

HOUSE OF ASSEMBLY

Thursday, October 28, 1971

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

MEDICAL PRACTITIONERS ACT AMENDMENT BILL

His Excellency the Lieutenant-Governor, by message, intimated his assent to the Bill.

QUESTIONS**GAS**

Mr. HALL: Can the Premier say where negotiations now stand between gas producers in South Australia and New South Wales authorities regarding the building of a pipeline from the North of South Australia to Sydney to supply that city with gas? Although publicity has been given over the last year or so to an agreement to supply Sydney with gas, no commencement date for the building of the pipeline seems to have been fixed yet. Can the Premier also say whether the agreement depends on the establishment of further supplies of gas in the field?

The Hon. D. A. DUNSTAN: A letter of intent between the producers and the Australian Gas Light Company was signed some months ago. As part of this letter of intent, a provision was made that adequate reserve supplies on the field should be proved. The reserve supplies have, in fact, now been proved in quantity; indeed, we have been able to prove supplies of gas on the field at a rate which has exceeded all previous forecasts. There is now no doubt that the adequate reserves which were looked to in the letter of intent will be provided. In the meantime, a study is being undertaken concerning the development of the pipeline to New South Wales. It will be necessary for South Australia to agree to the pipeline's traversing a certain part of our territory and not being subject to the pipeline authority, and I have agreed to that. The matter is proceeding, and early next month (I think on November 11) the New South Wales Minister for Mines and his officers will be visiting the field, as well as visiting me and the department, to have further discussions on final arrangements in the matter.

AIR POLLUTION

Mr. HARRISON: Has the Minister of Environment and Conservation a reply to the question I asked on October 21 about air pollution in the Albert Park area?

The Hon. G. R. BROOMHILL: On the evening of Wednesday, October 20, 1971, the South Australian Gas Company received more than 90 calls complaining of a gas smell. Officers equipped with sensing meters were quickly at the scene of complaint but, though an odour was apparent, it was judged not to be natural gas. Public Health Department officers were not aware of the situation until the following day, by which time the odour had dispersed. All complainants had considered the smell to be that of gas; natural gas is odourless and odour is introduced for safety. Three companies in South Australia odourize the gas, namely, the South Australian Gas Company, Electricity Trust of South Australia, and Adelaide Cement Company. Two brands of odourant are used (robodour and captan), both being basically mercaptans and supplied in 44-gall. drums. Complaints were first received from Cheltenham, Rosewater and Pennington at 7 p.m., followed by Woodville West, Findon, and Albert Park at 7.30 p.m., West Beach, Seaton and Kidman Park at 8 p.m., Fulham and Henley Beach at 8.30 p.m., and Grange at 9 p.m. Complaints continued until 11 p.m.

The wind condition and direction was light north-east. When the points of complaint are plotted on the map, a focal point at the approximate junction of Hanson Road and Grand Junction Road may be noted. There is no dosing of natural gas carried out in this vicinity. Other points considered were drum reclamation, and storage of used and full drums. Drums are reclaimed at Rheem Australia Limited and Industrial Drum Company; both factories were inspected but no drums of the required type were seen. Both companies claim not to have been working during the time of complaint. The company that supplies the South Australian Gas Company and Adelaide Cement Company with robodour is Hardie Trading, which has interests in Spartan Paint (Hanson Road). This company, which was found to have 30 empty drums stored on its property, had tried to sell these drums on a previous occasion but it now stockpiles. The company stated that no work was taking place on the evening in question. The Electricity Trust has 13 drums of captan stored at the Angle Park depot; these were inspected and it was concluded that the drums had not been opened. It is part of the contract the trust has with the suppliers that the drums are removed and returned to Victoria; this function is performed by Ansett Transport. North of the area from commencement of complaints is Wingfield, with its multiplicity

of dumps and sparse population; this is an ideal area to dispose of any unwanted matter.

From discussions with the South Australian Gas Company, it appears that this is not the first occasion the complaints have been received. On one occasion an odour reached Salisbury while a north-west wind was blowing. Agreement has been reached with the South Australian Gas Company that in future, should a similar discharge occur, an inspection will first be made of the area indicated, and the Chief Engineer who lives about two miles from the home of the Engineer for Air Pollution will contact him. The South Australian Gas Company is about to install a plant for de-odourizing the drums. It has been suggested that, if the plant is successful, all empty drums at present known to be stored in South Australia will be processed through this plant. It should be noted that the use of the mercaptan is not great. It is suggested that all suppliers and users be made to account for drums used. The present method of used drum storage is not acceptable; individuals could remove drums for use as incinerators, and this has occurred, resulting in a local disturbance. It is expected that these steps will prevent a recurrence of this problem.

INSTITUTE OF TECHNOLOGY

Mr. MILLHOUSE: Does the Minister of Education intend to accede to the request of the South Australian Institute of Technology contained in a letter to him, as yet apparently unanswered, concerning the possible 16.6 per cent rise in fees next year? The Minister will undoubtedly have seen the report in this morning's *Advertiser* (and there was a similar report, I think, in the *News* yesterday) about this matter. Apparently the institute has written a letter to the Minister asking that the Government take into account three matters which are set out there: the increases that have taken place; the fact that fees are already considerably higher than those at corresponding institutes in other States; and the comparatively small proportion of students who are assisted. I understand that the two universities have agreed to make the increases, although there has been much resistance and criticism, especially from students. I understand that the Premier was heckled about this matter some time ago when he went to the University of Adelaide.

The Hon. D. A. Dunstan: That's not so.

Mr. MILLHOUSE: The Premier says that it is not so, but all the reports I have had are to the contrary. I remember that when the

Government Party was in Opposition it strongly resisted previous increases, and it is now compounding those. I ask the Minister whether he will answer the letter and whether the Government intends to consider the matter in the light of the three points raised.

The Hon. HUGH HUDSON: The answer to the first part of the honourable member's question is "Yes", and the answer to the second part of the honourable member's question is the same as the answer to the first part of his question.

Mr. MILLHOUSE: Can the Minister say when he will reply to the letter from the South Australian Institute of Technology concerning the fee increase? I was gratified by the brief and direct answers that the Minister gave to my questions about the letter, which he has not yet answered. I notice in the newspaper report that the institute council meets, I think, on November 22. However, it will undoubtedly be of interest to council members and to the students and others who have protested about the increase to have the Government's views much earlier than that.

The Hon. HUGH HUDSON: I will reply to the letter as soon as practicable, and I certainly expect that it will be before the next meeting of the council of the institute.

Mr. Millhouse: But when?

The Hon. HUGH HUDSON: I thought the honourable member said that he was gratified, but he has suddenly become cross.

Mr. Millhouse: No, no.

The Hon. HUGH HUDSON: I do wish he would make up his mind about what state or condition he is in. It is difficult for him to do this, but we would all appreciate a little effort.

Mr. Coumbe: You gave brief replies; don't spoil it.

The Hon. HUGH HUDSON: I feel that I should be explaining my—

The SPEAKER: Interjections are out of order.

The Hon. HUGH HUDSON: I realize that the member for Torrens is most provocative, and deliberately so, but I will ignore him. It has been made clear previously that the Government is considering a further improvement in the fees concession scheme. Specific problems here would affect certain students at the institute, because they are part-time students and, as the Institute of Technology has a higher percentage of part-timers than has either of the two universities, that is one of the reasons why the percentage of students receiving assistance at the institute is lower than at either

of the two universities. We are examining ways and means of trying to give additional assistance to part-time students. It is worth noting that these students, who are earning their own income, are placed at a disadvantage with respect to students at a university or at the Institute of Technology who are being supported by their parents, in that the part-time students who are self-employed cannot claim any tax deduction for education expenses.

Consequently, a part-time student, perhaps working and with a wife and child, who is on the same income as that of the father of a student, who is the one child in the family, does not receive any income tax deduction for education expenses incurred, while the father of the student to whom I have referred receives a deduction. We consider that we should make some attempt to modify that position and to use the fees concession scheme to do that. The matter, which is a little complicated, cannot be resolved overnight, but I assure the honourable member that, as soon as we are able to reply to the Institute of Technology and to announce the further change intended in the fees concession scheme, that will be done.

SOLDIER SETTLERS

Mr. CURREN: Has the Minister of Works a reply from the Minister of Repatriation to the question I asked on Tuesday about the valuations made on surrendered war service land settlement holdings?

The Hon. I. D. CORCORAN: My colleague states that he made representations to the Commonwealth to review the prices fixed for surrendered holdings, which it is intended will be offered to existing war service settlers. Unfortunately, the Commonwealth has not been prepared to agree to revise the prices, and action will be taken shortly to gazette these blocks open to application.

STRUAN FARM SCHOOL

Mrs. STEELE: Has the Minister of Works a reply to my recent question about the Struan Farm school?

The Hon. J. D. CORCORAN: The Minister of Agriculture has informed me that renovations and alterations to Struan House are being undertaken before occupation by Agriculture Department staff as a regional centre. Arrangements have been made with the Public Buildings Department to remove the old farm school notice which was referred to by the honourable member.

GOATS

Mr. HOPGOOD: Will the Minister of Environment and Conservation watch care-

fully any future development of goat pasturage in the northern areas of the State? At the Oraparinna reserve a fortnight ago, in company with other Government members I discussed with the ranger the problem of the presence of wild goats in the Flinders Ranges, and the ranger, when pointing out the depredations that these creatures cause, said that a programme to exterminate them was being undertaken because they were in direct competition with the yellow-footed rock wallaby. Subsequently, it has been pointed out to me that there has been some discussion in Parliament about the possibility of future goat pasturages in the northern areas in conjunction with sheep, on the grounds that these two animals use different fractions of the pasture. It has been suggested to me that there is a potential danger in this practice because, instead of only part of the habitat being destroyed, the whole lot will be destroyed by the two creatures acting together.

The Hon. G. R. BROOMHILL: This matter is causing much concern to officials of the various national parks and to people generally interested in the welfare of the Flinders Ranges. The extermination of goats, once they run wild in areas like the Flinders Ranges, is difficult because this animal can reach inaccessible areas and cause considerable damage, as well as increase in numbers. I assure the honourable member that this matter is being closely watched, and I will, from time to time, provide him with reports of actions that are being taken to control the position.

HINDMARSH BRIDGE

Mr. CUMBE: Can the Minister of Roads and Transport say whether his department has plans to widen the Hindmarsh bridge over the Torrens River? The bridge is on the boundary of my district and several other districts. Is the Minister aware that an increasing volume of traffic is crossing this bridge and at busy times a considerable bank-up of traffic occurs? Also, will the Minister have a report prepared on this matter, bearing in mind the earlier proposals for the construction of the interchange at this location?

The Hon. G. T. VIRGO: I will seek information for the honourable member.

SALISBURY NORTH SCHOOL

Mr. GROTH: Can the Minister of Education say when the Salisbury North Technical High School ovals and hockey fields will be available for use by students? Two ovals and two hockey fields are now under contract to the Public Buildings Department and it was considered by the school council that they would

soon be handed over in an established condition. These fields were seeded in autumn, but a recent examination has revealed that negligible germination has occurred and an untidy and heavy growth of weeds covers the area. Although reticulation was completed before planting, the ovals and the hockey fields have not yet been watered and the ground seems to be hard and dry.

The Hon. HUGH HUDSON: I am not familiar with the situation at this school but, in response to the question, I shall be pleased to investigate the matter and obtain a report for the honourable member as soon as possible.

WUNKAR RAILWAY LINE

Mr. NANKIVELL: Can the Minister of Roads and Transport say whether further developments have taken place concerning the re-opening of the Wanbi-Wunkar railway line? The line has not been pulled up and I know that the Minister has had this matter under review for some months, according to the reply I received to a question I asked him. Also, I understand that there have been recent discussions between the Barley Board and the Railways Department on the re-opening of the line for the cartage of this season's harvest. Because the Barley Board is now receiving its first classification and growers will want to deliver, and because barley will need to be delivered through the silo before wheat can be received, I point out to the Minister that this matter is urgent. If it is being considered, I ask him whether, as the Barley Board has not committed itself to the use of road transport and is asking for the use of the railways for the transport of grain from growers who want to deliver barley in bulk through that terminal, the track could be kept in operation for a little longer this year, to enable the throughput of barley to be handled until a decision is made.

The Hon. G. T. VIRGO: No final decision has yet been made on the re opening of the line. However, the honourable member, as a member of the Public Works Committee, would know that the Transport Control Board, with the committee's approval, did issue an order to close the line. I have received from the Barley Board a request to re-open the line and yesterday the General Manager of Co-operative Bulk Handling Limited (Mr. P. T. Sanders) telephoned me on the same matter. I told him the same as I had told the Barley Board, namely, that when the board and the co-operative make up their minds whether they will support railway transport, the Government will be far better

able to make a decision on re-opening. However, at this stage it seems that it would be completely uneconomic to re-open that line merely so the Barley Board and/or the co-operative could choose, to suit their own ends, whether to use road transport or rail transport. If these organizations and the farmers in the district will give the Government an undertaking that, if the line is re-established, they will give it the patronage that they did not give it before (and that caused the line to run down), the Government will be far better able to decide.

FAIRVIEW PARK CROSSING

Mrs. BYRNE: Will the Minister of Education obtain a report on whether planning has commenced to install authorized school crossings at Hancock Road, Fairview Park, to minimize the risk of accidents to children attending the Surrey Downs Primary School? Last weekend the President of the Surrey Downs Primary School Committee approached me, expressing concern about the safety of children crossing Hancock Road. This is not the first occasion on which I have been approached about the matter by a representative of the committee, a previous approach having been made about two years ago. However, on the surface, no developments seem to have taken place. I realize that the erection of school crossings is entirely the responsibility of the council (in this case, the Tea Tree Gully council), with the approval of the Road Traffic Board.

The Hon. HUGH HUDSON: The honourable member is perfectly correct in stating that the installation of school crossings is the responsibility of the council, after it first gets the approval of the Road Traffic Board as to a requisite quantity of traffic and pedestrian movement. When an amendment to the Highways Act is introduced later this session, provision will be made for the Highways Department to meet two-thirds of the capital cost of school crossings on the department's roads. Whether Hancock Road would come into this category, I cannot say off the cuff, but I will certainly examine the problem for the honourable member. If there is an opportunity to interest the Highways Department in the problem, I will approach my colleague the Minister of Roads and Transport. Alternatively, we will take the matter up with the council.

PRIVATE HOSPITALS

The Hon. D. N. BROOKMAN: Will the Premier ask the Chief Secretary whether the

Government intends to introduce legislation dealing with private hospitals and nursing homes this session?

The Hon. D. A. DUNSTAN: I will have the matter examined and get a report for the honourable member.

GAUGE STANDARDIZATION

Mr. BROWN: Can the Minister of Roads and Transport say whether, when the standardization of the railway line between Crystal Brook and Adelaide is completed, a fast passenger train service between Whyalla and Adelaide could be introduced? I was interested in the Minister's announcement concerning the standardization programme and I am sure the residents of the northern industrial centres will be extremely interested in the possibilities of such a service.

The Hon. G. T. VIRGO: It is a little early to give an unqualified assurance on this matter, but I certainly share the hopes of the member for Whyalla that this will be so. The broad terms of reference have been agreed between the Commonwealth Minister for Shipping and Transport and me, and one matter the consultants will investigate is the provision of a by-pass section of track at Port Pirie to obviate the necessity of trains in the future going into and then coming out of Port Pirie. Those members who know the area know it is not possible to run through Port Pirie as it is through other railway stations. This proposal will be part of the terms of reference of the consultants and one which both the Commonwealth Minister and I agree is desirable so that passenger and freight traffic can be speeded up. The point the honourable member has raised will certainly be fully considered with a view to giving effect to it if it is humanly possible to do so.

COMAUM SCHOOL

Mr. RODDA: Has the Minister of Works a reply to my recent question concerning the installation of electricity at the Comaum school?

The Hon. J. D. CORCORAN: Work is expected to commence on November 1, 1971, to provide Electricity Trust power to the Comaum school. It is expected that the work will take about three weeks to complete. So, by the end of November the school will have electricity.

OUTER HARBOUR TERMINAL

Mr. RYAN: Has the Minister of Marine a reply to my recent question on the likely

date of completion of the Outer Harbour passenger terminal?

The Hon. J. D. CORCORAN: The new passenger terminal at Outer Harbour is expected to be ready for use by the end of August, 1973. However, much will depend on the result of tenders to be called shortly for the completion of the building.

SCHOOL BOOKS

Dr. EASTICK: Has the Minister of Education a reply to my recent question concerning the issue of free books and materials, more particularly to the children of totally and permanently incapacitated pensioners?

The Hon. HUGH HUDSON: The Repatriation Department has advised the Education Department that T.P.I. pensioners receive, in addition to their normal allowances, education allowances for their children. The amounts received for each child per fortnight are according to age and are as follows:

5-11 years ...	Cost of materials met by Repatriation Department.
12-14 years ...	\$4.35 a fortnight.
14-16 years ...	\$6.60 a fortnight.
16 years and over	\$14.55 a fortnight.

In previous years approval for free books and materials was granted simply on the basis of income as pensioners. However, the Education Department was not aware until recently that an allowance for education was being paid in these specific cases by the Repatriation Department. When this was discovered, free book applications from T.P.I. pensioners were not approved as it was considered that the allowances paid to them should adequately cover their education costs. Applicants for free books are required to declare that assistance for school books is not being received from any other source. I should also add, first, that primary schoolchildren of T.P.I. pensioners would receive free textbooks and that secondary schoolchildren of T.P.I. pensioners, although not qualifying for free textbooks (that is, the departmental meeting of all educational costs), would still qualify for the normal book and material allowance paid to all schoolchildren.

WEEDS

Mr. McANANEY: Has the Minister of Works a reply from the Minister of Agriculture to my recent question about the growth of African daisy in the Adelaide Hills?

The Hon. J. D. CORCORAN: My colleague has expressed his concern that, despite the efforts that have been made and the considerable sums of money spent over the years to

eradicate and control African daisy, the weed continues to infest portions of the Adelaide Hills districts. After discussions with officers of the Agriculture Department, he has reluctantly reached the conclusion that a continuation of the present methods and levels of control cannot be expected to achieve worthwhile results in some areas and that the continued enforcement of general control measures on some councils and individual landholders in the Adelaide Hills is unwarranted and unfair. The daisy flourishes in inaccessible gullies, steep hillsides and areas that have been burnt by bush fires.

The Minister of Agriculture accordingly has given serious consideration to the transfer of this weed from the second to the third schedule of the Weeds Act. This action would absolve councils and landowners within the District Councils of East Torrens and Stirling and the municipalities of the cities of Burnside and Mitcham from their present legal obligation to take steps to eradicate or destroy this weed. It is considered that effective control of the weed can and should be maintained on arable and grazing land by applying good pasture, fertilizer and stock-management techniques. However, the problems inherent in the intended change in policy are well appreciated, and the Hills local governing authorities have already been consulted concerning the whole question and their views have been obtained.

McKINNON PARADE

Dr. TONKIN: Will the Minister of Roads and Transport obtain a report on peak-hour parking on the short length of McKinnon Parade between the intersection of Bunday Road and Jerningham Street? On this section of the road which, I realize, is in the district of the member for Torrens, traffic comes in from across the Hackney bridge along Bunday Road and joins McKinnon Parade for a short distance before turning into Jerningham Street. A considerable volume of traffic also comes from the North-East Road around the park lands and along the parade. There is a short length of road on which parking is permitted close to the playground and, instead of two lanes of traffic being able to get through, only one lane is able to get through. This situation causes serious bottlenecks, particularly in the morning peak-hour period.

The Hon. G. T. VIRGO: I will investigate this matter and discuss it with the member for Torrens, to whose district the question relates, and then, if need be, I will let the honourable member know the result.

OPAL FIELDS

Mr. GUNN: Has the Premier a reply to my recent question regarding a visit to the opal fields by members of the American Society of Travel Agents?

The Hon. D. A. DUNSTAN: A group of 120 delegates to the annual conference of the American Society of Travel Agents has booked to visit Adelaide as part of a longer tour of Australia. These tours were arranged by the Australian Tourist Commission, in consultation with the States, to give the American travel agents the chance to see as much as possible of Australia in a limited time. Accordingly, their length of stay in Adelaide is only one day and there will not be the chance for them to visit country areas.

OVERLAND EXPRESS

Mr. CARNIE: What action, if any, does the Minister of Roads and Transport intend to take to ensure that the Overland runs on time and will he ascertain why the train is late as often as it is? On Tuesday, in reply to my Question on Notice the Minister said that between January 1 and October 20, 1971, the Overland was on time only 14 times out of 292 and that it was late 278 times. During the Minister's reply I heard the comment from a Government member "So what!" and the Minister himself appeared to think that the question was not very important, by the way in which he answered it. Government members may not think that this is a very important matter, but I point out that the Overland provides a pleasant and convenient means of travel between Adelaide and Melbourne with comfortable sleeping cars and club car facilities.

Mr. Mathwin: At 35 miles an hour!

The SPEAKER: Order! There is too much audible conversation.

Mr. CARNIE: I am sure that more business men who have a day's business here or in Melbourne would make use of the train if they could rely on its punctuality, but the Minister's reply on Tuesday indicated that the on-time arrival of the train could not be relied on. Does the Minister intend to take action to make the service more attractive to people who may wish to arrange a day's appointments in either city?

The Hon. G. T. VIRGO: I am delighted that at least the member for Flinders is concerned about a very valuable asset to the State. I wish some of his colleagues who, by interjection and by other comments, talk about the train running at 35 m.p.h. had the same high regard for a very valuable service to the State as has the honourable member. At present,

the Railways Department is undertaking extensive works which, regrettably, affect the running of all trains on that section of track. The honourable member may know that about three years ago a full-scale inquiry was held into the condition of that track and it was found that, because of a starvation of funds over many years, the track was in a serious run-down condition. The net result was that the Government of the day made a decision, which has been carried on by the present Government, to spend about \$8,000,000 to upgrade the track. That work is currently in progress, but I think the member for Flinders would realize that, when track work is in progress, speed restrictions must be applied and that normal speed cannot be maintained at the same time as coping with extensive areas where speed restrictions apply.

Mr. Carnie: Couldn't the department allow for this time in its schedules so that travellers would know?

The Hon. G. T. VIRGO: That is only one of the factors involved. Perhaps the second important factor is that the railway system in the desert area is still working under the old system of train control. At present, the department is installing centralized train control, which will speed up the passage of trains through that area. I think the honourable member would know that, at night, that section of track is currently packed to capacity, so that, if one train is late, it will throw a dozen other trains out of their time table slot. All in all, I think the work taking place in relation to, first, centralized train control and, secondly, upgrading the track, will in due course result in a vast improvement in the working times of the Overland. I do not want the honourable member to get the idea that we are complacent about the matter: we are conscious of the need to ensure that trains run on time. However, finally, I point out that in the reply I gave the honourable member previously it was stated that the Overland from Melbourne was, over the relevant period, late in arriving on South Australian soil on well over 100 occasions. Once a train is behind time, it is almost impossible, under existing conditions, for that time to be made up.

CRAFERS LAND

Mr. EVANS: Will the Minister of Roads and Transport approach the Highways Department with a view to the department's making available to the Stirling community a piece of land at Crafers, on which the department has placed a value of \$7,600, to be used as a site for an elderly citizens' home? This land lies

between the "on" ramp of the freeway coming into Stirling and the Piccadilly main road. The committee concerned in this matter has for some time been looking for land for an elderly citizens' home, and the land to which I refer is lying idle, as I believe it is surplus to the Highways Department's requirements. No other suitable land seems to be available in the area, and the committee is not asking to be given this land: it is willing to pay the price fixed by the department. As it is vital to the Stirling community that it have a home for elderly citizens, I ask the Minister to investigate the matter and to bring down a report.

The Hon. G. T. VIRGO: I shall be pleased to examine the implications of the matter and to see whether it is practicable to comply with the honourable member's request. However, I think I should point out that a certain policy is followed concerning the disposal of land: first, it must be established that the land in question is surplus; it is then made available to Government departments should they desire it; otherwise, it is made available to the local council, and wherever possible (in suitable areas) we encourage councils to develop open spaces in the way of parks and the like. Failing this, the land is then made available for other services. It seems to me that the venture referred to by the honourable member could well receive a far higher priority if it were referred to the local council, which I take it would be interested in that venture, and I suggest that the honourable member might care to consider that aspect.

Mr. Evans: There's no objection to that.

The Hon. G. T. VIRGO: I will still take up the matter, but the added support of the local council could help.

RAIL FREIGHTS

Mr. VENNING: Will the Minister of Roads and Transport consider reducing rail freights on all grain handled by the South Australian Railways? I know that both the Minister and the Railways Commissioner are concerned about the railways, just as primary producers in this State are concerned about current rail freights. As recently as April 1 last, rail freights in South Australia were increased by 10 per cent.

The SPEAKER: Order! The honourable member is going beyond explaining his question.

Mr. VENNING: I believe, as do many of the people I represent—

The SPEAKER: Order! The honourable member cannot comment; he can ask a question and explain it. The honourable member for Rocky River.

Mr. VENNING: If the Minister wants the railways to be used, I suggest that he consider this matter. We know that road transport is cutting into rail freights, and that—

The SPEAKER: Order! The honourable Minister of Roads and Transport.

The Hon. G. T. VIRGO: I am willing to discuss with the Railways Commissioner this matter or any other matter associated with the railways. However, I hope the honourable member will not conclude that the request is even a reasonable one, let alone worthy of serious consideration, because I point out to him that the rates in respect of all types of freight carried in South Australia (I am almost certain this applies to grain) are lower than those in any other State in the Commonwealth. I do not think that the rural community of South Australia can expect an even further reduction than that already applying. In many cases we are now carrying grain uneconomically.

Mr. Venning: Overall?

The Hon. G. T. VIRGO: There may be the odd case where we make a profit but, for every such case, we can probably produce 100 other cases where we do not make a profit. I think the point I made just now in reply to the member for Mallee applies equally to the question asked by the member for Rocky River: I think the rural community has to make up its mind whether or not it wants a rail service for transporting its goods. If these people want the rail service, they must be willing to use it, not simply have it there and cart goods through a private contractor or on their own lorries (on which lorries, incidentally, they are given reduced registration rates).

Mr. Venning: You have to give them something; otherwise they won't stay there.

The SPEAKER: Order!

The Hon. G. T. VIRGO: I believe we are giving them a great deal at present. I have said I am willing to look at the matter to see whether there is any basis for the suggestion made, although I doubt at this stage that there is any basis for it.

FIRE PROTECTION

Mr. ALLEN: Will the Minister of Environment and Conservation say what steps he may be taking regarding fire protection in national parks in the Flinders Ranges during the forthcoming summer? This week's issue of the *Stock Journal*, which is called the "Bush Fire Prevention Issue", deals at great length with bush fire prevention in this State during the coming

summer. As the issue contains an article written by Mr. Neil Stevens, a journalist who often contributes articles to the *Stock Journal* and who has an article in this issue on the fire hazard in the Flinders Ranges, I recommend that the Minister read the issue. As a result of a question I asked in this House recently, adequate direction signs have now been erected in the Flinders Ranges, and Mr. Stevens suggests that fire warning notices be added to the direction signs; then, at the end of next summer, those signs could be removed and re-erected the following summer.

The Hon. G. R. BROOMHILL: As the idea seems to have considerable merit, I shall be pleased to examine it closely, and I will inform the honourable member as soon as a decision has been made.

GARDEN ISLAND

Mr. RYAN: Has the Minister of Marine a reply to my recent question about the use of Garden Island as a dump by the Port Adelaide council?

The Hon. J. D. CORCORAN: The Port Adelaide council recently re-opened negotiations with the Marine and Harbors Department, after a lapse of some years, regarding the use of the southern half of Garden Island for the disposal of refuse. No decision has as yet been made on this matter.

STUDENTSIPS

Mr. MILLHOUSE: As I wish to ask a question on a matter of policy, I direct it either to the Premier or, if he believes that another Minister should answer it, to him who represents the Minister of Agriculture and who I believe is the Minister of Works. Will the Government reconsider the studentships being currently offered so as to include studentships in the agricultural sciences? I have been approached by a constituent whose son desires to follow a career in agricultural science. About 18 months ago the father and son went to the Agriculture Department where they saw an officer who they think was described as an assistant training officer and with whom they discussed the subject of a studentship to enable the boy to do an agricultural science course. I think that at that time they were handed a dodger, which is dated August, 1969, and which sets out information about studentships. In all fairness, I should say that on the reverse side the dodger states that the disciplines in which studentships are likely to be offered will be known towards the end of September, so there is no commitment in the dodger. However, the father and

boy were also given, I think at the same time, a three-page document which is headed "Department of Agriculture (South Australia) Studentships" and which sets out six types of studentship that will be offered. As a result of this, the boy or the father got in touch with the University of New England because the boy's first choice was to do a degree of bachelor of agricultural science at the university at Armidale. Having got in touch with the university, the boy found out the requirements and actually altered the subjects he had to study this year for matriculation. He has kept in touch with the department, having been told that studentships would be advertised in September and October. On October 23, the *Advertiser* contained an advertisement for studentships, and no studentships are available in any type of agricultural science. The only studentships being offered are in building technology, dentistry, dietetics, occupational therapy, physiotherapy, quantity surveying, social work, speech therapy, and surveying. As a result of seeing that advertisement, the father and son have inquired of the department and been told that as a matter of policy no studentships are to be offered this year, and this is contrary to the information which had previously been given and on which the boy has acted. As the Minister and the Premier will understand, this is a serious matter for the boy: because of the financial burden involved, his father cannot afford to send him to New England. Therefore, I ask the question of the Premier or the Minister, and I shall be happy to supply the personal details if that will be helpful in the circumstances.

The Hon. D. A. DUNSTAN: I will have the matter examined by the Public Service Board and give the honourable member a reply.

METRIC SYSTEM

Mr. CUMBE: Can the Premier say what progress is being made in South Australia on conversion to the metric system? In view of the reply given me some time ago by the Premier that the Metric Conversion Board was looking at the matter, and in view of the announcement by the Premier or by the Government that it was hoped to have certain administrative sections, at least, of the Public Service operating under this system by 1972, although certain legislation has already been passed, can the Premier say what progress is being made in this field and whether it will be necessary to introduce before the end of

1971 new legislation to give effect to recommendations of the board so that the conversion can operate in 1972?

The Hon. D. A. DUNSTAN: Certain of the conversions to the metric system will operate as from January 1, 1972. Whether legislation will be necessary before that time, I am not certain at this stage, but I will get a report for the honourable member. There is a considerable problem facing all States in this matter. The cost of metrication for the States will be enormous. Application has been made to the Commonwealth Government for assistance, since the Commonwealth Government has indicated that it wishes the States to proceed with this matter with all speed. I have had a letter from the Prime Minister stating that in his view the cost of metrication must lie where it falls; therefore, it must fall very heavily on us, without any assistance whatever from the Commonwealth Government in this area. With the projected costs facing us, this is daunting indeed. I hope that we can get the Commonwealth Government to adopt a different attitude towards the matter. I cannot say in detail off the cuff what needs to be done before January, 1972, but I will get a report.

FAIRVIEW PARK HOUSE

Mrs. BYRNE: Has the Premier a reply to the question I asked on October 20 about the possibility of the Housing Trust's providing rental accommodation for a family who lived in my district and whose house was burned down?

The Hon. D. A. DUNSTAN: The trust is prepared urgently to consider rehousing this family. An officer was due to call on Mrs. Lord on October 21, and I hope that has already been done.

LAURA SCHOOL

Mr. VENNING: Has the Minister of Education a reply to my recent question about the Laura Primary School?

The Hon. HUGH HUDSON: Laura Primary School is on a site of four acres and consists of four timber classrooms, plus a library, activity room and art/craft room in solid construction. The enrolment has declined considerably in recent years, and is now 121. There are no plans for the replacement of the school at present. Following a letter from the school committee last year, the Public Buildings Department was asked to consider the structural soundness of the school and the question of upgrading it to meet present needs. No action has been taken to date as there are so many

projects involving schools similar to Laura awaiting attention in various parts of South Australia. In the meantime, the Public Buildings Department has been asked to modify a classroom for grades 1 and 2, to upgrade facilities in the art room, and to make an investigation to enable a grassed playing field to be developed. In this connection, the Headmaster has been asked to obtain a price from a local contractor for the ground formation work.

MARTINS CORNER

Mr. CURREN: Has the Minister of Roads and Transport a reply to my question of September 28 about an accident that occurred at Marlins Corner, near Moorook?

The Hon. G. T. VIRGO: When the honourable member asked his question on September 28, I said, in part, that I would obtain what information I could, especially concerning any resistance to having the corner improved, as was referred to by the honourable member. I have now received a report from the Chairman of the Road Traffic Board, who has indicated that there is no record of complaints received either by the board or by the Highways Department with respect to this curve, nor of any refusal to improve the road alignment. The fatal accident referred to by the honourable member occurred at 3 p.m. on Monday, September 20, 1971, on a 600ft. radius righthand curve, which has 45 m.p.h. advisory speed signs (erected after a fatal accident in 1970). The roadway consists of a 20ft. wide dry seal in good condition with 8ft. wide rubble shoulders.

The vehicle apparently entered the curve travelling in the centre of the road, swung left to avoid an approaching vehicle, went off the lefthand edge of the seal, swung out of control across to the righthand edge of the road, then back to the left and rolled off the edge of the low fill (3ft. to 4ft.) at the back of the curve. The passenger was thrown from the vehicle and trapped underneath it. Road conditions at the time are not considered to have contributed to the accident.

The previous fatal accident occurred at this location on April 4, 1970, involving the death of a 15-year-old unlicensed driver. A total of seven accidents has occurred at this bend since January 1967, including the two fatal accidents and two involving injury to persons. Although the curve could be considered dangerous by some drivers who enter the curve at speed, I must emphasize that it is protected by

advisory speed signs, and that, at this point of time, no further protective action is considered necessary.

PARLIAMENTARY BROADCASTS

Mr. MATHWIN: Will the Premier reconsider his decision not to be sympathetic to the broadcasting of proceedings of this House of Parliament? On August 25 last year, in reply to a similar question the Premier was most unsympathetic. I consider that the general public has, at times, shown its concern about the standard of conduct and debate in this place. That standard could be improved if the broadcasting of proceedings was allowed, because people consider that it would have the effect of encouraging a much higher standard in these matters.

The Hon. D. A. DUNSTAN: No.

ABORTION

Mr. EVANS: Will the Minister of Works, in the absence of the Attorney-General in another State on Government business, ascertain whether any follow-up counselling service is available for single girls who have been refused an abortion operation or for those who have been aborted? A single girl who is suffering from a mental trauma and who has been refused an abortion operation by a medical practitioner may, in many instances, need help and advice, and a girl who has already been aborted could be placed in similar circumstances. Even though such girls may be able to obtain this advice from the general practitioner or specialist from whom they may seek it, I believe that this matter is causing concern. Will the Minister obtain a report on this matter and, if such a service is not available, will he discuss with his colleagues the possibility of establishing such a service so that these girls can receive the counselling service they deserve to have?

The Hon. J. D. CORCORAN: I think this matter would be considered by the Minister of Health rather than by the Attorney-General, as this function is committed to his control. To the best of my knowledge this type of service is not available, but I shall be pleased to ask my colleague whether something cannot be done, and to obtain a report for the honourable member.

Mr. MILLHOUSE: Will the Premier give me the reply to my question of October 14 about reports on the working of the law on abortion?

The Hon. D. A. DUNSTAN: It is Cabinet policy to release statistics on a six-monthly

basis. The most recent release of statistics was for the period ended July 7, 1971, when the available statistics were released in full with the exception of one table containing the numbers of terminations performed at individual hospitals. It was decided that this information should not be released in view of the small numbers involved at many of the smaller metropolitan and country hospitals. The availability of such individual statistics, particularly in country areas, could lead to much speculation and possibly endanger the desirable anonymity of women admitted to those hospitals for abortion procedures. No formal report on the statistics covering the period from January 8, 1971, to July 7, 1971, was made by the advisory committee. The advisory committee appointed to examine and report on abortions notified in South Australia has made only one formal report to the Chief Secretary based on statistics for the first year (period ended January 7, 1971). This report was released in full on May 3, 1971.

Mr. Millhouse: That's the one I couldn't get.

The Hon. D. A. DUNSTAN: Well, I have explained the circumstances of that. In fact, it was released, and I am sorry if the honourable member did not get a copy at that time. The advisory committee normally meets at two-monthly intervals and at times certain administrative recommendations are made following each meeting. The advisory committee is to be requested to submit a further formal progress report as soon as possible after a review of the statistics for the period ending December 31, 1971, and subsequently to submit formal reports at six-monthly intervals.

Mr. MILLHOUSE: Can the Premier say whether the Government intends to introduce legislation during this session to amend what is known as the residential clause in that section of the Criminal Law Consolidation Act concerning abortion? One of the matters referred to in the only report we know, as a result of an earlier reply, has been submitted by the committee appointed to oversee the working of the Act was that the residence clause should be reconsidered in depth. I think it is common ground among all members that the clause is unsatisfactory, and for that I must take my share of the responsibility. I had expected, from comments made earlier by the Minister of Works and the Attorney-General, that it was likely that a private member's Bill to make other amendments to the law would have been introduced during this session. However, as time has run out (next Wednesday is the last day for the

debating of private members' business), I assume that this is not to be the case. I therefore ask the Premier whether, as a Government measure, this amending legislation is to be introduced?

The Hon. D. A. DUNSTAN: The Government does not intend to introduce a measure during this session to amend the Criminal Law Consolidation Act regarding the law on abortion.

KEITH MAIN

Mr. NANKIVELL: As the Tailem Bend to Keith main is now almost completed, can the Minister of Works say whether he intends, at some time, to hold an official ceremony to mark what I call a landmark in the development of the Upper South-East of South Australia?

The Hon. J. D. CORCORAN: I have not considered this matter, but now that the honourable member has asked this question I am not certain where it should be held. I think we will have to choose our spot carefully. As this is an important project, it would be proper for due recognition to be given to its completion. I will examine the matter, because I think such a ceremony is a good idea, and I will ensure that an official opening is arranged.

Mr. Nankivell: Whom did you have in mind to open it?

The Hon. J. D. CORCORAN: I have yet to think about who will open it, but I assure the honourable member that he will receive an invitation. I will consider a special time and place for the official opening but, as the honourable member may have some ideas, I shall be pleased to hear them.

HANDICAPPED CHILDREN

Mr. GOLDSWORTHY: Has the Minister of Education a reply to my recent question about the needs of special classes for handicapped children?

The Hon. HUGH HUDSON: The Education Department has already informed heads of primary schools by letter that consideration must be given to the needs of special classes when they are spending their grant of money provided under the scheme for grants in lieu of subsidy. A foundation grant, to provide basic equipment when a new opportunity class or remedial class is established, has also been agreed. Further, consumable materials in reasonable quantities are provided on requisition to both special classes and special schools. I assure the honourable member that the needs of special schools and classes are being very carefully watched.

ROAD CROSSINGS

Dr. TONKIN: Has the Minister of Roads and Transport a reply to my question of October 12 about enforcing speed zones outside schools at which there are no recognized school crossings?

The Hon. G. T. VIRGO: It is an offence under section 49 of the Road Traffic Act, 1961-1969, for a person to drive a vehicle at a speed greater than 15 m.p.h. on any portion of a road between "school" signs at a time when children are proceeding either to or from school on that portion of the road. The positioning of these signs is carefully selected so that they can be seen from 300ft., which distance is more than adequate for a motorist to adjust his speed from 35 m.p.h. to 15 m.p.h. over the section of road where children require protection. In the circumstances, the formal declaration of speed zones outside schools having no recognized school crossings is considered unnecessary, as the matter is adequately covered by the existing legislation and accident statistics at these locations are extremely low.

NUMBER PLATES

Mr. HALL: Has the Premier information in reply to my question of September 14 further to his statement that the Government would consider its policy on reflectorized number plates and the possibility of their being manufactured in country areas, particularly at Mount Gambier?

The Hon. D. A. DUNSTAN: I did have a reply to that question a few days ago. However, as I do not have it with me at present, I will ask that it be returned and give it to the Leader.

EMERGENCY HOUSING

Dr. EASTICK: On behalf of the member for Murray, who is indisposed, I ask the Premier whether he will give the reply to my colleague's question about the provision of emergency housing.

The Hon. D. A. DUNSTAN: The dwellings referred to by the honourable member appear to be those situated at Murray Bridge (seven) and Mannum (44). The units at Murray Bridge were provided originally to accommodate people rendered homeless during the disastrous floods in 1956 and have since served a useful purpose, either as accommodation for families awaiting allocation of more permanent homes or for "social" and other cases where the low rent has been of importance. The dwellings at Mannum were sited there to accommodate Engineering and Water Supply Department employees working on the main to metropolitan

Adelaide. When the workforce was no longer required at Mannum, the dwellings were let to local families and others moving into the town. They played an important part in assisting industry, but, because of the nature of the town's industry, it was decided to delay replacement of them with permanent structures, in the meantime improving them with interior wall lining, power points, and fencing. Most have been fitted with gas appliances, but the rents remain lower than those charged for new permanent houses. In 1969 there were retrenchments in the industrial field at Mannum, but, now that recruitment of labour is again occurring (and employment at Shearers has returned to about its previous peak) it is advantageous to have a component of low-rental housing to provide for some of the families. It is considered that it would be unwise at this stage to replace such dwellings, which provide reasonably comfortable accommodation at low rents.

POLLUTION

Mr. BECKER: Will the Minister of Environment and Conservation say whether the Government intends to curb pollution caused by demolition workers burning materials on building sites? During the past months, some of my constituents have expressed concern to me that, when many houses in my district have been demolished to enable new home units and flats to be built, certain materials are burnt on the site, causing severe pollution.

The Hon. G. R. BROOMHILL: I have heard that many flats are being built in the honourable member's district, and I know that this is concerning him, because these people may be intelligent enough to vote the right way. However, I also understand the honourable member's concern about the pollution from the type of activity he has mentioned and, although I have not considered this matter or received complaints about it previously, I shall be pleased to examine the problem to find out whether action can be taken to mitigate it.

SCRUB RESERVE

Mr. McANANEY: Has the Minister of Environment and Conservation a reply to my question regarding a scrub reserve on the Sandergrove to Milang railway line?

The Hon. G. R. BROOMHILL: The Branch from Sandergrove to Milang Railway (Discontinuance) Act, 1970, authorized the South Australian Railways Commissioner to remove all assets and dispose of land associated with that railway. In accordance with the usual practice, the Commissioner requested the

Lands Department to ascertain whether any Government departments had any requirements for the land involved. Ministerial offices were duly advised to this effect on January 27 this year. The only department that indicated any requirement was the Highways Department, which advised that it desired to acquire about 1,300ft. of the railway reserve at the open crossing on the Finnis to Milang Main Road 397. Last year the Lands Department received a request from the honourable member that portion of the railway land be made a public reserve or park when the railway line was finally closed. The area suggested was railway reserve No. 64 and land to the north and south of this section. This proposal is now being considered. I will provide the honourable member with a plan of the railway line, so that he may see the area to which I have referred.

SYNTHETIC MEAT

Mr. GUNN: Will the Minister of Works ask the Minister of Agriculture to raise, at the next meeting of the Agricultural Council, the threat to our future meat production caused by synthetic meats? A report in the most recent edition of the United Farmers and Graziers Incorporated journal of a comment by Mr. F. Lege, the United States Agricultural Attache in Canberra, states:

The implication of expanded synthetic meat production was not for loss of present volume, but for loss of potential expansion that would otherwise accrue from population increases.

The Hon. J. D. CORCORAN: I will refer the question to my colleague and ask for a report.

STATE'S GROWTH

Mr. GOLDSWORTHY: Can the Premier say how he would stimulate demand and investment in South Australia? A press report of a speech the Premier made at the opening of new premises states:

The plain fact is that these Commonwealth policies are not working.

The Premier went on to refer to the current financial situation in Australia, and the report continues:

The time to restore confidence is now. The way to do so is through action by the Federal Treasurer, Mr. Snedden, to stimulate demand and investment.

The Hon. D. A. DUNSTAN: The honourable member is referring to statements which I made concerning the Commonwealth Government's fiscal and banking policies. If the honourable member does not know how the Commonwealth Government can stimulate demand and investment by changes in fiscal

and central banking policy in Australia, I am sorry, but it would be impossible for me in the space of an answer to educate him in matters of which he should have been apprised before he entered the House. Everything that a State Government can do has been done by the South Australian Government.

Mr. Goldsworthy: You don't know then?

The Hon. D. A. DUNSTAN: Has the honourable member not heard of the Keynesian economic theory?

Mr. Goldsworthy: Yes, I know that nonsense about deficit budgeting.

DECENTRALIZATION

Mr. CUMBE: Can the Minister of Works say what steps have been taken to implement the recommendations made by the consultants regarding decentralization of Public Buildings Department depots?

The Hon. J. D. CORCORAN: In May, 1971, following recommendations from the department, Cabinet approved in principle proposals designed to improve the level of service provided in the area of minor works and other associated services. Cabinet has also accepted recommendations of the Public Service Board in matters of establishment and staffing necessary to implement proposals, and implementation is proceeding. The major changes and developments are as follows:

(1) A separate and distinct branch, known as the Works Branch, has been established in the Works Division of the department, with a total responsibility for minor works. The branch is headed by a manager, with supporting technical and administrative staff. A separate computer-based information system, concerned exclusively with minor works, has been introduced as from July 1, 1971, which provides information for programming and control purposes. Positions of liaison officer have been established in the branch to ensure the best possible client communication and a more complete participation by the Education Department in the establishment of works programmes. The new branch recognizes the significance of minor works and concentrates resources within one area of responsibility to ensure a satisfactory level of service.

(2) Approval has been given and amendments have been effected in audit regulations enabling increased authority to be delegated to the head of the department and to subordinate officers within the department to approve expenditure and to seek and accept offers for work. The new delegations will enable the majority of minor works to be approved and contracts

arranged without reference outside the department and will facilitate the means of getting the work done. The delegations will also assist considerably in the execution of maintenance works.

(3) The new proposals involve the grouping of all maintenance activities under a single point of authority within the department and action is proceeding to establish one maintenance branch with the necessary resources and the total responsibility for the planning and implementation of maintenance programmes. The new development recognizes the extensive growth in the maintenance commitments of the department and the necessity for a continuing examination of the ways and means of getting work done.

(4) The existing district offices of the department are being extended, strengthened and progressively developed to provide a higher level of decentralization and delegation than is now possible. The existing policy of decentralization has been re-emphasized and more work will be undertaken in the districts without reference to head office. (In other words they will cease acting like an inefficient post office as they have quite often done in the past.) The department, in conjunction with the Education Department, will develop the system of regional officers and this will facilitate the further decentralization of authority within both departments, enabling an improved and direct local service in building and maintenance matters.

The developments I have mentioned particularly refer to minor works and maintenance where, following Cabinet approval in principle, implementation is well advanced. The department is also involved in changes and new techniques particularly directed to the major works programme.

It will be some time before the full effect of this reorganization can be seen, but I honestly believe that it is a step in the right direction and that it will lead to a far more satisfactory service being given by the department to its client departments than has been the case.

FIRE BANS

Mr. RODDA: Will the Minister of Works ask the Minister of Agriculture to consider having fire report announcements made earlier in the day after the commencement of daylight saving? Because of the obvious fire hazard this season, concern has been expressed to me by people in my district, and more especially by those in the Keith area, that

with the onset of daylight saving farmers will be out in the paddocks before the fire report announcements are made at 8 a.m. For farmers to be able to hear such announcements before going to the paddocks they must be made by 7.30 a.m., because a bad fire risk day which was not apparent when they left the homestead could develop.

The Hon. I. D. CORCORAN: I will take up the matter with my colleague. He has already raised this matter with Cabinet, and my understanding of the report he gave was that difficulties were being experienced because it was not possible to get the report in to make a decision before 8 a.m. He said the matter had been examined and it had been decided that it would be possible for the reports to be given at 7.30 a.m., and not at 8 a.m. as would be the case if no alteration was made with the introduction of daylight saving. I will confer with my colleague and confirm this for the honourable member.

GLEN OSMOND SCHOOL

Dr. TONKIN: Has the Minister of Works a reply to my recent question about the Glen Osmond school?

The Hon. J. D. CORCORAN: The resurfacing of the schoolyard at the Glen Osmond Demonstration School has been delayed because of the need for a decision on the siting of a 140-pupil flexible unit at the school. This has now been resolved. Consultant civil engineers who reported on the scheme earlier this year will now be re-engaged to prepare amended specifications for the paving and drainage work. It is expected that the work could commence in mid-1972.

EMERGENCY FIRE SERVICES

Dr. EASTICK: Will the Minister of Works ask the Minister of Agriculture what funds have been made available to the working party appointed to inquire into the Emergency Fire Services organization, whether the funds have been totally expended and whether they are made available in such a way that any increase necessary to give effect to the working party's recommendations will be available? I am aware that many organizations and E.F.S. units have given information to the working party and that it has been suggested that the working party would benefit by travelling to other States to review the activities of similar organizations. However, concern has been expressed that the members may be required to pay their own expenses. As I consider that the information which the working party will

eventually make available to the Minister and the Government will be of much benefit to the whole community, I believe it is unjust that they should be required to finance their investigation in any way.

The Hon. J. D. CORCORAN: I shall have this matter investigated by my colleague and obtain a report for the honourable member.

UNDER-AGE DRINKING

Mr. McANANEY: Will the Minister of Works obtain from the Chief Secretary a report on the number of convictions of children under 18 years of age for drinking in hotel bars and on whether the police can maintain effective control over young people drinking in hotels when 18-year-olds are permitted in them?

The Hon. J. D. CORCORAN: I will obtain a report from my colleague.

SCEALE BAY JETTY

Mr. GUNN: Will the Minister of Marine reconsider his decision to demolish the jetty at Sceale Bay? An article in the latest edition of the *West Coast Sentinel* states that the jetty is visited by hundreds of tourists every year, that it is on the direct route to the Port Labatt seal colony, which is the only remaining seal colony on the Australian mainland, that it has been extensively used during the last fishing season by 11 fishing boats, and that about 8,000gall. of distillate in drums has been loaded on to boats from it during the past year. Therefore, the fishermen in that area consider that the jetty should be maintained.

The Hon. J. D. CORCORAN: I think I have twice told the honourable member that it is intended to demolish the jetty. I think that recently I told him that the Director of Marine and Harbors had visited the jetty at least six times in the past 13 years and had not seen anyone either on or near it. The Director has pointed out that the jetty is over 20 miles by dirt track from the nearest main road. The honourable member fails to appreciate the problem the department has throughout the State regarding jetties, and that it is uneconomic for the Government to maintain structures of this type for the limited use to which they are put. If he were in my place he would appreciate the problem the department has and the problem I have as Minister. I have examined this matter twice and I am afraid that my reply now must be the same as it was previously: that I am not prepared to reconsider the decision I have made to demolish the jetty.

PROBATE

Mr. McANANEY: Will the Treasurer consider doubling the amount that savings banks are allowed to pay out without probate being granted under a will? At present, savings banks are allowed to pay out \$1,200 without probate being granted. However, as a result of amendments to the Succession Duties Act and the increased exemptions, it would be safe to allow savings banks to pay out a sum greater than \$1,200 and save the need to obtain probate at considerable expense to people who receive small inheritances.

The Hon. D. A. DUNSTAN: I will investigate this matter and obtain a report for the honourable member.

SCHOOL TRANSPORT

Dr. EASTICK: Can the Minister of Education say whether he expects to make any significant policy changes regarding departmental and contract bus services in the 1972 school year? The Minister has said several times that the transport of schoolchildren is expensive to his department and that the question of transportation is constantly being reviewed by his department. Although I appreciate the Minister's point of view, I ask whether this constant review has brought about a situation that could markedly change the service that will be available to students, particularly country students, in 1972.

The Hon. HUGH HUDSON: Over the years, each year there has been a gradual improvement in the services provided by the department's Transport Section, and the same position is likely to apply next year as has applied in recent years. If the honourable member is looking for some marked and dramatic change in the way in which the department provides transport, he is bound to be disappointed, because that is not likely to take place. I draw the honourable member's attention to the Budget, in which the proposed expenditure this financial year is \$1,965,000, compared to an actual expenditure last year of \$1,719,985. This is an increase of about \$246,000, or about 15 per cent over last year's expenditure. Certainly, some part of that increase would be taken up by rising costs, but a real expansion and, in some respects, an improvement in services are also involved. If the honourable member cares to have any statement on minor changes in policy that have taken place, I shall be pleased to let him have that, and I will bring down a report for him.

STUDENT CONCESSION

Mr. GUNN: Can the Minister of Education explain what is meant by the term "adjusted income", which he used recently when explaining how the boarding-away-from-home allowances were allocated to families? On August 10, in reply to the member for Frome, the Minister said that the sum would be worked out on the adjusted family income. I have received the following letter from the Minnipa Area School Committee:

Can you please define what "adjusted income" means, as we have several families in the school who would apply for this grant, but until we know how the adjusted income is worked out they are not in a position to apply.

The Hon. HUGH HUDSON: Application forms will be circulated through the schools shortly, and the definition of "adjusted family income" is explained on the form. The income of the entire family is considered and, before the means test is applied, I think \$300 is deducted for each child in the family. Therefore, if it is a family of four children and the total family income prior to tax, but after any costs incurred in earning the income are deducted, is \$6,000, the adjusted family income will be \$4,800, and it will be that income figure to which the means test applies.

DARTMOUTH DAM

Mr. MILLHOUSE: Has the Premier yet made up his mind to table the documents which have passed between this Government and its partners in the River Murray Commission regarding the Dartmouth dam? Before we completed the debate on the Bill to ratify the agreement to build Dartmouth, I asked the Premier whether, because of the great controversy and the conflicting statements, and so on, that had been made, he would table all the documents in the House, and he replied:

Of course, the letters do not constitute the whole of the negotiations between the parties concerned; some of them were verbal. However, I will examine the matter.

I then interjected and said:

Would you do that before we go on with the debate?

The Premier then replied:

I will consider that, but I think it is highly unlikely that I would have completed my examination of the file before then.

As I think the Premier has had much time since then, I ask him to give me a reply, either affirmative or negative.

The Hon. D. A. DUNSTAN: I have examined the matter but, as this is still a matter for negotiation between the parties, I do not

think it appropriate that I should be tabling what are confidential letters between the Governments concerned.

KARMEI COMMITTEE

Mr. CUMBE: Following the publication of the Karmel committee report on education, especially in relation to the recommended formation of a division of further education, I ask the Minister of Education whether the Government has made a decision on this matter. If it has decided to set up such a division, will the Minister say what steps may have been taken to implement this recommendation?

The Hon. HUGH HUDSON: I have stated several times that the Government has decided to establish a department of further education. The position of Director of Further Education has been created and advertised; applications have closed; and yesterday a recommendation was made by the Public Service Board regarding the person to be appointed to that position.

KING STREET BRIDGE

Mr. BECKER: Can the Minister of Roads and Transport say what roadworks will be involved in the rebuilding of the King Street bridge at Glenelg North? I understand that work on rebuilding the bridge will commence in about February 1972, work also being done on the widening of the Patawalonga Basin. On September 15, a constituent of mine wrote to the Highways Department about the future of one of the roads leading to the area, but he has not received a reply. Can the Minister say what roadworks will be involved, or will he obtain this information for me?

The Hon. G. T. VIRGO: Offhand, I cannot say what they are.

Mr. BECKER: Will the Minister obtain a report for me on what roadworks will be involved in reconstructing the King Street bridge?

The Hon. G. T. VIRGO: Yes.

STURT HIGHWAY

Dr. EASTICK: Will the Minister of Roads and Transport obtain from the Highways Department a report on the condition of the surface of the Sturt Highway, especially that section between the Gawler-Tarlee crossing immediately north of Gawler and the area known as Sheoak Log? In the last three or four weeks, much cracking in the surface of this road has become evident. Obviously much maintenance work has been undertaken by officers of the department. In some places

the road surface can clearly be seen to be disintegrating, leaving the older bitumen surface about $\frac{1}{2}$ in. to $\frac{3}{4}$ in. deeper down. Can the Minister report on the nature of the damage and the measures which the department will undertake to reseal the road, or what other action it will take to improve this important highway?

The Hon. G. T. VIRGO: I will obtain a report.

OIL SEED

Mr. McANANEY: As some farmers in South Australia are going into oil seed production, will the Minister of Works ask the Minister of Agriculture to obtain from the South Australian agent in Japan or from the Commonwealth trade commissioner there a report on the potential market in that country for this product? When I was in Japan recently, I heard from several sources that this would be a most "dicky" industry in which to become involved if we expected to find a market in Japan. Therefore, I believe this information is essential.

The Hon. J. D. CORCORAN: I will take up the matter with my colleague and see whether he can obtain the information the honourable member requires.

GARDEN SUBURB

Mr. MILLHOUSE: Can the Minister of Local Government say whether the Government has yet made a decision on the future of the Garden Suburb, which is in my district and—

The Hon. Hugh Hudson: This is a hardy annual!

Mr. MILLHOUSE: Unfortunately it is. If a decision has been made, can the Minister say what it is? As the Minister of Education indicates, I have asked this question several times, as it is a matter of moment, especially to those living in the suburb. No answer has been volunteered by the Minister regarding a decision. I know it is a difficult matter, as we found when we were in office, but that does not excuse the present Government from coming to a conclusion.

The Hon. G. T. VIRGO: As the answer to the first question is "No", the second question is therefore irrelevant.

POLICE PENSIONS BILL

Returned from the Legislative Council without amendment.

STAMP DUTIES ACT AMENDMENT BILL (RATES)

The Legislative Council intimated that it had agreed to the recommendations of the conference.

VALUATION OF LAND BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to make provision for the valuation of land, and for other purposes. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

This is a straightforward Bill the purpose of which is to co-ordinate and standardize the rating and taxing valuation procedures in South Australia so that there shall be one statutory authority, one common base value and one uniform system under which official valuations for rating and taxing are made. It will provide for a better and more economic administration and a greater flexibility in the making of valuations according to the circumstances prevailing in any area of the State from time to time. As presently constituted, the Valuation Department operates under the Land Tax Act, which provides for unimproved land values at quinquennial periods, and the Waterworks and Sewerage Acts, which provide for assessed values on an annual basis.

It can be seen, therefore, that midway through a quinquennium a discrepancy in the valuations occurs. On the same date land values for water rating can be entirely different from, and unrelated to, land values for land tax for the same property. It is incongruous and difficult to explain to a landowner that his land is worth two entirely different values on the same day. Besides these unrelated dates of valuation, which it is intended to correct in this Bill, it is intended to eliminate the different legislative requirements of these Acts which have caused a number of administrative problems in the handling of objections and appeals against valuation assessments.

Under the terms of the Waterworks and Sewerage Acts, appeals against annual assessments are required officially to be lodged within one month of gazettal of the assessment direct to the Land and Valuation Court. Rate-payers in practice unofficially lodge objections with, or request reviews of assessed annual values by, the Valuation Department. This procedure has been accepted by the community without question over a very long period, since

it allows the objections to be handled departmentally without cost to the appellants, and because a majority of ratepayers do not desire to be involved in court proceedings.

The Land Tax Act provides officially for objections against quinquennial assessments to be lodged, in the first instance, with the Land Tax Commissioner within 60 days of the notice of valuation being served on the landowner. Should the objector be dissatisfied with the Commissioner's decision based on the valuer's recommendation of his objection, he may then ask the Commissioner to refer it to the Land and Valuation Court for determination. All evidence of value for the Commissioner is provided by the Valuation Department at the hearing. Some confusion therefore exists in the administrative role the Commissioner of Land Tax plays in the valuation procedures. Under the Land Tax Act, he issues the quinquennial assessment of unimproved values and must accept the objections against it and refer appeal cases to the court. This means that the work done in the Valuation Department with regard to land tax valuations has to be continually referred to the Commissioner for his endorsement or action, making an unnecessary double handling of these particular functions.

A new definition of "annual value" is proposed in this Bill to correct the anomalies that exist in the Waterworks and Sewerage Acts, and to bring it into line with the definition in the Local Government Act. In determining statutory assessed annual values on a rental basis under the Waterworks and Sewerage Acts, the relevant clauses refer to a rental "at which the whole would let for a term of seven years". Seven-year lettings of flats and other rental properties ceased to be a common practice more than 30 years ago. The term is not in any other rating Act in Australia, nor is it in the English Act. It was removed from the Local Government Act in 1938 because of the difficulty valuers had in determining values under a fictitious seven-year term when actual annual values, in fact, were what the Act originally intended. The determining of a hypothetical seven-year term does not provide for uniformity or equitability in assessing annual values and, in fact, annual values have for many years been determined on a year-to-year basis, as in the Local Government Act.

A further anomaly that is corrected in the new definition of annual value is the differing fixed allowance made for outgoings in the two Acts. The Waterworks Act allows for

one-quarter to be deducted from the gross annual rent, and the Sewerage Act allows for a one-fifth deduction. This Bill requires that notices of all new and revised valuations be given to the landowners. This corrects a further deficiency in the Waterworks and Sewerage Acts, which do not provide for notices of assessed annual values to be issued to owners but leave the owner to find out the date of assessment from the *Government Gazette* should he wish to appeal. Without a notice being sent, most land and property owners would be unaware of a new or revised valuation until they received their first rating accounts. Unofficially, notices of assessed annual value have recently been sent by the Valuation Department to land and property owners as a matter of courtesy, but it is not obligatory for the department to do this under the present Acts.

The principles embodied in this Bill are in accordance with the recommendations of the Ligertwood Committee of Enquiry into Land Tax, Council Rates, Water Rates and Probate, and are supported by the Stockowners Association of South Australia, the Local Government Act Revision Committee's report, and local government generally. Consequential amendments to the Waterworks, Sewerage, Water Conservation, Land Tax and Local Government Acts will follow as a result of this Bill.

Clause 1 is formal. Clause 2 provides for the commencement of the Bill on a day to be fixed by proclamation. Clause 3 sets out the arrangement of the Bill. Clause 4 enables existing valuations, objections and appeals made or exercised under the rating and taxing Acts to be continued in force until superseded or disposed of under this Bill. Clause 5 contains the definitions. As already explained, the definition of annual value corrects various anomalies in existing definitions. Provision has been made for four different types of value to be made as and when required for each property, namely, annual value, capital or improved value, site value, and unimproved value. This is in keeping with the recommendations of the various committees of inquiry into land valuation for rating and taxing throughout Australia.

Because of its artificiality, unimproved value is no longer regarded by many authorities as a reliable measure of the value of land for rating or taxing purposes. They consider that the most appropriate measure of the worth of land is its improved or capital value, which is the value of land and premises that the community readily understands. The deletion

of unimproved value and its replacement by a site or land value has been carried out in Victoria and New Zealand, and is in process of being replaced in Tasmania. It has already been partially eliminated in South Australia and New South Wales. The continued use of unimproved values as a taxing base in the country has received criticism and unfavourable comment from the rural community, and this Bill recognizes that if a change is desired to some other type of value it can be easily effected. Provision has therefore been made for unimproved value in country areas to be ultimately replaced by site or capital values should this at any time be considered desirable.

Clauses 6 to 9 place the administration of the Bill in the hands of the Valuer-General. The heads of Valuation Departments throughout Australia, New Zealand, and Papua-New Guinea have the title Valuer-General. The present head of the Valuation Department is often addressed as and has been frequently referred to in this Parliament as the Valuer-General, a term with which people throughout the Commonwealth are familiar. It is therefore most desirable that the head of the Valuation Department in South Australia should have a similar title.

It is also most desirable to separate completely the head of the Valuation Department from the rating and taxing authorities so that there should be no mistaken belief that his valuations are influenced by the revenue needs of the State. He should be regarded by the Government and all sections of the community as an independent valuing authority, divorced from the rating and taxing policies of the State. This Bill makes him an officer responsible to Parliament, and frees him from any suggestion of political bias.

Clause 10 provides for the appointment of officers to assist the Valuer-General in carrying out the purposes of the Act. No additional officers are required under this Bill. In fact, the number of officers in the Valuation Department is being progressively reduced in the administrative section under a revised organization following completion of the computerization of the valuation records. The redundant officers are either being absorbed into other departments of the Public Service or are not being replaced if they resign. There must always be, however, a sufficient number of properly qualified valuers available in the department to maintain the continuity and stability of its valuations.

Clauses 11 to 14 provide for the making of a general valuation within each area of the

State. As defined, an area is essentially a municipal or council district, and each area must be valued at least once in every five years. However, unlike the quinquennial assessment provisions in the Land Tax Act, this Bill, under clause 14, will allow for revaluations to be made in any area of the State, at any time, should the Valuer-General, according to the circumstances prevailing at the time, deem it necessary. This means that in a period of declining rural land values, for example, annual revisions of valuations could be made in any particular area or areas of the State as required.

Clause 14 also allows the Valuer-General to continue a general valuation in an area for more than five years if he considers that the values in that area have not materially changed since the previous general valuation was made. Clause 12 fixes the date of each general valuation in an area as the date on which the general valuation was completed, and allows for such general valuation, for the reasons given, to be continually updated with subsequent values being determined as at the date of completion of the general valuation. This means that a general valuation in an area, when completed, will be in accord with the market values prevailing at the time of completion of the valuation, and will avoid the recent difficulty caused through a general valuation having to be determined as at a particular date some time prior to the date of completion of the valuation, when values on the fixed date could be higher than they might be on the completion date.

Clause 13 provides that notice of each general valuation shall be published in the *Gazette*, and give details of the area to which it refers and the date of the general valuation. After publication of the notice in the *Gazette* the valuation shall come into force and supersede any previous valuation made for that area. Clause 23 provides that each landowner shall be notified in writing of the valuation.

Clause 15 empowers the Valuer-General to alter, amend or add to any general valuation land which has not previously been valued or land which has subsequent to the general valuation been subdivided or re-subdivided and separate valuations are required. Where buildings on land have been destroyed or demolished or for some other reason a valuation needs to be amended, a new valuation may be made. Where a general valuation has been made, the date as at which value is determined remains uniform with that general valuation. Notice of the altered or new valuation must be published in the *Gazette*, and the owner, in terms of

clause 23, must be informed in writing of the valuation. Clause 16 empowers the Valuer-General, in appropriate circumstances, to include in one valuation adjoining lands of the same owner.

Clause 17 provides that the Valuer-General, upon request, shall, as soon as practicable, value any land for the purposes of any Act, department of Government, rating or taxing authority or council. This does not make it compulsory for councils to have to take the Valuer-General's valuations, but the Government has been urged by councils to bring in this Bill so that full advantage can be taken of having their rating assessments made by the Valuation Department. Of 137 cities, municipalities and councils in the State, about 50 per cent are at present using or desire to use Government valuations for local government rating purposes. It is obvious that if the Valuer-General accepts responsibility for council valuations and appeals, the administrative costs of council assessment procedures should be appreciably reduced. Where the Valuer-General on request makes a special valuation or valuations for purposes other than for rating or taxing, the valuation or valuations are not entered in the valuation roll. The Valuer-General should be entitled to recover from persons, authorities or councils requesting special valuations some recompense for the extra work involved, and provision has been made to prescribe fees to be paid to the Valuer-General for this valuation service.

Clauses 18 to 21 set out the form of the valuation roll or list and the particulars it should contain, empower the Valuer-General to correct or amend any errors in the roll, provide for the ownership of any land to be changed on the receipt of proper advice of the change of ownership by the Valuer-General, detail the place and times when the roll shall be available free of charge for public inspection, and require the Valuer-General to supply valuation rolls to the rating and taxing authorities. Clause 22 permits the Valuer-General to adopt a valuation made by a council or some other person, should this at any time be deemed necessary.

Clauses 23 to 25 deal with the procedure on objections to the valuations made by the Valuer-General. After receipt of the notice of the valuation from the Valuer-General, if a landowner wishes to lodge an objection, in the first instance the objection is to be served upon the Valuer-General, and if the objector is not satisfied with the decision of the

Valuer-General on his objection, he may appeal to the Land and Valuation Court for a determination of the values. Clause 25 (4) provides that the payment of any rate or tax imposed upon the land under any Act is not postponed by virtue of an objection having been lodged against the valuation. As previously explained, these provisions simplify and standardize the objection and appeal procedures and thus obviate confusion both to the department and to the public. The unrelated dual procedures under the Waterworks and Land Tax Acts have at times caused embarrassment to officers of the department when trying to explain the operation of the different appeal systems to the public.

Clause 26 enables the valuers to enter upon land for the purpose of making the valuations and to question the owner or occupier on any matter which might affect its value. However, it is most important that valuers should have the right of entry upon land if they are to carry out efficiently their task of making proper and reliable valuations. Clause 27 gives the Valuer-General or his officers the right to inspect documents, plans, books and maps, which are relevant to the valuation, held by departments or councils, and clause 28 provides for various forms to be prescribed enabling relevant information to be collected from landowners in regard to the land to be valued. Under clause 29 notice of the sale, transfer, acquisition or other transaction affecting a change in the ownership of land is required to be given the Valuer-General by the vendor or transferer within 30 days of the sale or transfer of the land. Clause 30 deals with proceedings in regard to offences, and clause 31 directs how notices are to be served upon those persons entitled to receive a notice.

Clause 32 provides for certified copies of entries in the valuation roll to be supplied at a fee to any person who requests a copy in writing, and also provides that a copy or extract from the roll certified by the Valuer-General shall be accepted as evidence in all proceedings. Clause 33 outlines the financial provisions required by the Bill, and clause 34 provides for the making of necessary regulations and the prescribing of such forms and fees as will be required to give effect to the Bill.

As explained, the Bill is simply an administrative measure. It does not involve any taxing or rating provisions or policies, but only provides the Valuer-General with proper statutory authority for making valuations with a greater flexibility of operation. Under it the present confusion with regard to inter-departmental

procedures, valuations, objections and appeals has been eliminated, and better and more reliable and uniform rating and taxing valuations must eventuate as a result.

Mr. HALL secured the adjournment of the debate.

MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Municipal Tramways Trust Act, 1935-1965. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

Its principal object it to place the trust under the control of the Minister of Roads and Transport. As members are aware, the Municipal Tramways Trust Act at present does not provide for the measure of Ministerial control as applies generally to Government departments. I am sure most members would concede both the importance and desirability of bringing the Municipal Tramways Trust under Ministerial control. Later, a further Bill will be introduced to Parliament to provide for a similar provision to apply to the South Australian Railways Commissioner's Act. The advantage of having Ministerial control of both the M.T.T. and the S.A.R. will afford the Government the opportunity of fully co-ordinating the public transport systems. The advantages to be gained from a complete co-ordination of all transport services and facilities within the State are obvious to all those who have any intelligence whatsoever. A comprehensive plan of action is essential if an efficient transport system is to be achieved, and the Government believes that, while any individual service remains independent, such a plan will never be realized. I therefore commend this Bill to members as one that is vital to the future of the transport service in this State. The Bill also contains sundry statute law revision amendments.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 amends the interpretation section of the Act. The definition of "Commissioner" (that is Commissioner of Public Works) is deleted as such an office no longer exists. The definitions of councils are up-dated. A definition of "Minister" is inserted. The existing definition of "motor omnibus" is transferred to its correct alphabetical place. Clause 3 inserts a new section in the Act which provides that the trust is subject to the control of the Minister

and shall comply with any directions given by him. Clauses 4 to 15 inclusive effect statute law revision amendments which are self-explanatory. Clause 16 repeals section 86a of the Act which deals with the trust's former powerhouse site at Port Adelaide. As the lease of this site has expired, the section is now obsolete. Clauses 17 to 26 inclusive effect further statute law revision amendments which are self-explanatory.

Mr. COUMBE secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (SEAT BELTS)

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 5 (clause 3)—After "forward motion" insert "at a speed in excess of fifteen miles an hour".

No. 2. Page 2, line 9 (clause 3)—Leave out "Twenty" and insert "Ten".

No. 3. Page 2 (clause 3)—After line 9 insert new subsection (la) as follows:

(la) It shall be a defence to a prosecution under subsection (1) of this section that the defendant would by reason of the wearing of a seat belt or the psychological reaction induced thereby, suffer undue fear or mental distress.

No. 4. Page 2 (clause 3)—After new subsection (la) insert new subsection (lb) as follows:

(lb) It shall be a defence to a prosecution under subsection (1) of this section that in the circumstances of the case the defendant was not exposed to danger of injury by reason of contravention of that subsection.

No. 5. Page 2 (clause 3)—After new subsection (lb) insert new subsection (1c) as follows:

(1c) It shall be a defence to a prosecution under subsection (1) of this section that the defendant had genuinely attempted to adjust and fasten the seat belt before commencing the journey in the course of which the offence is alleged to have been committed, but that by reason of unfamiliarity with the seat belt, any practical difficulty in the use of the seat belt, or any defect or deficiency affecting any portion of the seat belt, he was unsuccessful in that attempt.

No. 6. Page 2 (clause 3)—After line 12 insert new paragraph as follows:

(ab) a person while he is seated in a motor vehicle upon a ferry or approaching the point of embarkation onto a ferry and within one hundred yards of that point;

No. 7. Page 2, line 13 (clause 3)—Leave out "is carrying" and insert "holds".

No. 8. Page 2, line 19 (clause 3)—Leave out "is carrying" and insert "holds".

No. 9. Page 2 (clause 3)—After line 26 insert new subsection as follows:

(4) In any legal proceedings, evidence that any person contravened this section

shall not be regarded as establishing, or tending to establish, negligence or contributory negligence on the part of that person.

Amendment No. 1:

Mr. MILLHOUSE: I move:

That the Legislative Council's amendment No. 1 be disagreed to.

This amendment inserts, after "forward motion" in clause 3, the words "at a speed in excess of fifteen miles an hour". In other words, it provides that, if a person is travelling at a lesser speed than 15 m.p.h., he or she will not be guilty of an offence for not having the seat belt fastened. A similar amendment with a different speed was moved when the Bill was passing through this Committee previously, and I opposed that. I oppose this amendment on two grounds. First, it would be extremely difficult in some circumstances to obtain a conviction because of the difficulty of proving the exact speed at which a person was travelling and of proving that it was over 15 m.p.h. That would not apply in all circumstances, but obviously the higher the speed limit the more difficult proof would be.

Secondly, the evidence of those who have investigated these matters shows that fatal accidents can occur at speeds of less than 15 m.p.h., and it therefore follows that injuries can occur at speeds less than this; so it is still dangerous to travel at a speed of less than 15 m.p.h. without a seat belt. I believe the objective of the amendment is to avoid the necessity of wearing seat belts during the performance of some activities, particularly those connected with primary industry. Although I oppose any blanket provision such as this, I would not, in the hope of getting the Bill passed, oppose the writing into the Bill of specific exceptions, such as the driving of a tractor or the droving of sheep, even if such exceptions as those were to apply only outside a municipality. As it stands now, however, I think that, in the interests of the Bill, if we are to have any reality in the obligation to wear a seat belt, I must oppose the amendment.

The Hon. D. N. BROOKMAN: I support the amendment. I wish the member for Mitcham, who referred to the possibility of accepting amendments dealing with areas outside municipalities, had given a hint of this suggestion in his earlier discussion on the Bill, because I think that common sense requires that one should not pass a law that is going to be broken hundreds of times a day, as this undoubtedly will be unless the amendment is incorporated in the Bill. One has only to imagine what could happen in country areas

where every farm has a road running around or through it (or, in many cases, both around and through it) and every farm has gates leading on to the road with, in many cases, gates immediately opposite or nearby. It would be ridiculous to expect a driver, after closing one gate and before opening another gate, to affix a seat belt before putting his vehicle in motion.

I moved to amend the speed to 20 m.p.h. but that amendment was rejected. This amendment provides for 15 m.p.h., so it is even less likely to harm the principles of the Bill. I am sorry that this legislation, which naturally attracts great public interest, is not always treated by the public as it deserves to be. In today's *News* the member for Mitcham is quoted as saying that the Bill in its amended form is meaningless, but I do not agree with that statement.

I do not intend to insist that every amendment made by the other place need be incorporated in the Bill, but the Bill would not be meaningless if it contained this sensible exception. The member for Mitcham said that we could make an exception for people droving sheep, but it is far better to meet what will be a common problem with a commonsense solution. No-one could possibly use as a defence against a prosecution that he was doing only 15 m.p.h. when, in fact, he was driving at 40 m.p.h. There would be no need for radar traps and evidence of speed to be produced at length to prove this. No-one could possibly drive down King William Street in the daytime without reaching a speed of 25 m.p.h. at the slowest, otherwise he would be under great pressure from other motorists to speed up.

Dr. Tonkin: What is the advantage of the amendment?

The Hon. D. N. BROOKMAN: The advantage is that we would be making a law that could be reasonably observed. The disadvantage is that, if we do not accept this amendment, we will have a law that cannot be reasonably observed. Someone will probably say that one can be killed at 15 m.p.h.

Mr. Millhouse: I have already said that.

The Hon. D. N. BROOKMAN: True. One can be killed at speeds even lower than that, even in a stationary vehicle, but obviously a person travelling at 15 m.p.h. or less is not nearly as likely to be in as much danger as a person travelling faster. If the cost of making this law sensible is to provide for the one in a thousand risk where someone travelling at a speed of less than 15 m.p.h. might be involved in an accident, the cost would be worth taking. Otherwise there will

be wholesale disregard of the legislation, and that is something I do not want to see. I want to see the legislation operate so that it will reduce significantly road fatalities and injuries on our roads. The best way of doing that is to give the people to whom the law will apply a sensible law that will not be held in contempt.

Mr. HALL: I support the amendment, which is the only one of a page of amendments that I do support. I should not anticipate the other amendments, but I can refer to them and say that, in the main, they are non-sensical. I support the remarks of the member for Alexandra, and I have supported his move throughout the passage of the Bill. I think it is necessary to exempt, in practice, all the categories that have been referred to by the member for Alexandra without having to define them by trade or type of person, because there are bound to be some categories that cannot be included. If the list is to be all-embracing, it would be too comprehensive to put into words. If the Committee is serious in wanting to implement this important provision of giving protection to those who travel at speeds over 15 m.p.h., it will accept the amendment.

If the amendment is rejected, the Committee is being entirely impractical and trying to get something it is unlikely to get politically. Surely members of the Committee who have voted for the measure previously, and who want it, can take one small and significant political step to obtain it. If they are serious, they will accept this amendment and reject the others.

This amendment will enable the legislation to work properly and exempt all those categories that will be inconvenienced and, at the same time, provide the protection the public needs. Since the Bill was passed in this House, I have visited Victoria and seen the law in operation there. I am impressed with the way the legislation has been accepted in Victoria, where possibly not everyone but certainly most people are wearing a seat belt.

Dr. TONKIN: Accidents occur, and will continue to occur, at low speeds, and the injuries that can result are just as great as those resulting from accidents involving high speeds.

Mr. GUNN: I support what the Leader and the member for Alexandra have said, for I believe that the amendment is a step in the right direction. Unless the provision is altered, it will be impossible to police, and people in rural industry will be especially penalized.

The Hon. G. T. VIRGO (Minister of Roads and Transport): This is far too serious a matter to be debated at a political level. I strongly suggest (in line with a report in today's press of what the member for Mitcham has admitted) that we would not have these amendments had internal Liberal Party politics not entered into the matter in another place. The Leader says he supports the legislation, and I am trying to work out who has convinced him on this matter since August 25, when he voted against the Bill. That applies also to the member for Eyre. Why is the Committee wasting time trying to make this measure different from the Victorian legislation, which the Leader admits has been accepted and works well? Are we going to create a situation in South Australia in which, for instance, a motorist residing in Mount Gambier must observe one set of rules when driving his car on this side of the Victorian border, but the moment he crosses the border he must observe another set of rules? Do we not desire to achieve uniformity? The Bill left this Chamber in much the same form as is the legislation in Victoria. It is in the interests of road safety to have the greatest degree of uniformity possible.

I know that the member for Alexandra is concerned about those who engage in deliveries. As I said previously, I assure members that these matters will be covered by regulation. As soon as the Bill is passed, the regulations will be brought down shortly after for perusal by members. If the Legislative Council does not accept the attitudes of this Committee, the passage of the legislation will be delayed for about 12 months, because the Standing Orders prohibit the Government from reintroducing similar legislation in the same session. The responsibility for what occurs in the interim will be on that Chamber. I think that the member for Alexandra said that 10 m.p.h. or 15 m.p.h. was a safe speed.

The Hon. D. N. Brookman: I didn't say it was a safe speed, as you know very well.

The Hon. G. T. VIRGO: I think the member for Bragg also touched on that. If a car is travelling at 14 m.p.h. and collides with another car travelling at 60 m.p.h., the collision impact speed is 74 m.p.h. Therefore, people in both cars should be wearing seat belts. The whole purpose of the legislation can be easily defeated if we accept unnecessary amendments that do nothing but destroy the intention of the Bill. The member for Alexandra said that we should have a law that can be enforced, and I agree. What the honourable member does not realize is that this amendment will make it

much harder for the law to be enforced. Under the amendment, if a person was asked by a policeman to pull over, and the policeman said to him, "You are not wearing your seat belt," the driver would simply say, "You are wrong; I was wearing my seat belt but, as I pulled over under your directions, I reduced my speed to a speed below 15 m.p.h. and released my seat belt." How could a conviction be obtained in those circumstances?

Mr. Mathwin: He would have to drive with his teeth to do that.

The Hon. G. T. VIRGO: I think the honourable member would be better employed in reading the editorial in today's *News*, as it is one of the finest pieces of literature I have read for some time. I think that the *News* is voicing the views of the general public when it says that members of this Parliament are senseless to delay the passage of this legislation. I hope this amendment and most of the other amendments will be defeated.

Mr. HALL: The Minister began his speech in the most despicable and reprehensible manner by injecting Party politics into a debate which up to then had been kept to the subject matter.

The CHAIRMAN: Order! Party politics must not be involved in the discussion of this amendment.

Mr. HALL: I have made my point.

The CHAIRMAN: Any further reference will be out of order.

Mr. HALL: The Minister is trying to shelve the blame on to someone else for being impractical in this matter. He knows that his Government last evening gave away \$400,000 in order to get a Bill passed.

The CHAIRMAN: Order! Unless the honourable Leader can link up his remarks, he will be out of order.

Mr. HALL: I am trying to link them up, but you will not let me. The Minister said that we should not give anything away and that we must give no heed to the amendments put forward by the other place. Yet the Minister knows that last evening his Government gave away—

The CHAIRMAN: Order! I have ruled that subject out of order. We are dealing with the motion moved by the honourable member for Mitcham.

Mr. HALL: You are prohibiting me from discussing one matter relating to the passage of these amendments, Mr. Chairman, but I accept your ruling. The Minister has said we must accept all or nothing. I urge on him the need to have the Bill passed and to obtain its passage by at least accepting one or two of the

most important amendments carried by another place. The Minister has misrepresented me; my attitude to the Bill has been consistent throughout. I have previously said that I basically favour the wearing of seat belts but that I want proper exemptions for those who will be unduly inconvenienced by wearing them. That is still my attitude. Unless the Committee is prepared to accept the amendment relating to the 15 m.p.h. provision, I am still against the Bill.

The Hon. D. N. BROOKMAN: It would have been a lot better had the Minister not spoken. He starts every speech by complaining about political argument. After doing that, he refers to differences. Half the members of Parliament consider matters for themselves, while the other half are so solid in political adherence that not one of them has the courage to put a contrary view. Members opposite take no part in Committee debates.

The CHAIRMAN: Order! The honourable member for Alexandra is speaking to a motion moved by the member for Mitcham to disagree to the amendment, and his remarks must be confined to that substantive motion.

The Hon. D. N. BROOKMAN: Members on this side frequently disagree with one another and put a point of view individually and conscientiously. Those members do not merit the Minister's abuse in the same way as the other place does not merit it. We do not appreciate the Minister's tendency to threaten that the legislation will be delayed for 12 months. This legislation belongs to the member for Mitcham, not to the Minister.

The Hon. G. T. Virgo: And that's what caused all the trouble with your Party in the other place.

The CHAIRMAN: Order!

The Hon. D. N. BROOKMAN: I congratulate the member for Mitcham on introducing the Bill and I have supported him.

The Hon. G. T. Virgo: So did we.

The Hon. D. N. BROOKMAN: There is no reason for the excited and heated abuse that the Minister heaps on the honourable member about an amendment that would make the legislation work. I do not support all the amendments but, if this one is not included in the Bill, the Act will be ignored in this State thousands of times every day, just as would be the case in Victoria. No-one can convince me that it is reasonable to ask a person to wear a seat belt while driving across a road from one paddock to another. It is no good talking about uniformity. South Australia has a common boundary with all other mainland States, but are they introducing legislation?

The Hon. G. T. Virgo: Yes, in New South Wales, Victoria, Queensland, and the A.C.T.

The Hon. D. N. BROOKMAN: The uniformity argument does not apply, and this amendment would not weaken the Bill. It is ridiculous to say that the police could not prosecute someone driving at 30 m.p.h. who was not wearing a seat belt. Most persons who were apprehended would admit the offence straight away. The members of this Committee should consider how this legislation will apply in all cases, not bring in a law that they hope will not catch them. Not one member of this Committee would wear a seat belt if he had to unfasten the belt to open a gate, fasten it on returning to the car and driving out, unfasten the belt again to close the gate, and fasten it to drive the vehicle 10 yards.

Mr. EVANS: Although I opposed the Bill in its original form the majority vote was in favour of the measure.

The CHAIRMAN: The honourable member cannot reflect on a previous vote.

Mr. EVANS: I am speaking of what has happened. I accept your interpretation that that is reflecting, but the Minister has also referred to the matter.

The CHAIRMAN: Then he was out of order, also.

Mr. EVANS: The amendment is just and fair if seat belts are to be worn compulsorily in this State. I do not accept the argument that legislation should be uniform unless it is uniform on all aspects of road law. If we accept the amendment, we can compel the wearing of seat belts in all cases where vehicles are travelling at over 15 m.p.h., and surely that is a step towards the argument advanced by the Minister and the member for Mitcham. Why not find out whether this is satisfactory? If it proves unsatisfactory, we can amend the law. If a vehicle travelling at 70 m.p.h. collides with a vehicle travelling at 14 m.p.h., there is still a considerable impact whether a person is wearing a seat belt or not. Similarly, a person in a stationary car that is struck by a vehicle travelling at 70 m.p.h. will be injured seriously regardless of whether he is wearing a seat belt. If there is to be an arbitrary speed, I choose 15 m.p.h. I support the amendment and oppose the motion.

Dr. TONKIN: We are introducing the compulsory wearing of seat belts because educational campaigns have failed. If this amendment is agreed to, it will mean that the Bill will be half-hearted, and the attempt to persuade people to wear seat belts will be half-hearted. We must be firm in this legislation if we believe (as many experts believe) that it will save lives.

If we support the advice of experts, we will pass this legislation without the amendment being included.

Mr. McANANEY: I have never heard such weak arguments: how could this provision be policed? The amendment is completely ridiculous and not practical. As I believe the Minister's argument contains a grain of sense, I support the motion.

Mrs. STEELE: I support the member for Mitcham and congratulate him on introducing this Bill. People who consider that the death toll on our roads can be considerably reduced by making the wearing of seat belts compulsory believe that this Bill is a step in the right direction. If we pass it without the amendment, I am sure we will save countless lives. I think it is a great pity to introduce any impediment to the passing of this Bill, because it will be accepted by everyone, even those who at present may think it will be inconvenient to have to wear seat belts, and they will be grateful for the legislation's having been introduced. I oppose the amendment.

Mr. GOLDSWORTHY: The main question seems to be whether we are to compel people to do something or not. Even if this amendment were included, the Bill would substantially achieve the purpose for which it was introduced: that is, there would be some compulsory wearing of seat belts in this State. I am not convinced by the argument, the indignation, or the petulance of the Minister and support the amendment because it is reasonable.

Mr. NANKIVELL: It seems that those who made certain decisions in the past are justifying a change of heart, or are establishing that they had good reason for doing what they did in the first place. My previous objection (and I still object) was to the restriction of the liberty of people who are not using the Queen's highway for the purpose for which the travelling public is using it. I refer to people who cross a road from one paddock to another, and to those who have to alight from a vehicle to open and shut a gate. There are also people working for the Highways Department, who are slowly following a grader or removing posts and replacing posts before and after a grader has been operating:

The Hon. G. T. Virgo: They are in a motor lorry?

Mr. NANKIVELL: Yes.

The Hon. G. T. Virgo: That is not covered by this legislation.

Mr. NANKIVELL: Very well. Let me assume I am driving along a road with some

sheep and I want to get out of my car in a hurry. I will accept this Bill because I believe there is a need to wear seat belts in certain circumstances. When I travel long distances I always wear one. However, there are certain times when it is inconvenient to wear a seat belt, and I object to wearing one when it is inconvenient. I consider that the wearing of seat belts is not essential when travelling at less than 15 m.p.h.

Mr. McANANEY: Nowadays we rarely see great flocks of sheep on our roads, so that is not really relevant here. Often we hear of people not licensed to drive having an accident and quickly switching over from the driver's seat to avoid being caught breaking the law. This amendment is ridiculous, because it would be impossible to police it.

The Committee divided on the motion:

Ayes (27)—Messrs. Becker, Broomhill, and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Coumbe, Crimes, Curren, Groth, Harrison, Hopgood, Hudson, Keneally, Langley, McAnaney, McKee, McRae, Millhouse (teller), Payne, Simmons, and Slater, Mrs. Steele, Messrs. Tonkin, Virgo, Wells, and Wright.

Noes (13)—Messrs. Allen, Brookman (teller), Carnie, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, Nankivell, Rodda, and Venning.

Majority of 14 for the Ayes.

Motion thus carried.

Amendment No. 2:

Mr. MILLHOUSE: I move:

That the Legislative Council's amendment No. 2 be disagreed to.

This amendment reduces the penalty from \$20, the normal penalty in the Act when no other penalty is provided, to \$10. I see no reason for this. A \$10 maximum fine is so trifling as to be ineffective. The appropriate penalty is \$20, and I see no reason for altering it.

Motion carried.

Amendments Nos. 3 to 5:

Mr. MILLHOUSE: I move:

That the Legislative Council's amendments Nos. 3 to 5 be disagreed to.

Regarding amendment No. 3, it seems to me that anyone could put up such a defence to a charge of not wearing a seat belt and that it would be extremely difficult to disprove it. I do not know what "undue" may mean. Amendment No. 4 is even more extraordinary: it is tantamount to saying that unless there had been an accident in which a person had been injured and not wearing a belt there could not be a prosecution, because it would

be difficult to prove that the person had been exposed to danger of injury if there had not been an accident. Amendment No. 5 provides the defence that a person could not fasten the seat belt or adjust it or, if the belt is broken, he could not fasten it. This provision would invite the loophole that if the belt was not in working condition it could not be worn, and there is no obligation to have the belt in a working condition. This is one of the amendments most clearly aimed at rendering the Bill nugatory. I oppose all these amendments, which provide unjustified and unnecessary defences.

Motion carried.

Amendment No. 6:

Mr. MILLHOUSE: I move:

That the Legislative Council's amendment No. 6 be disagreed to.

This amendment, although not as objectionable as the others because it is tied to geographical areas, is unnecessary. I think the distance of 100yds. is too great, though that is a small matter. Once the vehicle is on the ferry it is stationary, and a person would not have to wear a belt then. I oppose the amendment because I think it is unjustified.

Motion carried.

Amendments Nos. 7 and 8:

Mr. MILLHOUSE: I move:

That the Legislative Council's amendments Nos. 7 and 8 be disagreed to.

I cannot understand the reason for these amendments.

Mr. Evans: I understand it.

The Hon. G. T. Virgo: It means that the person does not have to have the certificate on him.

Mr. MILLHOUSE: I accept the Minister's prompting. I think that the provision in the Bill, which makes it compulsory for one to carry a certificate of exemption should remain. If people are to be exempted, they should put up with the obligation to carry an exemption certificate with them.

Motion carried.

Amendment No. 9:

Mr. MILLHOUSE: I move:

That the Legislative Council's amendment No. 9 be disagreed to.

This amendment nullifies the general rule that, if a person is guilty of a breach of a statutory duty, that is *prima facie* evidence of negligence. That is the rule with every breach of the Road Traffic Act. It is *prima facie* evidence of negligence, which can be rebutted by evidence for the purposes of civil action, if it can be shown that the breach did not involve negligence. The significance of this is that in civil

claims the damages that are assessed will be reduced by the proportion of negligence attributed to the person claiming those damages. Therefore, if a court finds that a person is one-third to blame for an accident, that person will receive two-thirds of the damages. That is the general rule now; it is a good rule, and it should not be disturbed.

It is all very well for one to say that unless we accept the amendment the amount of money that insurance companies will have to pay out to people who make claims will be reduced. I suppose it will have that effect. Certainly there are cases in which that could be so. However, I believe that one of the greatest spurs to people wearing a seat belt will be the fact that, if they have an accident and are injured, they will not receive the same amount of damages if they are not wearing a belt. True, that is cold comfort, but I see no reason why we should encourage people in any circumstances not to wear a belt by changing what is a wellknown, understood and accepted rule of law. This is as unfortunate and inappropriate an amendment as has been inserted by the other place, as it will remove one of the greatest sanctions there could be for wearing a belt.

The Hon. G. T. VIRGO: For the first time since this Bill has been debated in any of its stages, I have a different view from that of the honourable member. I support this amendment, the only one from another place that I do support, for the very reason that the honourable member has given: that it is possible under the Bill in its present form that an insurance company may take advantage of a situation in which a person has contravened the law. It is wrong that an insurance company can take advantage of such a situation and not pay a person money to which he is justly entitled as a result of the premiums he has paid.

I do not want honourable members to think that I am against insurance companies, because that is not so, as most of them are fair and reasonable organizations. However, there are unfortunately the dubious organizations, a few of which have caused the public much trouble, and in many instances fine points have been taken by insurance companies. We should not provide any area where an insurance company can take advantage of the situation. The Committee would be wise to support the amendment.

Mr. MILLHOUSE: It would not be ultimately for the insurance company to make a decision on this: it would be a matter for

the court to make a decision if the point were taken, as it could be and as I believe it should be taken. Therefore, we would not be putting ourselves into the hands of shonky insurance companies: it would be a matter for the court. Secondly, the rule provides that it is only *prima facie* evidence; it is only evidence in the first place, and it can be rebutted by evidence to show that, in the circumstances, it was not negligent to have the seat belt undone. Therefore, if there were any genuine reason, even though on the face of it it is a breach of the law (the belt not being done up), that, would not be negligent; but it would be, of course, an obligation on the person concerned to satisfy the court that that was the case.

Thirdly, surely if a person is so careless as not to do up his belt, and suffers injuries that are made worse because he is not wearing a belt, he should take some of the responsibility for that carelessness. That is all the rule of law would do if it were allowed to remain undisturbed. I believe that all these things, taken in combination, mean that there is no danger in a genuine case of allowing the general rule to apply, as it applies in every other situation under the Road Traffic Act. I believe it will be one of the greatest impelling factors on the individual to see that his belt is fastened, because he will know that he is not protected fully in regard to damages if he has an accident and thereby suffers more severe injury than he would otherwise suffer.

Mr. Coumbe: Such as in the case of a drinking driver.

Mr. MILLHOUSE: Yes.

The Committee divided on the motion:

Ayes (7)—Messrs. Becker, Coumbe, Gunn, Millhouse (teller), and Rodda, Mrs. Steele, and Dr. Tonkin.

Noes (32)—Messrs. Allen, Brookman, Broomhill, and Brown, Mrs. Byrne, Messrs. Carnie, Clark, Corcoran, Crimes, Curren, Eastick, Evans, Ferguson, Goldsworthy, Groth, Hall, Harrison, Hopgood, Hudson, Keneally, Langley, Mathwin, McAnaney, McRae, Nankivell, Payne, Simmons, Slater, Venning, Virgo (teller), Wells, and Wright.

Majority of 25 for the Noes.

Motion thus negatived.

The following reason for disagreement to the Legislative Council's amendments Nos. 1 to 8 was adopted:

Because the amendments render the Bill nugatory.

ADJOURNMENT

At 5.42 p.m. the House adjourned until Tuesday, November 2, at 2 p.m.