



**Speech by**

**GEOFF WILSON**

**MEMBER FOR FERNY GROVE**

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Hansard 5 September 2000

**AUSTRALIA POST OFFICE, FERNY HILLS**

**Mr WILSON** (Ferry Grove—ALP) (7.19 p.m.): On 23 August I informed the House of Australia Post's arrogant decision to close the post office at Ferry Hills. Since then, I have been provided with documents and information which show that Australia Post has deliberately forced a breach of contract between the post office licensee and a local business person and engaged in deceptive and misleading behaviour toward the local community and its elected representatives.

Over a period of 18 months, Australia Post has engaged in an utterly deceitful exercise to ride roughshod over the local post office licensee, small businesses and the local community. The background is this. In December 1998, Mrs Jukes, the post office licensee, through her company, and a Mrs Aitken, who owns business premises across the road, signed an unconditional offer for a five-year lease so that the post office could move to a far better premises nearby. On 26 March 1999, the parties signed the initial plans for a major refurbishment of the new premises, to be completed by 25 October. The proposed lease was confirmed on 12 April when a number of small amendments were agreed to. Amended plans, signed by the post office licensee on 23 April, were then the subject of a development permit granted by the Pine Rivers Shire Council on 11 May.

On 18 May, one week later, Mrs Aitken, the landlord, mortgaged her home for \$70,000 and borrowed another \$20,000 to pay for the extensive refurbishment. The building work was officially completed on 20 September. After all of this, Australia Post advised the licensee on 4 October that it would block her decision to move across the road. Understandably, Mrs Aitken insisted the licensee move in. However, the licensee, through her solicitors, now says that the agreement for lease was signed subject to Australia Post approval. Mrs Aitken has considered legal action for specific performance but cannot afford the extensive legal costs involved. Nor is there any practical reason to pursue the licensee for damages because she has no assets.

Australia Post should abandon its decision to close the Ferry Hills post office, and there is an urgent need for a thorough investigation into a number of matters. Why did Australia Post force the licensee to abandon her own business decision to move across the road and thereby expose her to legal action for breach of contract? Why, while the licensee and the new landlord completed detailed arrangements to move across the road, did Australia Post secretly do a rental and lease deal with the Great Western Super Centre at Settlement Road, Keperra—two suburbs away—to house the Ferry Hills Post Office? Why did Australia Post want to avoid calling public tenders for the new licence at Settlement Road by dishonestly and misleadingly describing the opening of a post office at that new location as merely a relocation of the Ferry Hills Post Office?

Why did Australia Post, in a letter to Cheryl Kernot, Federal member for Dickson, dated 7 December 1999, falsely claim that the licensee's move across the road had been blocked because of a dispute between the licensee and Mrs Aitken, when Australia Post knew full well that Australia Post's decision on 4 October 1999 blocking the move was what created the legal dispute and not the other way around? Why is Australia Post avoiding its community responsibility by hiding behind the veil of a privately owned business, over which it has the power of life and death, by dishonestly advising me in a letter dated 29 August 2000 that—

"... the situation is that a privately owned business wishes to move (to Settlement Road) and we don't wish to confuse the rights of a small business with the responsibilities of Australia Post to the community."

Why, when Mrs Aitken approached the Business Complaints Centre of Australia Post, was she advised that Australia Post could not look at her case but that she would just have to sue the licensee, when Australia Post itself had induced the breach of contract by the licensee? Why did Australia Post go through a shallow, deceitful charade of public consultation in the last month when it knew full well—but did not inform the public, who had a right to know—that it had blocked the move across the road in October last year? Why did it not genuinely consult the Hills Chamber of Commerce, for example, and others in the local community? Why did Australia Post, in a letter to me dated 1 March 2000, falsely claim that "no decision has been yet made about the location of the post office", when it knew full well that, by a letter to its licensee dated 4 October 1999, it had blocked the move across the road?

I call upon Mr Bill Mitchell, Queensland General Manager of Australia Post, to immediately overturn the decision to close the Ferny Hills Post Office; pay Mrs Aitken compensation for the financial and personal damage suffered by her; and properly investigate in an open and accountable way the serious issues raised in this matter.

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