate will turn to what the size of the pipeline will be. The Queensland Government believes that the Bodalla South area is in its infancy as far as finds are concerned, and the necessary decisions will be made at a later date.

The honourable member for Lockyer (Mr FitzGerald), who is a member of my committee, made constructive remarks about the pipeline that will traverse the area of his electorate and serve the Toowoomba area as well.

The honourable member for Lytton demonstrated his concern that much of the refinery operations and the necessary pipelines would affect his electorate. His comments were constructive and realistic, and all the things he mentioned will need to be investigated. The honourable member mentioned slurry pipelines, and the impact that they might have on the work-force.

I believe that in the end result, if the scheme comes to fruition, a larger work-force may be required, because a large number of small trucks will be needed at the terminals. That may have the effect of decentralising the use of transportation vehicles, which will result in more men and smaller vehicles being required. An increase in manpower is more probable than a reduction, and if that occurs, the safety factor will be enhanced.

I point out that a great deal of work has to be done on the proposal. I should mention that carriage by bulk-cargo ships was one method of transportation that was being investigated. As some honourable members have said, the concept is exciting, and the Government hopes that it will all eventuate.

The honourable member for Brisbane Central (Mr Davis) mentioned the ACTU-Solo enterprise. I do not know why he did that, because, although the venture started off quite well, it does not hold a proud record of success. Nevertheless, because of the honourable member's previous association with the petroleum industry, he understands all that is involved with the supply of fuel. He referred to parity pricing, and there is no doubt that the original concept was good.

In its true form, parity pricing has had the effect of establishing onshore drilling operations in Australia, and especially in Queensland. Since that time, however, the concept has been extended, and has been taken further than it was ever intended. Nowadays, it has been used to raise revenue in the form of a levy. Notwithstanding that, one would readily concede that the 2c a litre levy that is paid to the Commonwealth Government for the Australian Bicentennial Road Development Program is a worthy project. At least the motorist knows what the 2c a litre is being spent on and, on that basis, would find it difficult to object. It is only when the levy is increased and the motorist feels that it has become a burden that parity pricing will start to affect the economy in an adverse way. I advocate the rationalising of the parity-pricing scheme.

The honourable member for Port Curtis (Mr Prest) correctly pointed out the practice that relates to the supply of gas to Gladstone and the effect that that has on the economy of the area. The Government hopes that the Denison Trough pipeline will come on stream shortly. That pipeline stands alone in supplying gas to Gladstone for the alumina smelter. Negotiations are taking place for the supply of gas from that area. At present, the analysis has shown that not enough gas will be produced in the Denison Trough area to sustain long term supply, so a secondary means of supply will be required.

It must be conceded that because the Government aims to develop as much industry as possible in the Gladstone area to maintain the momentum of industrial growth, Gladstone is the right place to be supplied with gas. The Premier and other people in

the Government are negotiating with a number of companies in the hope of getting a better idea of gas-usage in the long term.

The member for Mount Isa, who understands the petroleum business and its value, spoke about a pipeline to his area. It is a long way to his area but, as time passes, no-one knows where refineries may be built. In the long term, additional refineries will be built in Queensland. The small refinery built in the western area of the State could well set the trend for what may happen in other places.

The Opposition spokesman said that this is a fairly simple Bill. It is in no way controversial. It merely adds another ingredient to the pipeline legislation which will allow other things to happen. People who have already carried out a great deal of work will be able to proceed in the sure knowledge that they are covered by the legislation.

I thank all honourable members for their contributions and commend the Bill to the House.

Motion (Mr I. J. Gibbs) agreed to.

Committee

Clauses 1 to 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr I. J. Gibbs, by leave, read a third time.

ANZAC DAY ACT AMENDMENT BILL

Second Reading—Resumption of Debate

Debate resumed from 21 November (see p. 2670) on Mr Lester's motion—

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

Mr McLEAN (Bulimba) (11.13 p.m.): The Opposition finds very little wrong with the Bill. However, a few comments should be made because the Bill covers matters to which Australians should give a little thought. I refer to the Anzac Day Trust and the use to which it is put.

In 1965, the Anzac Day Act was amended and the Anzac Day Trust was established. The trust was established to disburse moneys received to institutions, organisations and associations that provide financial assistance and relief to aged and needy ex-servicemen and women and their dependants.

Applications for grants are received by the trust on an annual basis, and disbursements are made at the end of each financial year.

The main income of the trust is derived from the payment of a percentage of licensed victuallers' fees and book-makers' and totalisator takings at race meetings held on Anzac Day. In addition, funds are also received by way of an annual appeal for donations. The annual appeal is made to organisations that benefit from the extension of trading hours granted by the Government. I am referring particularly to clubs, hotels, places of entertainment and so on that make more money because of the Government's extension of trading hours.

This debate will highlight the people who, over the years, have benefited from the Government's move to extend trading hours on Anzac Day. The services that are provided on Anzac Day have been extended considerably. We all remember when Anzac Day was a closed day. It was a day on which we could sit down and remember some of our forefathers' sacrifices for this country and for the way of life that we presently enjoy.

It is with interest that I look at the annual report of the Anzac Day Trust for 1982-83. Of course, it is the trust that handles the money received not only from hotel fees

and book-makers' and totalisator takings at race-meetings held on Anzac Day but also as donations from hotels, clubs, theatres and other entertainment centres that are now allowed to provide people with entertainment for half a day on Anzac Day. I am referring to many employer groups within our society.

It is interesting to look at the annual report of the Anzac Day Trust and see the donations that are made by various organisations. The QHA Charitable, Sporting and Educational Trust provided a donation of $750. That money was raised by the members of that trust by conducting raffles in hotels. It was not a donation of $750 from the hoteliers themselves. The Aramac Shire Council donated $100.

Hoyts Theatres Ltd, which is one of the biggest threatre groups in Queensland, is allowed to open on the afternoon and evening of Anzac Day and probably collects a large amount of money. It donated $65 to the Anzac Day Trust, which looks after the needy within the families of ex-servicemen. The Eldorado Theatre in Proserpine donated $50. I am only guessing, but Hoyts Theatres Ltd would probably open up to a dozen theatres on Anzac Day, and, as I say, it donated $65.

Here we are dealing with the open market under an honesty system. This is why, at times, Opposition members get up and argue about the employers' exploitation of the little people.

The Government has given entertainment centres and hotels an opportunity to trade, to make more money and to employ people—I do not argue against that—on Anzac Day, but their generosity can be gauged by the size of the company and the donation. Every donation to the Anzac Day Trust Fund of $2 or more is nominated, so the mentality of some organisations can be seen. It is no wonder that, at times, members of the Opposition stand in this place and argue for the little bloke, because exploitation is rife.

I refer now to an article in the *Telegraph* of 27 April 1984, which was headed "Move on Anzac breaches". I mention it because it highlights the type of thinking of some people in business today. It reads—

> "State Employment and Industrial Affairs Minister, Mr Lester, has ordered an investigation into reports that two major Gold Coast tourist parks contravened Anzac Day opening laws.
>
> Mr Lester said his officers would inquire into whether Seaworld and nearby Andalucia Park, an equestrian centre, opened for trading on Anzac Day morning.
>
> The State Anzac Day Act prohibits 'places of public amusement' to operate before 1.30 p.m.
>
> The restrictions are intended to emphasise that Anzac Day is a day of solemn respect for Australia's war dead.
>
> Spokesman for Andalucia Park and Seaworld confirmed today that both complexes opened for business at 9 a.m. on Wednesday.
>
> Seaworld group managing director, Mr John Menzies, said he thought the law governing the opening of amusement attractions was wrong."

Because the managing director of Sea World thought that the law was wrong, he openly and brazenly broke it. He admitted to opening at 9 o'clock in the morning on a day on which the law says those type of entertainment centres cannot open before 1.30 p.m.

The article continued—

> "Mr Menzies said the 4000 Anzac Day patrons at Seaworld were asked to commemorate the day with one minute's silence."

That was his justification for breaking the law. I ask honourable members to imagine what one minute's silence at Sea World would be like with kids on slides, dips and dives. I wonder whether all the machinery was stopped. Were the ice cream machine

and the hot dog machine stopped? According to Mr Menzies, that one minute's silence was adequate justification for breaking the law. He was reported as saying—

> "... the service emphasised that possibly the major reason everyone was able to enjoy themselves was because Anzacs had laid down their lives so that others might be free.
>
> 'We certainly don't think we were disrespectful and in fact I'm sure we assisted in the overall solemnity of the day,' he said.
>
> Mr Menzies said Seaworld would be writing to Mr Lester to suggest that such services at amusement parks might be a way of getting people who normally did not go to Anzac marches, involved in the spirit of the day."

The 4 000 people who attended Sea World on Anzac Day paid probably $10 a head to get in. Indeed, it was probably more than that. In other words, Sea World made $40,000 by breaking the law of this State.

A member of the Opposition asked a question of the Minister about what would happen following those breaches of the Act. No penalties were imposed on Sea World. In his reply, the Minister may care to elaborate on that point, but his answer at that time was that he was having the matter checked. The manager of Sea World (Mr Menzies) said that he disagreed with the law and said that he opened his establishment at 9 a.m. Sea World would have been prepared to pay the fine, which is very minimal, anyway.

What gets to me and the Opposition is the hypocrisy involved. The reason that investigations were not conducted on the day was that inspectors were not allowed to work overtime. They were not allowed to go out to check which establishments opened and which did not. The Government can put all of the provisions it likes into the Act, but the Act is not worth the paper it is written on unless the people are allowed to go out and ensure that it is enforced. If the law is not upheld any more than it was on that occasion in 1984, when Sea World openly and publicly broke the law in this State, it is not worth bringing the legislation to the Parliament. It is not worth wasting my time or the time of the House.

Mr Cooper interjected.

Mr Prest: It is easy to see they aren't diggers.

Mr McLEAN: That is right.

The Opposition does not disagree with the thrust of the Bill. The amendments will help to overcome some of the problems that I have noticed. I simply ask the Minister that, after the Bill passes through the House tonight, he makes sure that its provisions are enforced.

Hon. Sir WILLIAM KNOX (Nundah) (11.26 p.m.): I commend the Minister on the introduction of the Bill. The trading hours relating to Anzac Day are most difficult to administer. Although the Bill places emphasis on the penalties, which have been increased, I am sure that the Minister will have the same difficulty that all previous administrators have had in policing those hours. As all honourable members know, a certain degree of flexibility exists on Anzac Day, anyway. That has crept in, either by practice or by law, in the last 25 years.

Although it is regrettable to see the change in the observance of Anzac Day, the fact seems to be that it is changing whether one provides for it in law or not. Although the law may be very firm about it, I feel that the administrative difficulties in policing it will remain, particularly when some entrepreneurs seem to think that they have special rights over and above anybody else on Anzac Day. For reasons of their own, those entrepreneurs feel that that part of Anzac Day that is now set aside should not be observed by them. No amount of excuses and pretending by those people will excuse their actions.

Obviously, some services must function on Anzac Day or the community would come to a halt. That is the same as the provision of services on Christmas Day, Good Friday, on Sundays and even during the night. Those services are provided for in awards and in the Act.

What concerns me most—I am sure it concerns the Minister, too—is the fact that, when the half-day holiday on Anzac Day was introduced, it was agreed by the Parliament and by the community at large that funds would be made available to the trust by those who benefited comercially from Anzac day. As the Anzac Day trust report shows, the only contributors are those who are virtually obliged to do so under the provisions of other Acts, that is, the Totalisator Administration Board and hotel licensees. They contributed the bulk of the funds to the trust.

Fortunately, the obligations on the trust probably are decreasing. However, in some areas, particularly in regard to dependants of Vietnam veterans, the work of the trust might receive more emphasis.

I do not know how one overcomes the problem. Although there is a moral obligation on people who benefit entrepreneurially on Anzac Day, they do not seem to feel that they have any obligation at all to the trust or to the significance of Anzac Day. A possible solution is for the Minister to consider a promotional campaign associated with Anzac Day to encourage people to provide portion of their funds to the trust. Unfortunately, that will cost money.

When I was Minister for Employment and Labour Relations, I sent letters to many commercial enterprises—I think that the Minister might have done the same—to remind them of the significance of Anzac Day and of the fact that they were benefiting financially because the special arrangements of that day gave them the opportunity to improve their share of the market-place, and that, therefore, they should provide some of those funds to the trust. People made some donations, but they were rather minuscule compared with the gross revenue or the net profit made by those entrepreneurs. The problems is unresolved. No number of laws on that aspect will produce the funds for the trust that are used so wisely.

I suspect that Queensland has been fortunate to have citizens available to supervise the trust efficiently. The amendments sought by the Minister relative to the investment of funds only validate what the trust has been doing. The investments are supervised by the Treasury and by other people, so there is no real danger that those moneys will be misappropriated or put into funds that would disappear.

The service provided from those funds to veterans and their dependants is well known and appreciated. Some of the organisations that benefit are very appreciative of the assistance provided to them from those funds.

I think that the Minister's difficulties with trading hours will remain. My only suggestion is that, on the day or week before Anzac Day, an inspector go round to the major organisations who cause problems and point out to them the hours provided for in the legislation. It could be pointed out to them also that, as they have a pretty fair go at other times, they might care to respect Anzac Day a little more solemnly than they have in the past.

Hon. V. P. LESTER (Peak Downs—Minister for Employment and Industrial Affairs) (11.33 p.m.), in reply: I thank the honourable members for Bulimba and Nundah for their contribution on what might seem to be a small Bill containing few proposed amendments. The Bill is important, as are the amendments. The Bill affects everyone. It is another reminder of the importance of the day on which so many people fought and died for us. That is no doubt one of the reasons why we are here.

I take on board the comments about public amusement centres, donations, etc., made by the honourable member for Bulimba. Although amusement centres acted improperly by opening when they should not have done so, an examination of the Act showed that the department had no power to send in its inspectors on Anzac Day. That

was part of the problem. I realise that the comments of Mr Menzies were reported in the press. Although the evidence available was not great, and in spite of all the hoo-ha in the press, no-one made a written complaint.

The inspectors were not on duty on that particular Anzac Day. That was because on the previous Anzac Day, when they were on duty, all hell broke loose as a result of the inspectors harassing people. That is why the Government took them off duty. Last Anzac Day, all the inspectors were put back on duty again.

As the honourable member for Nundah (Sir William Knox) said, officers of my department should go round and warn everybody. This year, that did happen. I even inserted one or two advertisements in the newspapers, and that upset a few people.

I wonder where people's priorities lie as far as Anzac Day is concerned. Unfortunately, some people are after the almighty dollar, irrespective of the significance of the day. It is extremely annoying. However, I have gone to——

Mr Burns: They're only quick-quid merchants; they're not concerned about the diggers at all.

Mr LESTER: I will not dispute that. The people responsible have caused trouble for everybody.

I have gone to a fair bit of trouble in drafting these amendments. I have had meetings with people involved in the Anzac Day Trust and a number of business people. The Government has tried to come up with realistic proposals.

I cite the example of a hot-bread shop. Obviously, the people concerned must be allowed to bake the bread. Previously, it was unlawful to bake bread. Honourable members can believe it or not. People could sell it, but they could not bake it. People could also open a restaurant, but they could not cook meals. That is an interesting fact that came to light. The Government has endeavoured to overcome that problem. I believe that in this day and age, it is necessary to allow small shops to open on Anzac Day.

I will clarify the situation in regard to petrol stations. It even concerned you, Mr Speaker, in your electorate of Toowoomba South. It has now been decided that petrol stations will be allowed to open on the morning of Anzac Day. However, they cannot open willy-nilly. The Government is giving petrol stations the opportunity to apply to the Industrial Commission to be granted times in which they can open. That might help to overcome the problems that petrol stations experience with rosters.

I do not know that there is much point in saying anything more when there appears to be unanimous approval of the Bill. I believe that the Bill will help to make more flexible the essential activities on Anzac Day, while remembering that very important day.

I thank all honourable members for their interest and their contributions.

Motion (Mr Lester) agreed to.

Committee

The Chairman of Committees (Mr Row, Hinchinbrook) in the chair; Hon. V. P. Lester (Peak Downs—Minister for Employment and Industrial Affairs) in charge of the Bill.

Clauses 1 to 7, as read, agreed to.

Clause 8—Amendment of s. 8; The Anzac Day Trust Fund—

Mr McLEAN (11.38 p.m.): Whenever I get the opportunity in this Chamber, I will stress the different priorities of this Government and particularly of the Minister in the size of fines. I realise that people might regard that as a minor matter in regard to some

Acts. However, I record in *Hansard* that offenders against the Act are liable for the following penalties under subclause (1)—

"(a) in the case of a natural person to a penalty not exceeding $2 000; or

(b) in the case of a body corporate to a penalty not exceeding $10 000."

I stress those amounts because, in every Bill on industrial matters that I have debated in recent times, the fines have been $50,000 for individuals and $250,000 for bodies corporate. On every possible occasion, I will stress the priority of the Minister and his Government in the imposition of fines. Although this is not the best example that one could use, it certainly highlights the difference in treatment. I ask honourable members to compare the fines of $2,000 for individuals and $10,000 for bodies corporate with those imposed under recent industrial legislation of $50,000 for individuals and $250,000 for bodies corporate.

Mr Alison: That is a waste of time.

Mr McLEAN: The member for Maryborough would think so. He is the most right-wing person in the Chamber.

The CHAIRMAN: Order!

Mr McLEAN: I was provoked, Mr Row.

Clause 8, as read, agreed to.

Clauses 9 to 11, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

QUEENSLAND LAW SOCIETY ACT AMENDMENT BILL

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General), by leave, without notice: I move—

"That leave be given to bring in a Bill to amend the Queensland Law Society Act 1952-1980 in certain particulars."

Motion agreed to.

First Reading

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

Second Reading

Hon. N. J. HARPER (Auburn—Minister for Justice and Attorney-General) (11.42 p.m.): I move—

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

Apart from the considerable machinery matters contained in the Bill, major fundamental changes have been made to the functions and operation of the Queensland Law Society. A new Solicitors Disciplinary Tribunal has been established to consider all forms of complaint against practitioners and their employees. The tribunal will have full power to investigate and consider all matters of complaint, and it may refer a matter to the statutory committee for hearing if it considers the matter sufficiently serious. The tribunal will be empowered to order a fine up to an amount of $5,000.

The tribunal will consist of 12 persons appointed by the Governor in Council upon my recommendation, nine of whom will be selected from a panel of 18 practitioners nominated by the Council of the Queensland Law Society. The remaining three members will be lay persons appointed by the Governor in Council upon my recommendation.

A person having legal qualifications and admitted as a legal practitioner will not be entitled to be appointed as one of the lay members of the tribunal. At hearings before the tribunal, it will be necessary to have a quorum of three, one of whom must always be a lay member.

Experience has indicated that the use of the statutory committee and the powers that it possesses under section 6 of the Act have created a process that is too formal to be effective in maintaining discipline within the profession totally. The Solicitors Disciplinary Tribunal to be established by this Bill will be in addition to the present statutory committee of the society and will act as an intermediate disciplinary tribunal for solicitors and their employees.

One further major fundamental change to the present system operating within the Law Society will be the appointment of a lay observer. The primary duty of the lay observer will be to monitor the handling, by the society, of complaints made against practitioners and their employees, which the society receives or which are referred to the society by the Minister for Justice.

The lay observer will have the right to attend and participate in, but not vote at, all meetings of the complaints committee, the statutory committee, and the hearings of the tribunal. He will also have a similar right in relation to the meetings of the council of the society in relation to disciplinary matters. The lay observer will also be empowered to require the council of the Law Society or the employees of the Queensland Law Society Incorporated to furnish to him such information as he requests in order to fulfil his duty as lay observer.

A further provision contained in the Bill will permit the Minister to direct the lay observer to investigate any complaint in such manner as the Minister thinks fit. The lay observer will be required to report to the Minister for Justice at least yearly, but may report more frequently should the necessity arise.

Another major area covered by this Bill is in relation to the successfully concluded negotiations with the banking industry that will allow banks to now make an agreed payment on the general sums held in solicitors' trust accounts. To facilitate dealing with these additional funds, which are to be paid to the Law Society, a special fund has been opened—the bank contributions suspense account.

The moneys accumulated in this fund will be distributed quarterly and, after the payment of necessary expenses, will be apportioned as follows—

forty per cent to the Legal Aid Office (Queensland) for application to the costs paid by the commission to private practitioners;

thirty-five per cent to the Public Defender for application to the costs paid by the Public Defender to private practitioners;

ten per cent for the provision of library facilities throughout Queensland;

ten per cent to the Queensland Law Society to be used for the purposes of continuing legal education and other matters approved by the Minister for Justice; and

five per cent to a special grants fund, payments from which will be used to assist research into issues of legal concern as approved by the committee.

The special grants committee will be administered by five persons, three of whom will be nominated by the Minister for Justice; one of whom shall be chairman and two others will be nominated by the council of the Queensland Law Society.

Amongst other matters contained in this Bill is a provision to provide a receiver, appointed in respect of a practitioner's trust property, with greater ability to pursue the recovery of trust property.

As it presently stands, the Act does not permit the payment, out of the fidelity guarantee fund, of interest and reasonable costs and expenses incurred by successful claimants in making a claim against the fund. The amendment contained in this Bill

overcomes this anomaly, and the society will have the discretion to restore a claimant to the same position that he would have enjoyed were it not for the default of his solicitor.

The Bill also provides that all practitioners within Queensland, whether or not in their own right or as employees, will be required to hold a practising certificate and will also be required to provide to the society a professional practice address within Queensland.

A further rule-making power has been included in the Bill to enable the society to make rules imposing a minimum level of continuing legal education upon practitioners in order that the practitioner may maintain his eligibility for a practising certificate.

It is envisaged that practitioners who do not comply with these rules may not be entitled to renew their practising certificate.

The provisions contained in this Bill for the appointment of a lay observer and lay persons upon the solicitors' disciplinary tribunal should enhance, in the eyes of the general public, the legal profession as a whole.

The disciplinary tribunal will enable more efficient hearings against practitioners without the formal procedures attributed to the present statutory committee.

The funds to become available through the arrangements with the banking institutions will provide considerably more money for legal aid and will assist substantial numbers in the community to obtain legal aid.

I commend the Bill to the House.

Debate, on motion of Mr Goss, adjourned.

The House adjourned at 11.50 p.m.