

**HOUSE OF ASSEMBLY**

Thursday, October 25, 1973

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

**ASSENT TO BILLS**

His Excellency the Governor, by message, intimated his assent to the following Bills:

Art Gallery Act Amendment,  
Liquid Fuel (Rationing),  
Nurses' Memorial Centre of South Australia, Incorporated (Guarantee),  
Potato Marketing Act Amendment.

**STANDING ORDERS**

His Excellency the Governor, by memorandum, returned a copy of amendments to Standing Orders of the House of Assembly, adopted by the House of Assembly on October 23 and 24, 1973, and approved by His Excellency in Executive Council on October 25, 1973.

The SPEAKER: For the benefit of honourable members, I point out that, in view of the memorandum from the Governor which I have just read, the new Standing Orders are now in operation.

**PETITIONS: CASINO**

The Hon. G. R. BROOMHILL presented a petition signed by 92 persons who expressed concern at the probable harmful impact of a casino on the community at large and prayed that the House of Assembly would not permit a casino to be established in South Australia.

Mr. ALLEN presented a similar petition signed by eight persons.

Mr. LANGLEY presented a similar petition signed by 105 persons.

Mr. HALL presented a similar petition signed by 123 persons.

Mr. HARRISON presented a similar petition signed by 34 persons.

Petitions received.

**LAND COMMISSION BILL**

At 2.4 p.m. the following recommendations of the conference were reported to the House:

*As to amendments Nos. 1 and 3:*

That the Legislative Council do further insist on its amendments and the House of Assembly do not further insist upon its disagreement thereto.

*As to amendments Nos. 4 and 5:*

That the Legislative Council do not further insist upon its amendments but make in lieu thereof the following amendment to the Bill:

Clause 6, page 3, lines 2 to 8—Leave out all words in clause 6 after "Governor" in line 2 and insert "upon the nomination of the Minister.

(2) One member of the commission shall be appointed by the Governor to be Chairman of the commission."

and that the House of Assembly agree thereto.

*As to amendments Nos. 6 and 7:*

That the Legislative Council do further insist on its amendments and the House of Assembly do not further insist upon its disagreement thereto.

*As to amendment No. 8:*

That the Legislative Council do not further insist upon its amendment but make in lieu thereof the following amendment to the Bill:

Clause 12, page 5, line 37—After "Minister" insert "and approved by a resolution passed by both Houses of Parliament";

and that the House of Assembly agree thereto.

*As to amendment No. 9:*

That the Legislative Council do further insist on its amendment and the House of Assembly do not further insist upon its disagreement thereto.

*As to amendment No. 10:*

That the Legislative Council do not further insist upon its amendment.

*As to amendment No. 13:*

That the House of Assembly do not further insist upon its amendments to this amendment but make in lieu thereof the following amendments to amendment No. 13:

Leave out proposed subclause (4) and insert:

(4) An allotment or parcel of land of less than one-fifth of a hectare in area shall not be leased by the commission to any person for a period exceeding, or for periods exceeding in aggregate, 10 years.

After proposed subclause (6) insert subclauses as follows:

(7) Where a notice of intention to acquire land is served by or on behalf of the commission on the proprietor of land constituting a planning unit, and no such notice has previously been served in relation to that land, the proprietor may, within three months after the date of the service of that notice, serve personally or by post upon the commission prescribed particulars of the commercial development proposed by him in relation to the planning unit, and in that event, land comprised in the planning unit shall not be acquired by compulsory process within a period of two years after the date of service of those particulars, and if a substantial commencement of the commercial development has been made during that period, the land shall not be acquired by compulsory process after the expiration of that period.

(8) Where the acquisition of any land has been delayed or postponed for any period by reason of the provisions of subsection (7) of this section, but the land is subsequently acquired by the commission by compulsory process, within three years after service of the first notice of intention to acquire the land served by or on behalf of the commission, then notwithstanding the provisions of the Land Acquisition Act, 1969-1972, the compensation to which the proprietor of the land is entitled shall be assessed in all respects as if the acquisition had been effected as soon as practicable after service of that first notice of intention to acquire the land.

and that the Legislative Council agree thereto.

And that the Legislative Council make the following consequential amendments to the Bill:

Clause 4, page 2—After line 1 insert definitions as follows:

"commercial development" in relation to land, means commercial building development or commercial housing development:

"commercial building development" in relation to land means development of the land by the erection thereupon of premises that are to be used for industrial or commercial purposes:

"commercial housing development" in relation to land means the development of the land by the erection thereupon of dwellinghouses, flats or home units intended for sale, but does not include any such development where the nature or extent of the development does not conform with criteria established by regulation:

After line 5 insert definitions as follows:

"planning unit" means any land that the proprietor proposes to use for the purpose of commercial development:

"proprietor" in relation to land means the proprietor of a legal or equitable estate of fee simple in the land:

and that the House of Assembly agree thereto.

*As to amendment No. 14:*

That the Legislative Council do not further insist upon its amendment.

*As to the suggested amendment:*

That the Legislative Council do not further insist thereon.

*Later:*

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

Consideration in Committee of the recommendations of the conference.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That the recommendations of the conference be agreed to. Copies of the recommendations have been circulated to members. Regarding the amendments relating to the constitution of the commission, the managers for the House of Assembly agreed that we would withdraw but objection to the Legislative Council's amendments about the Commonwealth Government's involvement in the constitution of the commission, and the Legislative Council agreed that it would withdraw its amendments requiring that there be Parliamentary advice and consent in relation to any nominee to the commission. The Legislative Council does not insist on its amendments relating to the effect on the Bill of the Planning and Development Act. In relation to clause 12 (1), the Legislative Council agreed with the House of Assembly that we should delete "or for other public purposes" in the first acquisition clause, but, in relation to the reference by the Minister of other matters to the commission, that could be done with the approval of a resolution of both Houses.

It was agreed that leaseholds would be allowed for areas of less than one-fifth of a hectare up to an aggregate period of 10 years. In relation to the appeal provisions and the proposed compensation provisions, the Legislative Council agreed not to insist on its amendments and I gave an undertaking that, in relation to the matters concerned with compensation and the original proposition of the Legislative Council, there would be a comprehensive amendment to the Land Acquisition Act introduced this session and that that matter would be covered in the Government's Bill.

Regarding the properties to be acquired, it was agreed that the Legislative Council's amendment should remain but that there be an additional amendment that would, in effect, prohibit the acquisition of land where there was a development project in relation to that land and plans in a prescribed form were tendered to the commission after notice of intention to acquire had been given. If these plans were carried out, no acquisition would occur, but, if the plans were not carried out, acquisition could occur at the appropriate figure in relation to the original notice given to the commission. This would ensure that people did not use a blind to thwart application for acquisition in a proper case but that, in genuine cases where land was held for an immediate and intended development, acquisition should not proceed. In the circumstances, out of this I think we have a workable Bill, and I commend the recommendations to the Committee.

Dr. EASTICK (Leader of the Opposition): I support the statement that we have a workable Bill, but the Premier has not said that we have a "State" Land Commission Bill. The removal of the influence of the central Government in Canberra and the matter of nomination by the Prime Minister is a significant part of this total. Several areas of offensive legislation in the original Bill were

corrected as a result of compromise and the consideration of the various matters that had been put forward by the other place.

Probably, South Australia will be the only State in Australia that has a Land Commission Act. It will be interesting to see whether the Western Australian Government proceeds with its Bill, which has been on file since May this year but with which the Government has not proceeded so far. It has been announced this week that the Governments of Queensland, New South Wales, Victoria and Tasmania have no intention of proceeding with a Land Commission Bill but that they will undertake expenditure of Commonwealth money under legislation now available to them, adjusted if necessary.

It is also interesting that, in anticipation of the passage of the Bill, the Public Service Board's weekly notice, issued yesterday, invites applications for several positions associated with the Land Commission. I suggest that it was rather presumptuous of the Premier to invite applications before he was even certain that he had an Act. On the other hand, does the invitation of applications mean that the Premier has always been willing to accept the amendments made by the other place about seven or eight days ago?

The important thing is that we have a Bill that now clearly gives South Australia an opportunity to control its own destiny. In future, Parliament will be able to consider amendments that may be necessary to allow the commission to move into areas not now covered by the legislation, instead of this being done by Executive decision. I consider that that is an excellent arrangement. During the course of the discussion, and again in the statement by the Premier this afternoon, we have had a reaffirmation that there will be supporting provisions in the Land Acquisition Act, having regard to the requirements of this Bill and other legislation in this State which should be effectively considered in respect of appeals and other matters. I support the recommendations.

Mr. DEAN BROWN: I am pleased that the amendments have removed two objectionable portions contained in the Bill as originally introduced, the first being the intrusion of the Commonwealth Government into the affairs of the State. It is pleasing to see that has now been rectified. I am also pleased to see the removal of the particularly objectionable clause under which there was the likelihood of large areas of land being leased on a long-term basis. I moved an amendment during the early Committee stage that was defeated, and I am pleased to see that no lease can now extend for more than 10 years. I therefore support these amendments.

Mr. MILLHOUSE: I cannot echo the apparent satisfaction of the Leader of the Opposition and the member for Davenport. I would much rather have not had a Bill at all. I am surprised that they, as the two managers from this House who went to the conference with the other place, really congratulate the Government on the achievement it has had. I dissociate myself absolutely from that sentiment. I could see the look of satisfaction on the Premier's face as he listened to the Leader of the Opposition and the member for Davenport.

The Hon. Hugh Hudson: Do you think the L.C.L. let the side down?

Mr. MILLHOUSE: I will not go into that. I would have preferred not to have a Bill at all, because I think it is a very long step towards the socialization of land in South Australia, and that is something to which I am totally opposed. I do not go to conferences much now because of my situation, but I used to go to them often and make a good contribution and, as the member for Goyder reminds me, my time will probably come again. In the meantime, however, I am dependent on what is reported to this House after a conference by those who went to it, and I gather that, although the other place gave way on the major issue, which was the Bill itself (and I wish to heaven it had stood firm on this motion), it has succeeded in cutting out the aspect of Commonwealth participation in what has been traditionally a State activity. To that extent, I suppose we can be thankful for very small mercies compared to the main purpose of the Bill. What I want to know from the Premier is whether he is satisfied with the Bill as it stands or whether he intends at some future time to press for those provisions which have been taken out as a result of the conference.

The Hon. D. A. DUNSTAN: The Bill has been achieved, and the basic purpose of the Government's programme at the election has been achieved in the measure that will now pass the House.

Mr. Millhouse: So it gives you some satisfaction?

The Hon. D. A. DUNSTAN: Yes, and I expect to be able to carry out the purpose that the Government has outlined in the measure. In order to achieve that, some compromises with the Legislative Council were necessary. I do not think that those compromises make the Bill unworkable or that we are not able to proceed as we would have wished. In these circumstances I do not foresee, unless something unforeseen arises, the necessity for bringing back to the House this legislation for amendment.

Mr. Millhouse: You were substantially successful at the conference, though?

The Hon. D. A. DUNSTAN: I think that in all practical ways we got what we wanted.

Mr. COUMBE: I think the view that should be taken is that the Government introduced a Bill into this House that has been accepted now, but in a different form. Sensible amendments and suggestions made by responsible members of the Opposition were considered at the conference, and many worthwhile suggestions and amendments were accepted.

Mr. GUNN: I support the motion because members on this side, although strongly opposing the measure in principle, were satisfied that the amendments have destroyed some of the obnoxious parts of the legislation. When we speak during debates we do not have in mind getting our names in the paper; that is the attitude of the member for Mitcham.

The CHAIRMAN: Order! The honourable member for Mitcham has nothing to do with this.

Mr. GUNN: It appears from the comments that have been made already in this debate that certain people in this Chamber are not interested in the people of this State or any benefits that may accrue to those people from legislation that is passed but are thinking of their own selfish selves.

Mr. MILLHOUSE: I know it is unusual on an occasion like this to speak again, but I intend to say something about the member for Eyre's comments, particularly as they reflect on me. Let him be assured that what I say in this Chamber I say because I believe it and because I desire to make a contribution, bearing in mind my commitment, to the business of the Committee.

The CHAIRMAN: Order! I ruled the honourable member for Eyre out of order, and I am asking that the honourable member for Mitcham confine his remarks to the recommendations of the conference.

Mr. MILLHOUSE: Quite. I did confine my original remarks to the recommendations of the conference, and I did not do that to get my name in the paper. If that is what the member for Eyre thinks, or it is the reason why he speaks in debates (and I suspect it must be, because this is the second time in two days that he has made such comments about me), I can tell him that I dissociate myself entirely from that motive of his, as I do from the attitude of his Party on this measure.

Motion carried.

## QUESTIONS

### PROCEDURE

The SPEAKER: Before calling for questions without notice, I point out that the procedure will be in accordance with the new Standing Orders, as adopted by the House, and Question Time will commence as from the time that the

first question is asked. In view of the adoption of the new Standing Orders so that all members will have an opportunity to ask questions, in all fairness members should be brief in explaining their questions. Therefore, I intend to point out to members when their explanations go beyond the point of relevance.

Mr. EVANS: On a point of order, Mr. Speaker. You have referred to the explanations of questions. Will you include in that the replies to questions made by Ministers?

The SPEAKER: I cannot uphold the point of order. However, as the honourable member has raised the matter, I should say that I think that it is only fair that replies to questions should be as brief as possible. Today is the first day that the new Standing Orders will operate. I point out that, in future, under the new procedure, replies to questions asked on earlier occasions will be tabled without being read.

### PETROL SHORTAGE

Dr. EASTICK: Can the Premier say what positive steps he or any other Minister has taken since 3.30 p.m. yesterday, at either an official or unofficial level, to minimize the effect that the current petrol shortage will have on the South Australian public? Yesterday, members supported a Bill to allow for emergency procedures to apply, if the need arose. At that time, it was indicated that several discussions had been held, and that others would be held, on the matter. Has any success resulted from those discussions, whether they have been official or unofficial?

The Hon. D. A. DUNSTAN: The Minister of Labour and Industry has been in touch with the unions involved in the dispute and with the industrial officer of the Port Stanvac refinery. In addition, a meeting held at Trades Hall this morning was attended by the past President of the Trades and Labor Council, the member for Florey. During those discussions, the view of the Government, which was expressed in this House yesterday, was clearly expressed to the unions. On the information we have, we are very hopeful that the whole dispute can be settled in Melbourne tomorrow.

Mr. Gunn: Talks broke down today.

Mr. COUMBE: Can the Premier give further information about the petrol supplies that are expected to arrive in South Australia by tanker? In explaining the position to the House yesterday, the Premier put most emphasis on the supply of petrol. At the same time, he said that there could be a serious shortage of fuel oil. Are these tankers loaded with petrol only (whether premium or standard grade), or are they carrying fuel oil to relieve the shortage? Does the cargo include crudes that have to be treated? Fuel oil, as well as petrol, is important.

The Hon. D. A. DUNSTAN: As far as I know, there is no fuel oil in the tanker. Although there is fuel oil at the refinery, at this moment it cannot be got from the refinery. The situation with regard to fuel oil remains serious but, if the dispute were settled tomorrow, the fuel oil from the refinery would flow, and there would be no difficulty for users of fuel oil in this State. There is no fuel oil at Birkenhead at present.

Dr. Eastick: Have the ships sailed?

The SPEAKER: Order! There can be only one question at a time, and the honourable Premier is already replying to a question.

The Hon. D. A. DUNSTAN: Yes, I am trying to answer the question asked by the member for Torrens. The tankers are expected to arrive at the weekend. In those circumstances, if they are unloaded we should be without difficulty. Of course, if the dispute is settled tomorrow,

both premium grade petrol and fuel oil can flow out of the refinery and there should be no difficulty, except for a slight delay in distribution.

Mr. HALL: As the member for Florey has apparently been deeply involved as past President of the Trades and Labor Council in negotiations concerning the refinery dispute and as he would therefore have a much closer first-hand knowledge of the problems and details of that dispute and the possibility of a solution being achieved, will he indicate his opinion as to the possibility of settlement?

The SPEAKER: Order! In calling on the honourable member for Florey, I take it that the honourable member for Goyder sought the view of the member for Florey. The honourable member is not obliged to reply to the question. After expressing that opinion, I call on the honourable member for Florey.

Mr. WELLS: I do not mind replying to the question. I have attended several meetings in relation to this problem. The Premier gave a full and comprehensive report on the likely outcome. I join with the Premier in expressing anticipation of seeing the dispute settled satisfactorily in Melbourne, possibly tomorrow.

#### FILM MAKERS AUSTRALIA

Mr. EVANS: Can the Premier say whether Film Makers Australia has been awarded a contract worth over \$40 000 by the South Australian Film Corporation to produce the film *Time in Kangaroo Island*, even though that company was not in existence before October 8? For film makers established in South Australia the film industry has been in a depressed state. Although Mr. Ron Lowe was brought from Melbourne to work for the South Australian Film Corporation, I understand he has now left the corporation and has established Film Makers Australia in conjunction with another person. On October 6 there appeared an advertisement in the *Advertiser* calling for applications for a "super secretary bird". The advertisement explained that "two guys, experienced, fortyish, one crash-hot cameraman" were forming a company. That advertisement appeared on the holiday weekend. At the earliest, the company could have been formed on October 8, yet I believe that on October 10 people were informed that the contract had been let to Film Makers Australia. Are those details accurate?

The Hon. D. A. DUNSTAN: I do not know the details of the formation of the company. However, I do know that the company (and I believe its name is as the honourable member has given it) has been awarded a contract by the South Australian Film Corporation. Mr. Lowe is one of Australia's most expert cameramen. I point out to the honourable member that he was the cameraman almost entirely responsible for the film *In the Round*, which was shown with such enormous success at the Adelaide Royal Show and the distribution of which throughout Australia has now been arranged. It was vital for the film industry in South Australia that we have available within South Australia film cameramen of a standard that would encourage additional film makers to come here because, in the case of a previous film that was to have been made in South Australia it was lost to this State simply because of the cost of flying in technicians to South Australia. In order to build the film industry we have to attract here on a permanent basis people who have had the necessary experience.

Mr. Lowe is one of the most experienced cameramen this country has ever produced. He is extremely highly regarded as a cameraman. True, the film corporation and I have encouraged Mr. Lowe to locate permanently

in South Australia because that can be of great benefit to us. In conjunction with the South Australian previously engaged in the film industry here, Mr. Lowe has formed a company and that company has been awarded the contract for the Kangaroo Island film, which I am certain will be one of the best ever produced in this State. I am certain also from the standard of work Mr. Lowe has previously produced that it will gain world-wide distribution, give great publicity to South Australia, and at the same time return a profit to the State.

#### NATIONAL ANTHEM

Mr. KENEALLY: Will the Premier on behalf of all South Australians support the acceptance of *Song of Australia* as Australia's National Anthem? The Premier, as well as all other members, will be aware that the Australian Government recently ran a competition to determine what would be the best song for our National Anthem. However, the judges were unable to make a decision, because they considered that none of the new songs submitted was up to the quality of the three that we all know well, namely, *Song of Australia*, *Advance Australia Fair*, and *Waltzing Matilda*. *Song of Australia* is a South Australian song. Written by Mrs. C. J. Carleton, it was made available on October 20, 1859, and the music, composed by Mr. C. Linger, was made available on November 7 of the same year. I consider that it would be of advantage if the South Australian Symphony Orchestra and the Adelaide Philharmonic Choir together produced what certainly would be a first-class rendition of *Song of Australia* so that during the next seven or eight months the people of Australia would be aware of the value of this song before the Bureau of Census and Statistics conducts a survey to determine which song should be our National Anthem.

The SPEAKER: Order! I draw the honourable member's attention to what I have said about brevity of explanations.

Mr. KENEALLY: I beg your pardon, Mr. Speaker. My speaking ability, poor though it may be, is much better than my singing, and I will leave the remainder of the question in abeyance. Obviously, the Premier knows the message I want to convey.

The Hon. D. A. DUNSTAN: I will see what I can do about that crash-hot rendition!

#### DRUGS

Dr. TONKIN: Will the Attorney-General say whether the establishment of a special information and treatment centre for young people involved with drugs has been considered? The most recent edition of the *Sunday Mail* contains a disturbing report on the increasing incidence of drug abuse in this State, particularly regarding the number of young people, ranging from 10 years to 14 years, who are affected. One leading social worker is reported as having stated:

It is not unreasonable to say that on any one school day one in 20 students in secondary schools is tripping on acid.

He went on to say that several hotels were recognized distribution points. Another social worker is reported as having stated that we require a treatment programme geared to younger people who have been put off by the middle-class professional approach they may find at the present clinics. I consider that a specific clinic, geared to the treatment of young people in the age group I have mentioned, who are so much at risk would be a decided advantage.

The Hon. L. J. KING: I will consider the matter.

### CADELL DRAINS

Mr. ARNOLD: Will the Minister of Works ask the Minister of Lands whether his colleague has decided the extent to which the Lands Department will assist growers in the Cadell irrigation area to install drains to rehabilitate their properties and so effectively use the new and comprehensive drainage system in the area? On Tuesday, July 3, I introduced to the Minister a deputation from the Cadell Irrigation Area Growers Drainage Association, and since then we have not received a reply from the Minister. Today I have received a letter from the Secretary of the association, which states:

Although a delegation of my association, which you accompanied, waited on the Minister of Lands some three months ago, as yet we have received no indication of the Minister's decision, and in fact have received no communication at all although we did expect an acknowledgment of our visit. Unfortunately, the exceptionally heavy rainfall experienced this year has really aggravated the position of drainage problems, and especially with the surface water problems which are now becoming quite acute. We believe you recently received a complaint from Mr. D. J. Virgo whose property contains a considerable expanse of surface water. Since that time the level of water has risen considerably, and in fact the road is covered by quite some inches of water . . . We realize that these things take time. However, in this case, as the Lands Department has for long been aware of the drainage problem in this area, we feel that sufficient time has elapsed for the Minister to assess the position. With this in mind we would appreciate your assistance in obtaining a decision from the Minister by any means available to you.

The Hon. J. D. CORCORAN: I will get a report for the honourable member as soon as possible.

### OIL EXPLORATION

Mr. GUNN: My question is directed to the Minister of Development and Mines. In view of the serious situation in relation to the exploration for oil in this State and the action of the Commonwealth Government which has resulted in a 60 per cent decrease in the amount of exploration, can the Minister say what action he intends to take on behalf of the people of this State to ensure that their resources are properly harnessed? Further, will he protest to his Commonwealth colleague about his colleague's action which is interfering with the future development of this State?

The Hon. D. J. HOPGOOD: In answer to a question from the Leader of the Opposition, I have already outlined to the House the State's proposal. The Government is concerned about the future of mineral exploration in this State but, given the figures quoted in the report of the Mines Department last year, my department is not going to be panicked into hasty action. The department will continue to make available to exploration companies the type of technical advice we have made available in the past. The Industrial Development Division, which is under my control, will continue to try to induce industry to come to this State so as to provide markets for the raw materials found in the field. These are the sorts of incentive that can be made available by my department to people: other sorts of incentive are controlled by other Administrations.

### SITTINGS AND BUSINESS

Mr. LANGLEY: Can the Premier say when the Government expects the House to rise and whether it intends the House to sit early next year?

The Hon. D. A. DUNSTAN: I hope that the time tabling of measures before the House allows the House to rise about the last week in November but, if debate is delayed and we do not get through enough work by then, we shall have to sit for a little longer. However, that is the date at which I am aiming at present. I expect the House

to meet again during the third week in February and sit through the rest of February and March. I think it would take us that time to complete the work which appears on the Notice Paper and which is still in the offing as a result of the Governor's Speech.

### GAS

Mr. ALLEN: Can the Premier say whether it is economical and a waste of energy to reconstitute liquid petroleum gas as motor spirit? At present much discussion is taking place amongst industrialists concerning this matter. It is claimed that a given quantity of liquid petroleum gas has more energy value than the motor spirit that can be obtained from that quantity of liquid petroleum gas. Apparently the Minister for Minerals and Energy (Mr. Connor) is keen on this because a report in Tuesday's *Advertiser*, headed "Connor's Redcliffs demand 51 per cent", states:

He (Mr. Connor) wanted to see that there was a maximum yield of motor spirit from the reconstitution of liquids that would come to Redcliffs from Gidgealpa.

In replying to those statements the Premier said that he agreed with Commonwealth policy that there should be no export of liquid petroleum gas, but that the requirement to reconstitute the gas as petrol did present several economic difficulties. It is generally agreed that it would be more economical to export liquid petroleum gas, for which there is a big demand from Japan and America and to import crude oil in its place. It would be far cheaper to do that than to try to convert to motor spirit, which would have the effect of increasing prices of motor spirit in this State.

The Hon. D. A. DUNSTAN: It depends on what the honourable member uses as criteria for good or better. The difficulty that faces Australia, and indeed the world, is that there is a world fuel crisis, and this country needs to develop a situation in which, to the maximum extent, it is able to rely on indigenous fuels. Consequently, while from the commercial point of view it would be more economic to export liquid petroleum gas and to import crude and treat it, that may not give the best social result to Australia, as in the foreseeable future our ability to rely on imported crudes may be in doubt. The Minister for Minerals and Energy is pursuing a policy of seeing to it that we get the maximum use of indigenous fuels and, in the course of this, he wants provision made in Australia for the reconstitution to gasoline of liquid petroleum gas. As the honourable member has said, more energy may be derived from liquid petroleum gas if used locally than from the conversion of the gas to motor spirit, which is a very much more polluting fuel for use in motor cars than is the original liquid petroleum gas or the gas that is now used by the fleets of South Australian Gas Company and Simpson Pope Limited in this State. However, the Commonwealth Minister sees the overall benefits to Australia in having a process readily available for conversion of liquid petroleum gas to gasoline, and it may well be that this is the most sensible course. In relation to the Redcliffs project it presents some economic difficulties that need to be resolved in conjunction with the Commonwealth Government, but discussions as to ways of resolving this difficulty are fairly well advanced and, from information we have, it seems that the difficulty can be resolved without lessening the economic viability of the purchase of liquid petroleum gas from producers in South Australia at world market prices.

### SECONDHAND CARS

Mr. WELLS: Will the Attorney-General investigate the practice of some unscrupulous car dealers in marketing motor cars at a price of \$499 instead of \$500, which

would require them to disclose known defects in the vehicles? I have been approached three times recently by people who have purchased cars for \$499. A car bought recently was entirely unroadworthy and the motor was unserviceable: a woman who knew little of mechanics purchased the car but, to her sorrow, she later found it useless. This sort of dealer should be prevented from marketing cars at this price, because he deliberately prices the cars at \$1 below the declared figure of \$500 in order to evade responsibility. Even though no penalty is imposed at present in relation to a car priced at less than \$500, I consider that the dealer should be required to disclose the defects of a vehicle, regardless of price.

The Hon. L. J. KING: I will have this matter investigated. No doubt the honourable member will recall the debates that took place during the passing of the Second-hand Motor Vehicles Bill when this issue was fully considered and discussed. A lower limit was placed on a price that brings the statutory warranty into operation, because it was considered desirable to enable people to buy cheap cars if that was what they wished, knowing that they were buying them at their own risk. In other words, they would know they were buying a car at the price it was worth to them, as they might have intended to use their mechanical knowledge to put it in order, or to buy it for some other reason, and it was considered desirable that that practice should be made possible. It would not be practicable, therefore, to impose a statutory warranty on used vehicles irrespective of price. Knowing that this has happened since the passing of the Bill has not changed my attitude in relation to it. I am aware of this practice, but no matter what lower limit was prescribed that practice would continue, and it would merely mean a change in the amount asked for the motor vehicle. I should think it would have the effect of bringing strikingly to the purchaser's notice that he was buying a car without a warranty, and the very fact that \$499 is the price for it would be a clear warning that that dealer was unwilling to assume the obligation of a statutory warranty with respect to that vehicle. The fact that it did not carry a sticker indicating that it was supported by a statutory warranty should be a clear warning to the purchaser. I sympathize with people in the position of the honourable member's constituent. Where a used car dealer deliberately reduces the price knowing that the car is grossly defective and fails to tell the purchaser, that action is most reprehensible. Although there are limits to the extent to which the law can police such unethical conduct by traders, I will have investigated the problem posed by the honourable member to ascertain whether amendments can cope in any way with the practice he has described.

#### **RURAL DRIFT**

Mr. BLACKER: Is the Premier aware of the impending difficulties arising in rural industries because many young people are leaving country areas to take up a city vocation and, if he is, will he say whether the Government intends to take any action to remedy the situation? In recent years, as a result of adversity, we have experienced a large drift to the city of young people in search of employment with security. These people, who normally would have been the farmers of the future, have left the primary-producing industries. As a result, the farming work force is no longer being replenished, and the average age of workers engaged in primary production has increased considerably as a consequence. Many farmers have reached a late stage in their working life and have few, if any, prospects of having their farms carried on by their families. The problem is to keep

men on the land and to maintain and even increase production in order to satisfy a market that even the greatest army of the most experienced and practical men might not be able to satisfy. As I am concerned about the problem, which is increasing every day, I should like the Premier to consider it.

The Hon. D. A. DUNSTAN: I do not know what the honourable member suggests the Government can do to induce people to stay on the farm. There are attractions in stability and diversity of employment in the larger urban areas. For people who are engaged in rural employment, rewards are often not comparable with those in competing areas of employment and, even when incomes in the rural areas are buoyant, the payments offered to labourers do not take an upward turn of the same kind as do those incomes. I frankly am at a loss to know how the Government can undertake a policy that will reverse what has been a long-standing trend not only here but also in every other area of the world where farming is becoming less labour intensive. If the honourable member looks at the change in employment in South Australia in the last half century, he can see the extraordinary change in not only the proportion of people but also the number of people involved in rural employment. We have tried to help maintain people in rural areas. This Government has assisted the establishment of rural industry more heavily than has any other Government in the history of the State. We have spent signal sums to have factories established in country areas, as in the case of Mannum and Mount Gambier. We have spent large sums indeed, and the assistance we have given to country industries, such as the Naracoorte meatworks, as well as the meatworks at Murray Bridge and Peterborough, was given to improve employment opportunities in country areas, so that the natural increases in country areas could be maintained. However, the Government has no direct means of attracting people to farm labouring. Frankly, that remains with the farming community itself.

#### **ABORIGINAL CENTRE**

Mr. WARDLE: Can the Premier tell the House what is the position regarding the development of the Aboriginal cultural centre at Wellington, in the Lower Murray area? Can he say what land has been purchased, from whom it has been purchased, what is its area and cost, and when is it likely that the development will begin?

The Hon. D. A. DUNSTAN: The cultural centre at Wellington has been the subject of a feasibility study by the Australian Tourist Commission, because of our having sought assistance from the Commonwealth Government in the establishment of the centre. I believe that the feasibility study has been completed, but the report has not been typed yet. I have not seen the result, but I have asked for a preliminary report from members of my department who are on the working party. I have not as yet received that report.

#### **MOUNT BARKER EXPRESSWAY**

Mr. McANANEY: As there is unanimous opposition by local people to the proposed expressway through the centre of Mount Barker, will the Minister of Transport ascertain what steps have been taken by the Highways Department to survey an alternative route, as suggested by the District Council of Mount Barker, from Wistow, bypassing the town to the east and so conforming to modern planning practices? If no action has been taken, will the Minister seek the co-operation of the Commissioner of Highways in having this essential investigation made?

The Hon. G. T. VIRGO: I am not aware that there is unanimous opposition from the people of Mount Barker—

Mr. McAnaney: There will be tomorrow.

The SPEAKER: Order!

The Hon. G. T. VIRGO: What happens tomorrow is another matter. I will ask the Highways Commissioner to examine the matter and obtain a report for the honourable member.

#### MOTOR CYCLE HANDLEBARS

Mr. MATHWIN: Will the Minister of Transport take action to have the sale of welded motor cycle handlebars banned in South Australia? A report in last Saturday's *Advertiser* states:

Handlebars "snapped": Buying cheap handlebars can have very expensive consequences. The bars pictured were bought from an Adelaide accessory shop, and shortly afterwards snapped oil at a weld when the bike was being wheeled out of a shop . . . An examination of the break showed a very weak weld which had been covered by chrome. The inside of the tubing was covered with rust.

One can imagine the serious accident that could occur when such a motor cycle was taking a corner at speed. Will the Minister take action in this respect?

The Hon. G. T. VIRGO: If my memory serves me correctly, the matter of motor cycle handlebars has been considered by the specialist committee associated with the Australian Transport Advisory Council which I think is examining numerous aspects of motor cycle safety. I will certainly refer the matter to this organization to see whether it is being looked at and, if it is not, I will ask it to look at the matter.

#### GRASSHOPPERS

Mr. VENNING: The Minister of Agriculture will know that the Commonwealth Government is making \$500 000 available for grasshopper Control throughout Australia. Will the Minister of Works ask the Minister of Agriculture what will be the allocation to South Australia, and whether this sum will be added to the present assistance being given to the Government as a subsidy in relation to the cost of spray? I understand that the Agricultural Council is to meet in a few days. Will the allocation depend on what is resolved at this conference with the Commonwealth Minister? I point out that, as some States may not have grasshoppers at all, it would be expected that New South Wales and South Australia, and perhaps southern Queensland, would share this \$500 000. Will the Minister obtain from his colleague a report on the general position with regard to this allocation?

The Hon. J. D. CORCORAN: I will get a report for the honourable member as soon as possible.

#### UNIVERSITY COLLEGES

Mr. DEAN BROWN: Can the Minister of Education say whether the State Government will support the university colleges in their applications for direct grants from the Australian Universities Commission? The commission has recently indicated that residential colleges associated with universities will no longer be able to receive financial assistance from the universities. The colleges have been told that they must apply to the commission for direct grants. This follows the attitude of the Commonwealth Government with regard to independent schools, and these colleges are most concerned (and rightly so) about their future. As the colleges currently play an important role in university education in this State, the State Government should support any application from them to the commission.

The Hon. HUGH HUDSON: The decision of the Australian Universities Commission on this matter (and I understand it is subject to reconsideration) was handed down last year in the report of the commission. As that occurred under the previous Commonwealth Government led by Mr. McMahon, the decision about which the honourable member is complaining was made by the commission and supported by the Liberal and Country Party Government then in power in Canberra. Therefore, it is a weird situation indeed for the honourable member to try to link that position with the decision with respect to the schools commission under the current Australian Government. I cannot understand the attitude of the honourable member on that point. Certainly, I am willing to discuss the matter with the Australian Universities Commission when the opportunity arises. I understand that Professor Karmel will be in Adelaide late in November, when I hope to talk to him about several matters.

Mr. Dean Brown: What about—

The SPEAKER: Order! The honourable member has asked one question, and he will get one reply.

The Hon. HUGH HUDSON: I have several matters to discuss with the commission, and this is one of them, but it is by no means the most important; some other matters are considerably more important. However, I am willing to take up the matter with the commission at that time. The willingness of the commission to consider the matter will be based on grounds free from political considerations. I am sure that the honourable member would not suggest that the attitudes of the commission were governed by political considerations *vis-a-vis* university colleges, because that was not the position under the previous Commonwealth Government and it is not the position now.

#### MEDICAL FEES

The Hon. L. J. KING: I seek leave to make a statement. Leave granted.

The Hon. L. J. KING: The Minister of Health yesterday received a message from the Social Security Department in Canberra, containing the text of the statement by the Minister for Social Security as to medical fees. The statement indicated that the Australian Government had approved new medical benefit payments based on the medical fees determined for general practitioner, surgery consultation, and home visit services, by the Medical Fees Tribunal. The Minister expects that the new benefit rates will be effective on and from November 12. In these circumstances the Government has accepted a recommendation from the Commissioner for Prices and Consumer Affairs that the fee structure and associated conditions relating to general practitioner, surgery consultations, home visits, and hospital/nursing home consultations, as currently approved in South Australia, be adjusted to conform to the findings of the Medical Fees Tribunal as from November 12, 1973.

Mr. MILLHOUSE: Does the Attorney's statement mean that the medical profession is to remain under price control and, if it does, why will it remain under that control? As I understand the purport of the statement, the Commissioner for Prices and Consumer Affairs has, about a fortnight after the public announcement of the findings of the Medical Fees Tribunal, received formal notification of those findings and, as a result, there has been some alteration in the scale of fees allowed to be charged by medical practitioners, this happening about a fortnight after we all knew about the findings. As I understand them, the findings of the tribunal were a substantial justification anyway of the increases which were proposed

by the Australian Medical Association and to which the Government took such apparent violent exception.

The SPEAKER: Order!

Mr. MILLHOUSE: I wonder whether it is intended to prosecute any member of the medical profession in relation to any fees that may have been charged between the time when the medical fees were fixed and the present time. I ask this question so that we may know what is the real position and the intention of the Government.

The Hon. L. J. KING: I want to make clear that, in making the decision that has been made in South Australia with regard to medical fees, the Commissioner for Prices and Consumer Affairs and the Government have taken into account the action on the part of the Australian Government in revising the benefits to be received by patients under health funds on the basis of the decision of the Medical Fees Tribunal. As I have already explained to the honourable member in replying to a question on a previous day, the situation that has developed is in my view a justification of the attitude of the South Australian Government that the fees of medical practitioners should be subject to independent assessment. The new rates have been determined by the tribunal after a thorough investigation; they have now been accepted by the medical profession; and they are therefore accepted by the South Australian Government. The very fact that the medical profession has found the decision of the tribunal satisfactory and is acting on that determination (as far as I can ascertain) is a heartening sign for the future, because it indicates a realization, albeit somewhat belated, on the part of the medical profession that in the present circumstances medical fees must be the subject of independent assessment. That certainly has been the attitude of the Government and will continue to be its attitude.

Mr. Millhouse: The Government has twisted.

The SPEAKER: Order!

The Hon. L. J. KING: I think that the honourable member would have done well not to add any of that interjection, because it was a complete misrepresentation of the situation. If the honourable member values his reputation, he would do better than to make that sort of interjection.

#### FOOD PRICES

Mr. BECKER: Can the Premier say what action is being taken by the Government to ensure that food prices will be stabilized in South Australia? I refer to an article in the *Australian* of Wednesday, October 24, headed "Food Prices Too Low, Consumers Can Expect Rise Soon—Retailer", which states:

Food prices at present are "unrealistically low" and retailers are struggling to cover costs, Woolworths claimed yesterday. The Australia-wide company's controller of food buying, Mr. B. Levitt said this.

The Hon. D. A. DUNSTAN: I am sure that the honourable member is aware that the Commissioner for Prices and Consumer Affairs keeps a close watch on food prices. I point out to the honourable member that there are two difficulties in respect of the mechanism for the control of some food prices. First, in respect of commodities such as meat, there is no way to exercise price control because of the export prices of meat and the demand for meat in other States. If we imposed any sort of control here it would simply mean that beasts would not come to our abattoirs but would be shipped to another State for killing and either sold domestically elsewhere or exported.

The Hon. Hugh Hudson: There is no way of stopping that.

The Hon. D. A. DUNSTAN: True. In respect of another area that has shown serious fluctuations in the recent indices, potatoes and onions fluctuate seasonally and there is no way we can satisfactorily control the prices of those products. Regarding a whole series of grocery food items, it is difficult to control prices in this area because we have control only of the retail margin. Of course, if there were an overall prices justification system throughout Australia and the other States were applying to their wholesalers and manufacturers the same requirements that we apply here to ours, there would be a different situation. However, as that is not occurring elsewhere, the result is that we can control only the retail margin, which is often competitive. The Commissioner for Prices and Consumer Affairs does keep a constant watch on prices of food items so that he may exercise control in those areas where it can be effective.

#### FENCING

Mr. CHAPMAN: Can the Minister of Environment and Conservation say whether his department has accepted the responsibility of fencing national parks and fauna reserves on Kangaroo Island? Following receipt of the committee's submission in respect of control and improvement of national parks and fauna reserves by the Kangaroo Island Fauna Committee, I am anxious to know, first, whether the Minister's department has accepted the responsibility and whether it accepts the fencing specifications directed by that committee. Secondly, does the department agree that wild cats, wild goats and wild pigs should be gazetted as vermin, or described in some other way, so as to make it compulsory to destroy them? Thirdly, will the department finance the supply of water points within some national parks to ensure the survival of certain rare species of fauna in the area? Fourthly, will the department support private landholders adjoining national parks in their application to be exempt from capital taxation and to enjoy total income tax deductions for their contributions towards expenditure incurred on their own fencing adjacent to those reserves?

The Hon. G. R. BROOMHILL: We have a policy of giving assistance towards the cost of fencing reserves where animals from the reserves may cause difficulty by encroaching on adjoining properties. The decision to provide support in this area is based on a form of priority and does not apply in respect of every park. Regarding the supply of water in parks for the protection of animals in the parks, this is part of the continuing work done by the rangers of the National Parks and Wildlife Service. If the honourable member has any special instance where he believes some weakness exists and to which attention should be given, I should be pleased to hear from him so the matter can be given specific attention.

In respect of taxation deductions, where people occupy premises and own uncleared land that provides protection for animal life, this has been the subject of discussions at meetings of Ministers in charge of national parks and wild life. Submissions have been made to the Commonwealth Government for some form of assistance to landholders who undertake that form of activity. As certain other matters were raised by the honourable member, I shall be pleased to examine his question and, if there are any items with which I have not dealt, I will inform him later.

#### ADELAIDE PLAINS

Dr. EASTICK: Can the Premier say what progress has been made in obtaining a solution to the complex socio-economic problems in respect of people living in the Adelaide Plains area? It has been frequently stated that



there is a major problem in the Adelaide Plains area extending to Gawler River, down to Waterloo Corner, and including the Virginia area as far as Two Wells and adjacent areas. This problem results from the inability to offset the diminution of supplies of water from the underground basin with water from reticulated supplies and, at this stage, the inability to make available treated effluent water from the Bolivar Sewage Treatment Works. The Premier has indicated that reports have been given him in respect of socio-economic problems in this area, and that the investigations on which the reports have been based will continue.

The Hon. D. A. DUNSTAN: [ do not have a report at the moment, but I will inquire what progress the committee is making. I do not suggest it will be easy to come up with any sort of solution.

#### PETRO-CHEMICAL PLANT

Mr. COUMBE: Has the Premier seen the reported statement in the House of Representatives of the Commonwealth Minister for Minerals and Energy (Mr. Connor) last Tuesday that "no longer will any State Premier usurp the functions of a national Government"? This statement was in the same context as the following statement relating to the South Australian Premier in respect of Redcliffs:

He has been told and will stay told.

The statement to which I first referred, by Mr. Connor, raises concern in respect of the normal activities of all State Governments in recent years in attracting industries from other countries to establish in Australia, especially in South Australia. Does the Premier know what is meant by Mr. Connor's statement with its possible serious implications? Does the Premier not believe that this view could act to the detriment of this State in its efforts to attract new industries to South Australia?

The Hon. D. A. DUNSTAN: I have not made a trip overseas in respect of the Redcliffs project. I do not know what the Commonwealth Minister can have been alluding to, nor do I know what was meant by the previous statement to which the honourable member has referred. The first time I heard any mention of a 51 per cent Australian equity from the Minister was when he made that remark in the House of Representatives. He did not make it to me.

Mr. Millhouse: Isn't he your friend?

The Hon. D. A. DUNSTAN: Mr. Connor has been a long-standing friend of mine.

Mr. Millhouse: Why then—

The SPEAKER: Order! This question has nothing to do with friendship.

*Members interjecting:*

The SPEAKER: Order! The honourable Premier.

The Hon. D. A. DUNSTAN: I have no intention whatever of failing in my duty to attract diversity of employment and investment to South Australia. That is entirely in line with the policy of the Australian Labor Party, and we intend to stick to it.

#### BUILDING PLANS

Mr. EVANS: Will the Minister of Development and Mines, as Minister in charge of housing, say whether he is aware that some councils are tending to reject building plans and specifications that are prepared by building designers and are preferring plans prepared by architects? Building designers prepare plans and specifications much more cheaply than do architects. I understand that the Adelaide City Council and the Salisbury council in particular are adopting the practice to which I have

referred, and I consider that the practice could harm the overall housing industry in the State. I ask the Minister to investigate the matter.

The Hon. D. J. HOPGOOD: In some quarters there is a tendency for people to be mesmerized by academic qualifications. I will take the matter up with the Minister of Local Government.

#### PROCEDURE

The SPEAKER: Following the adoption of the Standing Orders Committee's report on Wednesday, it is no longer required that a member, having obtained leave to bring in a Bill, shall go to the Bar of the House and announce, "A Bill, Mr. Speaker," as formerly. In future the procedure will be that, having obtained leave to introduce a Bill, the member will bring it to the Clerk at the table without any announcement. Any member wishing to have his second reading speech inserted in *Hansard* without reading it should ask leave to do so.

#### SNOWY MOUNTAINS ENGINEERING CORPORATION (SOUTH AUSTRALIA) ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Snowy Mountains Engineering Corporation (South Australia) Act, 1971. Read a first time.

The Hon. J. D. CORCORAN: I move:

*That this Bill be now read a second time.*

I seek leave to have the second reading explanation incorporated in *Hansard* without my reading it.

Leave granted.

#### EXPLANATION OF BILL

Members will no doubt be aware that in 1970 the Commonwealth Government established a body to be known as the Snowy Mountains Engineering Corporation. This body was formed for the purpose of keeping intact the specialist skills acquired by the Snowy Mountains Hydro-Electric Authority during the construction of the Snowy Mountains scheme, and for the making of those skills available to the Commonwealth, the States, private organizations and foreign countries. On constitutional grounds, a view was taken that full effect could not be given to the Commonwealth's intentions in relation to the corporation without supporting legislation by the States. For this reason this State, amongst others, enacted supporting legislation, which here took the form of the Snowy Mountains Engineering Corporation (South Australia) Act, 1971.

The effect of the State Act was to give the corporation status under the law of this State and also, so far as it is within the legislative competence of this State, to enable the corporation to carry out the functions contemplated by the Commonwealth Act that constituted it in relation to this State. However, by the Snowy Mountains Engineering Corporation Act, 1973, of the Commonwealth, section 17 of the original Commonwealth Act has been amended. The effect of this amendment is slightly to enlarge the powers of the corporation to carry out engineering works in Australia or elsewhere. Subsection (4) of this section as it stood had the effect of somewhat limiting the powers of the (Commonwealth) Minister to approve certain activities of the commission. The proposed amendment will enable the Minister to approve the corporation's carrying out work of a specified class without the need for it to obtain specific approval for each work that falls within that class.

While the internal arrangements for the exercise of the functions of the corporation are, of course, entirely a matter for the Commonwealth and the corporation, this amendment does infringe, to some extent, on our State legislation adverted to above. The Act of this State at section 4 (2) ensures that the powers conferred on the corporation by the State Act shall not be construed as to enable the corporation to exercise its functions without the necessary approval of the Minister required under the Commonwealth Act. Accordingly, this short Bill, as it were, picks up the references to the slightly changed procedure contemplated by the Commonwealth Act, and does so by striking out a reference to subsections (4) and (5) of the Commonwealth Act that are no longer apposite.

Mr. MATHWIN secured the adjournment of the debate.

#### WORKMEN'S COMPENSATION ACT AMENDMENT BILL

The Hon. D. H. McKEE (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to amend the Workmen's Compensation Act, 1971. Read a first time.

The Hon. D. H. McKEE: I move:

*That this Bill be now read a second time.*

I seek leave to have the second reading explanation incorporated in *Hansard* without my reading it.

Mr. Mathwin: No, Sir.

The SPEAKER: Order! Leave is refused.

The Hon. D. H. McKEE: Two years ago this Parliament passed a new Workmen's Compensation Act which substantially changed the law governing workmen's compensation. It repealed the previous legislation and enacted provisions that more adequately recognized the responsibilities that employers properly have in relation to their workmen who may be injured in the course of employment. It also took a more enlightened attitude to meeting the economic needs of those injured workmen during the period they are unable to work. It has also increased the level of compensation for permanent injuries suffered.

However, since the passing of that Act, and with the benefit of two years' practical experience of its operation, the Government now considers that amendments should be made to make the measure more equitable in certain areas. Many of these amendments are of a technical nature, but some of them involve important matters of principle. The most important amendment is that which gives effect to the mandate the Government received from the people at the recent election. In his March, 1973, policy speech the Premier said, "We will amend the Workmen's Compensation Act to provide that a worker will receive normal pay while on workmen's compensation". Accordingly, this Bill gives effect to that undertaking by removing the present maximum payment of \$65 a week during the period that a workman is temporarily incapacitated, and instead provides that the compensation during that period will be the average weekly earnings of the injured worker.

The Government considers that a workman should not be financially embarrassed as a result of an injury incurred while working. Workmen, in common with the rest of the community, have certain continuing financial commitments, which do not change when they are laid off work as a result of accidents. It is only just that they should receive payments to enable them to fulfil these commitments, and this need demands that they receive at least their average weekly earnings during incapacity. Because of the changes in money values in the last two years, the maximum lump sum payments payable in the case of death or in respect

of injuries which cause permanent disability have been increased in the Bill by about the same percentage increase as the present maximum payment under the Act bears to the average weekly earnings.

The other amendments are more appropriately discussed in the explanation of the clauses. Many of those amendments are made in furtherance of the principle that workmen's compensation legislation should ensure that workmen do not suffer financially because they have been injured in the course of employment, and so are unable to earn a living, or if injured seriously, suffer permanent disablement. It is clear that the main amendment proposed by this Bill, that relating to the payment of average weekly earnings while on compensation, gives effect to that principle.

Members are no doubt aware that the area of accident prevention, compensation, and rehabilitation is now the subject of an inquiry by the Australian Government. The inquiry may lead to considerable changes in workmen's compensation within a few years. However, the Government considers that it must act now to bring in these changes to the existing law without awaiting the outcome of that inquiry, so that the workers of South Australia shall be not disadvantaged as a result of employment injury. I seek leave to have the explanation of the clauses incorporated in *Hansard* without my reading it.

Leave granted.

#### EXPLANATION OF CLAUSES

Clauses 1 and 2 are formal.

Clause 3 is intended to remedy what may have been a "gap" in the principal Act. This "gap" may have arisen where a workman was injured before the commencement of the principal Act but, for one reason or another, was not entitled to commence proceedings under the repealed Act. If, subsequently, he became entitled to commence proceedings under the repealed Act, assuming it had not been repealed, as the present Act stands he would not be covered by its transitional proceedings. The effect of this amendment is to bring him within those transitional provisions and, as a necessary consequence, this amendment is expressed to operate retrospectively to the commencement of the principal Act.

Clause 4 amends the definition section of the principal Act, that is, section 8. A definition of child has been inserted, and this definition includes adopted or illegitimate children of the workman and any child in relation to whom the workman is in the same situation as a parent. The definition of "injury" has been recast to remove the reference to the fact that the employment of the workman was a contributing factor to the injury. The compensability or otherwise of an injury as defined will be tested against the question posed by section 9 of the principal Act, that is, did the injury arise out of or in the course of the employment of the workman. A new subsection has been inserted to enable the Act to be applied to subcontractors who personally perform work, and the definition of workman has been extended to include piece-workers who are under a contract of services. Several other drafting amendments are provided for by this clause.

Clause 5 inserts a new section 9a in the principal Act to cover the situation where an exacerbation or a recurrence of a work-caused injury occurs in circumstances that may not give rise to a claim for compensation under the Act. The amendment proposed will, where a "real practical connection" between the exacerbation or recurrence and the original work injury can be established, give the person a right of action. I point out to members that this section comes into play only where the person involved would otherwise have no right of action under the Act.

Clause 6 provides that an appeal under section 23 of the Act may be by way of rehearing. Clause 7 is a drafting amendment. Clause 8 gives the workman or his nominee a wider power of inspection than at present exists of the premises where an injury occurred. The making of sketches and the taking of photographs will now be expressly permitted.

Clause 9 amends section 35 to give the Industrial Registrar a somewhat wider discretion in determining whether or not to register an agreement, and empowers him to require that additional information be provided to enable him to decide whether or not to register an agreement. Clause 10 provides for a penalty to be paid by an employer who delays making lump sum payments he has agreed to make in writing in a registered agreement. It provides that if payment is not made to the injured workman within 14 days of the registration of the agreement a penalty of 1 per cent of the sum agreed to be paid to the workman is to be added to that lump sum in respect of each week or part thereof that the money is outstanding. Clause 11 is formal.

Clause 12 amends section 41 to provide that the court shall not order costs against a workman in any proceedings under the Act unless it is satisfied that the conduct of the workman was vexatious or fraudulent. It also provides for personal liability of legal practitioners where costs have been incurred improperly, or without reasonable cause, and makes some other amendments of a formal nature. Clause 13 amends section 45 of the principal Act and provides that appeals to the Full Industrial Court may be by way of rehearing. Clause 14 provides that on and after the commencement of this Act proposed by this Bill all appeals, whether under the Act or arising from matters under the repealed Act, will be heard and determined by the Full Industrial Court. Clause 15 amends section 46 to allow a case to be stated to either the Full Supreme Court or the Full Industrial Court.

Clause 16 increases the upper limit of compensation when a workman dies leaving dependants to \$25 000 plus \$500 for each dependent child, and increases the amount payable in respect of funeral expenses from \$300 to \$500. Clause 17 increases the maximum amount that may be allowed for funeral expenses under section 50 of the principal Act from \$300 to \$500. Clause 18 effects the major amendment of the Bill by making several amendments to section 51. Where total or partial incapacity for work results from the injury, the amount of compensation shall be a weekly payment during the incapacity equal to the average weekly earnings of the workman. The amendment provides that the total liability of an employer under the section shall not exceed \$25 000 or such greater amount as is fixed by the court having regard to the circumstances of the case. A workman who is receiving workmen's compensation at the rate prescribed by the existing Act will, by virtue of proposed new subsection (7) of section 51, be entitled to recover payments at the new rate, but this subsection will not increase the employer's total liability under the Act as it now stands in respect of that injury.

Clause 19 is formal. Clause 20 makes amendments found necessary as a result of experience in the two years the Act has been in operation. It includes a penalty against employers who do not comply promptly with their obligation to make weekly payments of compensation under this Part. No penalties are at present prescribed, and hence there is no sanction on employers who refuse to pay or are tardy in payment. The prescribed penalty is an interest change which accrues to the injured workman. Clause 21 repeals section 54 and makes clear that compensation is payable

in addition to any payment, allowance, or benefit for holidays, annual leave, or long service leave.

Clause 22 adds to the list of additional compensation in section 59 "domestic assistance services". A maximum of \$150 will now be allowed for damage to clothing and personal effects, and a maximum of \$300 will now be allowed for damage to tools of trade. The definition of "ambulance services" in subsection (2) of that section will now include the use of a vehicle owned, under the control of, or driven by the workman. Clause 23 somewhat changes the emphasis of section 67. The partial incapacity of a workman must now be treated as total for the purposes of the Act, if employment which the workman can undertake is not found by the employer. Previously, such partial incapacity could only be treated as total if employment for which the workman was fitted was not reasonably available to the workman.

Clause 24 amends section 68 of the principal Act, and is consequential on the enactment of new section 54 of the principal Act: this enactment was effected by clause 21. By clause 25, the maximum amount of compensation for "table injuries" in section 69 of the Act is increased from \$12 000 to \$20 000. The clause, makes clear, however, by the insertion of a new subsection (9a), that injuries which occurred before the commencement of these amendments shall be compensated at the old rate. Clause 26 amends section 70 of the principal Act by increasing the maximum amount of compensation payable in respect of injuries covered by that section from \$9 000 to \$13 000. Clause 27 inserts a new section 73a in the principal Act which establishes a presumption that, in the case of exposure to certain noise levels at a worker's place of employment, in the absence of evidence to the contrary, any noise-induced hearing loss suffered by the workman resulted from exposure to the noise levels at his place of employment. Clause 28 removes a redundant provision from section 82 of the principal Act.

Clause 29 effects a consequential amendment made necessary by the penalties included in this Bill. It provides that, when an employer insures for the full amount of his liability under the Act, he must now include any liability to make a payment by way of penalty. Clause 30 inserts a new section 125a, which deals with default penalties. A person who is convicted of an offence under a section or part of the Act where the expression "default penalty" appears will be guilty of a further offence if the original offence continues after his conviction. The maximum penalty for the further offence is the daily amount laid down in the particular section or, if no penalty is prescribed, up to \$10 a day while the offence continues. It is clear that this Bill will effect some vital and much-needed changes in this important area of workmen's compensation. The changes in principle are demanded by equity and fairness to the average workman. The technical changes have been found necessary by the day-to-day experience of the court.

Mr. COUMBE secured the adjournment of the debate.

#### **ROAD TRAFFIC ACT AMENDMENT BILL (WEIGHTS)**

Adjourned debate on second reading.

(Continued from October 11. Page 1216.)

Mr. BECKER (Hanson): This Bill has two main features incorporating speed limits for heavy motor vehicles and introducing gross vehicle weight limits and gross combination weight limits that will apply to heavy vehicles. As the Minister has stated in his second reading explanation, the Bill is introduced following the recommendations of the report of the Commercial Road Transport Committee under the chairmanship of Mr. A. G. Flint. The Minister

properly paid a tribute to the members of that committee for their efforts in investigating the various aspects of the task given to them. The committee should consider itself fortunate that it contained such a wide spread of interests: it was a large committee, but it covered about every section of the commercial motor vehicle and omnibus industry. It was unfortunate that the private transport drivers association was not directly represented on the committee, but it had someone looking after its interests.

This legislation sets various speed limits that are more realistic than were the speed limits that had been previously set: the last alteration was made in 1956. A problem facing transport operators in this State was the difference in speed limits between South Australia and the other States, particularly the Eastern States. A transport driver told me that he complied with the law in South Australia, but once across the border speed limits were different in Victoria and New South Wales and again varied in Queensland. One of the biggest problems facing interstate road hauliers is the method used to detect drivers who drive at speeds greater than allowed by the law. We should not (and will not) tolerate some of the methods used in detecting transport drivers on our roads if it is necessary to apprehend them for breaking the law. In some cases it is questionable whether the law is being broken or whether, in fact, convictions are being obtained unfairly. I am opposed to the system being used by inspectors of hiding on the side of the road in the evening and using lights and stopwatches, trying to apprehend semi-trailer operators in regard to speeding, and doubtful methods are used also in respect of the weighing of vehicles.

I believe that, once the vehicle speed limits and weights are established, the detection methods used will be fair and reasonable and that the semi-trailer operator will not be subjected to some of the deceitful methods now being used. Although someone who blatantly exceeds speed limits and breaks the law must be willing to face the consequences, I do not see why a cops-and-robber exercise should be used in trying to apprehend him. These men do not have an easy job driving a heavy vehicle on our highways, and they should be given a fair go. It might be argued that this legislation could sound the death knell for the small independent operator, who could find extreme difficulty in conforming to various measures, but we have yet to consider other legislation that will be introduced in conjunction with this Bill.

Mr. Millhouse: What you have just said has no meaning whatever.

Mr. BECKER: I will buy the member for Mitcham a dummy, and he can sit there and suck it so that other members can go about their business.

Mr. Millhouse: Why don't you—

Mr. BECKER: Why don't you mind your own business for a change!

Mr. Millhouse: It is my business; it's the business of the House.

The SPEAKER: Order! The honourable member must realize that his remarks must be addressed through the Chair.

Mr. Millhouse: Now make sense in what you're saying!

The SPEAKER: Order! This is not a personal feud; it is a Bill being considered by the House. The honourable member for Hanson.

Mr. BECKER: The Bill is really a measure that should be considered in Committee. Certain of its provisions will make operations extremely difficult for some people in rural areas, but this matter will be covered by other speakers. The provision relating to gross vehicle weight and gross

combination weight unfortunately does not cover the newer type of heavy vehicles with tri-axle bogies. Regrettably, load limits cannot be increased, because some of the bridges in this State cannot take any additional weight. Tri-axles are acceptable in New South Wales, where the maximum load is 41 tonnes. If we are realistic in examining the future of the heavy motor vehicle industry, we should consider this point. The Bill stipulates various weights in tonnes, but nothing is provided in respect of a heavy vehicle drawing a large caravan. In this respect our legislation is completely out of step with corresponding legislation in the Eastern States. Clause 12 is one of the most objectionable clauses in the Bill. New section 155 (2) provides:

In order to determine the aggregate weight carried on the axles of a vehicle or vehicles or on any two or more of those axles, it shall not be necessary to measure the weight carried on all of the relevant axles simultaneously, but the aggregate weight may be determined by aggregating measurements of weight taken separately in relation to the axles in question.

The system of determining the weight of vehicles is totally unacceptable to private transport operators. Unfortunately, the system to be used, a system of split weighing, will create anomalies. The weight carried on all of the relevant axles, if measured simultaneously, may amount to 10 t but, if the system of split weighing is used, figures of 6 t and 5 t may be obtained; the equivalent figure will not be arrived at. So, I strongly object to that system being used. The speed limits recommended in the report are acceptable and realistic. In rural areas commercial motor vehicles will be able to travel at 90 km/h, and in urban areas they will be able to travel at 60 km/h. It is time we adopted a realistic approach to speed limits. This is a Committee Bill, and I support the second reading.

Mr. Millhouse: That was a great non-speech.

Mr. GUNN (Eyre): I make clear that, in supporting the Bill, I believe there are one or two aspects that need altering because of the serious effects they will have on some sections of the transport industry. I support the remarks of the member for Hanson. The Liberal and Country League has always had a policy of guaranteeing the freedom of road transport in this State. For many years South Australia had the smallest number of controls on road transport operators, in comparison with those applying in other States; we should always strive to preserve that situation. South Australian country areas, particularly the Frome District and my district, rely to a great degree on road transport:

Over the last few years the Labor Party has often tried to destroy the road transport system in this State. One has only to think of 1965, when the Walsh Government tried to introduce legislation that would have destroyed road transport as we had known it in this State. The motive behind that legislation was to force people to use the railways. In the last Parliament legislation was introduced that would have virtually destroyed road transport as we knew it then. However, because of the tremendous pressure generated throughout the State and because of the possibility of two Government members losing their seats, the Minister of Transport, after a confrontation with some people in the South-East, decided to withdraw the legislation. Upon doing that, he set up an expert committee to examine the matter. The committee certainly went into the problem in detail. There was only one representative from the rural industries on the committee, and that representative was included on the committee only after strong representations had been made by rural industry groups. The Minister of Transport showed that he did not have much time for small operators and primary producers.

Probably the most contentious aspect of the Bill is the restriction to be placed on the loading of commercial vehicles. Owners will be limited to the gross vehicle weight limit or the gross combination weight limit, plus a tolerance of 20 per cent. In some cases this provision will greatly restrict many people who, for the last 10 or 15 years, have carted their grain to the nearest silo or terminal in trucks that have been in good condition. However, because the vehicles are 10 years old, they have a low maker's recommendation. In the case of a 1956 Chevrolet truck pulling a four-wheel trailer, a farmer could find that his limit is reduced by up to six tons or seven tons. This will affect him greatly because he will have to make more trips to the silo and pay more for fuel. If the unions concerned with providing fuel continue to act as irresponsibly as they have been acting, I do not know what will happen.

If the Minister wants to act fairly, he should look carefully at this matter. It will not have any effect whatever on the commercial operators who have heavy-duty vehicles; they cannot legally put the maker's recommendation on their vehicles, because they are limited by the eight-ton limit. The people who will be seriously affected are the small operators who cannot replace their vehicles. Very few secondhand trucks are on the market today, and many people cannot afford to pay \$10 000 or \$11 000 for a new truck. Because of the policies of the present Commonwealth Government, people do not have sufficient confidence to commit themselves to large outlays. They do not know what the Commonwealth Treasurer will do next, having regard to the Commonwealth Government's attitude to people living in country areas. I sincerely hope that the amendments I have, which will have the effect of increasing the tolerance to 30 per cent, will be accepted. In his second reading explanation, in relation to clause 10, the Minister stated:

The power of exemption contained in section 147 (6) should be particularly noticed. This will enable the board to grant exemptions where, for example, grain or timber is being hauled over level terrain and there is no danger in the gross vehicle weight or gross combination weight limits being exceeded.

There is power to grant exemptions, but this should be stated clearly in the legislation. This is another example of the Government's not stating its intention clearly to the people when it intends to alter legislation. It is all very well to say that the board may grant a permit, but this means that people will have to go to the trouble of obtaining permits. The Road Traffic Board does not have on it at present any representative of primary industry. As this is an important field that could affect the livelihood of thousands of people in the State, they should be represented on the board. I am pleased that the Minister has now come back into the House.

The Hon. G. T. Virgo: I haven't been out of the House.

Mr. GUNN: I am sorry; I did not notice the Minister. He is not his usual self today, as he is being quiet.

The Hon. G. T. Virgo: I've been trying to sort out that conglomeration of yours which you call amendments and which you could not sort out.

The DEPUTY SPEAKER: Order! We are not dealing with amendments. The honourable member must confine his remarks to the second reading and must not refer to moving amendments.

Mr. GUNN: I am doing that. By interjection, the Minister referred to amendments. He is aware that I was discussing those matters when I was called on to speak.

The Hon. G. T. Virgo: You claimed I wasn't in the House.

The DEPUTY SPEAKER: Order!

Mr. GUNN: I believe that it is wrong for people to have to apply to obtain permits in relation to the exemption in clause 10. The Labor Party as a matter of policy likes to make people apply for permits to a proliferation of boards. This is completely wrong and undemocratic. People should have the right to know exactly where they stand. In this case, many people in the community will have to wait weeks for their application to be dealt with. In that time, their crops and other produce will be ready for the market. They will want to carry as much as possible so that there will not be extra vehicles on the road.

The Hon. G. T. Virgo: If they simply comply with the law they don't need to make an application.

Mr. GUNN: I hope the Minister is right. We will follow up this matter in Committee, when we will seek assurances from the Minister. It is all very well for him to sit with a smirk on his face. This matter has attracted the attention of thousands of people who are waiting for the Minister to give some clear explanation about how these measures will affect them. During the past few weeks, I have attended several meetings around South Australia at which great concern has been expressed about the possible effects of this measure. I remind the Minister that thousands of people own commercial vehicles which are eight years to 10 years old and which are in perfect condition. These people have not caused accidents. If the Minister looks at the records of accidents, he will see that primary producers have an excellent record. No-one can condemn them on this score. In most cases, they are not interested in driving fast but drive quietly to the silos. They do not drive down the road at about 60 m.p.h. (95 km/h) in overloaded vehicles. In some cases their vehicles may be overloaded, but they drive slowly and carefully. I commend Don Allen, who was associated with the committee that met at Kadina and elsewhere, for the fine work he and his committee have done for the people of the State. People who are affected appreciate the fine work that has been done.

I support the provisions in the Bill increasing the speed Limits for commercial vehicles. For a long time, I have thought that these limits should be increased. Like most members who represent country areas, I have been approached many times by operators who have been charged with breaking the speed limit. I have been disturbed, as the member for Hanson said he has been disturbed, by some of the methods used in detecting these offences. Out from Iron Knob, people have stationed themselves in holes in the road at 12 midnight and 1 o'clock in the morning.

Mr. Keneally: They wouldn't last long there.

Mr. GUNN: The condition of the roads depends on the member's district. People who have been travelling at 35 m.p.h. (56 km/h) and 40 m.p.h. (64 km/h) have been charged. In one week, five or six of my constituents were charged, and they were not doing any barm at all. It is only common sense that the speed limit should be increased, because the type of commercial vehicle used today is as safe as are most motor cars. In addition, the people who drive these vehicles are far better drivers than most drivers and have had more experience. With the present Limits, many of these people are being forced off the roads for three months or more because they gradually build up demerit points and lose their licence. In many cases, this results in inexperienced drivers being put in charge of large commercial vehicles. I believe this creates a far worse hazard on the road than is caused by experienced drivers travelling at 45 m.p.h. (72 km/h) or

50 m.p.h. (80 km/h). It is absolutely essential that speed limits should be increased.

In discussing this measure, we must also consider the other complementary legislation, as I understand the Minister will not accept one Bill without the other. I refer to the legislation dealing with hours of driving. In certain cases, this will also have a serious effect, but perhaps I should not discuss that matter now. Certain sections involved have not requested an increase in speed limits. People who own small commercial vehicles to whom I have spoken on many occasions do not oppose the increase in speed limits but would far sooner, in some cases, be able to carry the weight of grain they carry now to their local silo and be limited to 35 m.p.h. (56 km/h) in speed. Most people in my district want speed limits increased, and I fully support this. However, as an example, I refer to the person who operates the Ceduna mail service. An increase in the speed limit will not benefit him, because if he tried to average 50 m.p.h. (80 km/h) his truck would not last long on those roads. Incidentally, I hope the Minister will do something about those roads soon. This operator is most concerned at the restrictions on weight, because he has to be able to cart a certain weight in order to make a living. He has the mail contract and is obliged by the terms of that contract to travel that route regularly. He cannot increase his freights because he is in competition with fly-by-night carriers travelling to the Northern Territory from Melbourne and elsewhere who are willing to pick up freight at cheaper rates than those at which he can carry it. He is facing a problem and I hope—

The Hon. G. T. Virgo: Is that private enterprise?

Mr. GUNN: There is nothing wrong with private enterprise. I hope that the Minister will grant exemptions to people in this position, because they are playing a vital role in the community by providing essential services to people in the outback areas of this State. If the Minister is not interested in these people, I am sorry: I represent them. Two other matters of concern are contained in this Bill, the first being the provision that brakes must be fitted to trailers towed behind vehicles. No logical person can oppose this provision, but much concern has been expressed that people may be forced, as a result of misunderstanding, to fit brakes to the front wheels of four-wheeled trailers. I hope the Minister will assure the House that this will not be necessary, because it would create a hazard to every person travelling on our roads.

Secondly, I refer to the provision in respect of the weighing of trucks. This provision is causing much concern to people involved in the transport industry. Officers involved in the weights and measures branch of a department (I am not sure which) have power to stop any person driving a commercial vehicle and weigh his vehicle with a small set of scales. I do not know the name of the instrument.

The Hon. G. T. Virgo: It's a loadometer.

Mr. GUNN: I thank the Minister for his assistance. Much concern has been expressed to me that this device is not accurate, and people consider that the departmental officers should not be able to weigh trucks with this type of instrument. It is believed the readings obtained by this instrument are not accurate. This is the same attitude as that held by people who have had their vehicles weighed on small weighbridges, where one axle at a time of a vehicle with two bogies on the back is weighed. It is believed that, to get a true and accurate reading, both axles should be weighed at the same time.

In the past people have been charged and convictions have been recorded against them on evidence obtained by the use of loadometers; indeed, I have heard these instruments referred to as other than loadometers! I sincerely hope that the Minister has considered the volume of evidence that has been made available to him and to other members in respect of the unreliability of loadometers. It has been pointed out that, when people have been pulled up on the road, their tyres have been damaged by the instrument and, in some instances, they have driven on to the instrument, applied their brakes, and have broken the instrument (and perhaps that is the best thing that could happen to it—but I say that without any malice). It is firmly believed that to weigh just one tyre at a time prevents the obtaining of a true reading. For a first offence the penalty may not be severe, but for second or third offences large sums of money are involved.

As the Minister is aware, the road transport industry operates on a small profit margin, and I refer especially to those operators operating on rough and semi-made roads, who consider this practice should be outlawed. In no circumstance do I support people who deliberately flout the law. Unlike the Premier, I do not believe that people who break the law should not accept the consequences. As a member, I have sworn to uphold the law and to be loyal to Her Majesty. I would not make statements of that kind.

The Hon. L. J. King: You've no regard for your conscience. That's the difference between you and the Premier.

Mr. GUNN: I have regard for my conscience, but I believe that, if a law is obnoxious, one should uphold it and try to change it by democratic means.

The Hon. L. J. King: Even though it's against your conscience?

Mr. GUNN: There are many things with which I do not agree. However, I do not intend to enter into a debate on that matter with the Attorney-General. We have seen the Attorney-General in action in the House on many occasions when he has been like Fred Astaire: he has done more quick foot-work than any other member.

The Hon. L. J. King: You can't face up to that question.

The DEPUTY SPEAKER: Order! That has nothing to do with the Bill.

Mr. GUNN: It seems that there are two sets of Standing Orders: one for the Opposition and one for the Government.

The Hon. G. R. Broomhill: Are you reflecting on the Chair?

Mr. GUNN: No. In conclusion, I hope that the Minister will accept the reasonable amendments that have been moved by the Opposition.

The Hon. G. T. Virgo: They haven't been moved yet.

Mr. GUNN: I meant to say they had been foreshadowed. We on this side (and I am speaking for the Liberal and Country League members) have always believed in an open road transport policy.

The Hon. G. T. Virgo: What about the members of the L.M.?

Mr. GUNN: I am speaking only on behalf of the L.C.L. We have a fine record—

The DEPUTY SPEAKER: Order! The L.M. has nothing to do with the Bill.

Mr. GUNN: I am pleased that it has nothing to do with it. It would not be of any assistance, anyway.

*Members interjecting:*

The DEPUTY SPEAKER: Order! The honourable member for Eyre.

Mr. GUNN: This legislation will have a serious effect unless it is administered reasonably. Concern has been expressed that the Minister said in both of his second reading explanations that there will be powers of exemption and that the legislation will not come into effect until 1974, and the loading legislation not until 1975. Great concern has been expressed that once a law has been made it should be enforced. There is no sense in making a law if it is not enforced, and people are concerned about this aspect. I understand that Victoria and New South Wales have imposed far more severe restrictions than those contained in the Bill, but a period of grace is allowed there. The police shut their eyes during harvest time. I regard that as totally unsatisfactory, because people should know where they stand. No law should be made unless it will be enforced, and we should all support that principle. It is no good turning a blind eye, because that would not assist anyone or make for good government or administration. I represent the largest district in the State.

Mr. Mathwin: And very well, too.

Mr. GUNN: I thank the member for Glenelg for his charitable comment. Most of my constituents rely entirely on road transport and feel strongly about these measures, which, if they are introduced in an iron-fisted manner or enforced without proper consideration or regard for the needs of people in outlying areas, will have a detrimental effect not only on the rural community but on consumers in those areas. In most of the towns in those areas the usual day-to-day goods are carted by road transport, and it is essential that they be carted as cheaply as possible. If this legislation is forced on people in an iron-fisted manner, I am concerned, on their behalf, that costs will greatly increase. We have already seen what inflation has done to the economy of the country and to people on fixed incomes, as a direct result of an irresponsible Commonwealth Government; but surely this Government should not put before Parliament legislation that will increase costs. I have been told by many people that they believe the Minister has introduced this legislation as a first step to make it difficult for country people and to force them to use the railways. At all the meetings I have attended, people expressed their total opposition to any form of zoning of country silos.

The Hon. G. T. Virgo: What! That meeting held at Minlaton?

Mr. GUNN: I did not attend that meeting.

The Hon. G. T. Virgo: That might be difficult, because there is no railway there.

Mr. GUNN: in conclusion, I remind the Minister that I (and no doubt my colleagues) will require assurances from him in Committee. I support the Minister's praise of the Flint committee. The committee did an excellent job, but it was somewhat restricted in its terms of reference. I hope that, when it presents its report in relation to the Road Maintenance (Contribution) Act, the Minister will say in the House that he will abolish the tax, as a result of the Tasmanian Government's tobacco tax case, which was upheld in the court.

Mr. BLACKER (Flinders): I support the Bill. First, I compliment the members of the Committee of Inquiry into Commercial Road Transport on their findings and on the way they assisted the Minister in relation to this Bill. When I first became aware of the committee I was surprised and bitterly disappointed that only one rural representative was on the committee and that 12 of the 14 committee members lived in the metropolitan area. I was not very happy, because I believed "there goes all our representation". However, I take off my hat to those gentlemen, who have

made an honest, genuine and sincere attempt to present conditions on road transport which will form a solid and sound basis on which Parliament can work.

Eyre Peninsula's greatest disability is its geographical position. Being separated from the mainland by Spencer Gulf, its only connection with the capital city is by road around the gulf and by m.v. *Troubridge*, which serves the lower part of the peninsula through Port Lincoln.

The Hon. G. T. Virgo: Especially during the past year.

Mr. BLACKER: Thus, the greater part has to rely on road transport. There has been tremendous development during the past 20 years, and the peninsula now plays an important part in the economy of the State. It can truly be said that this development is largely due to its efficient road transport services. The rail system serves a large portion of the peninsula for the transport of grain to the terminals at Port Lincoln and Thevenard. However, a large part of the peninsula has no rail service (I emphasize this), and this area has to rely solely on road transport. Consumer goods, such as fuel, and machinery are moved by road transport.

Likewise, the disposal of livestock to the various markets relies entirely on road transport, which is the only efficient means of moving livestock. Stock can be moved from farms and marketed in good condition in a short time. On account of its sparse population, the great distance between centres, and the lack of connecting services with the mainland, Eyre Peninsula probably relies more on road transport than does any other part of the State. If the proposed restrictions are placed on road transport, it will have the effect of forcing freight rates to rise considerably. I will qualify this point later when referring to the types and sizes of truck involved. This will have the effect of hampering further development of the area, to the detriment of the State generally.

Such an increase will have a serious effect on the cost of living, and it will also be unfair to those who have no rail services available to them for the transport of grain, as freight increases will become intolerable. Furthermore, as the Engineering and Water Supply Department, the Electricity Trust of South Australia, the Postmaster-General's Department, the Housing Trust, the Marine and Harbors Department and other public departments make full use of road transport, their costs will rise, and the money allocated will not enable them to provide the required services. The final result will be that it will adversely affect every individual on Eyre Peninsula, and this will have a serious effect on the State.

It is considered that the provision regarding the loading capacity of vehicles, that is, gross combination weight or gross vehicle weight plus 20 per cent, is a reasonable compromise. Most operators of the heavy transport vehicles on the roads today have vehicles of a standard that is adequately catered for in this category. Unfortunately, it is the small man, the individual farmer with his small (and, I might add, aging) truck, who will be seriously and adversely affected by these proposals. The average age of a farm truck is estimated to be 12 years. Many farmers registered as primary producers, operate rigid trucks, and of all their trucks on the road about 80 per cent are of five tons (5.08 t) or less. Therefore, while the tonnage hauled and livestock carried may be of little significance in this respect, the number of trucks and individuals involved is considerable. Although I realize that the committee of inquiry was not charged with the full responsibility of examining State transport systems as a whole, I should like to make one or two points.

First, there is an obvious place, for both road and rail transport to co-exist in South Australia to the benefit of all concerned; and, secondly (and equally as important), there is the scope and need for the private owners of commercial motor vehicles to operate virtually alongside the professional carrier or transport operator. In acknowledging the valuable contribution made to this State by the professional road haulier, I nevertheless strongly assert the need for, and support the role of, privately-owned commercial motor vehicles. It is simply not practicable, if regulations are to prevent private carting, to suggest that the vacuum created can be efficiently filled by the professional carrier. That is just not a practical proposition.

For the farmer to own heavy commercial vehicles may not prove economical in isolation but, by utilizing motor trucks in his overall farm operations, and therefore buying the size of truck that will suit his needs, he is obtaining a solution to the problem, and he can offset the cost factor much more readily than can the road haulier in moving day-to-day and seasonal primary produce from the farm.

The first matter of any significance in the Bill is that of speed limits, regarding which the Flint committee recommended an increase from 80 km/h to 90 km/h. While all heavy and modern road transport operators would readily accept this point of view, many truck owners consider that the added impositions being placed upon them, with their vehicles having to be upgraded to meet braking and road safety requirements so as to cater for the extra permissible speed at which they can travel, are far beyond the practical ability of most primary producers.

I support an increase in speed limits, and I wholeheartedly support an increase to 90 km/h, because at present people who derive their living entirely from driving transport vehicles must in some cases negotiate grades that necessitate long hauls. Any person who has driven trucks will realize that the speed limits that applied previously were outdated and, indeed, far from practical. It is ridiculous for one to have to keep a truck at 35 miles an hour (about 50 km/h). One needs a rolling momentum with a heavy transport to be able to obtain any economies therefrom. I therefore support the increase in speed limit.

The Minister may appoint an advisory committee but, as there seems to be some doubt about the matter, I will seek clarification on it when the Bill is in Committee. This is indeed a vital aspect, if the regulations under the Bill are to have any significance. The regulations foreshadowed by the Minister may never be implemented if the Minister does not exercise his authority and appoint an advisory committee. The power of exemption has been brought to members' notice many times. The point has been made this afternoon, and it should be stressed again: the efficiency and practicability of the Bill relies on its application to the transport system. If we are to have too many exemptions, no-one will know in which direction he is going, that is, whether he is complying with the Bill or the regulations, or whether one conflicts with the other. I therefore hope that this Bill will embody most of the views expressed by members so that most of the controls will be implemented not in the regulations but in the Bill itself.

I will in Committee refer to clause 13, which relates to the painting of signs, and with which I cannot agree. There are certain serious implications involved in clause 14, on which I will seek clarification. As I understand the provision, most people are deemed guilty until proven innocent, and this is contrary to what the law provides generally. I believe that this is reasonable legislation and will assist farmers, primary producers, and transport

operators, although heavy transport operators with modern equipment will not be greatly affected. Many of the foreshadowed amendments have merit, particularly those concerned with increased exemptions of heavy vehicles. I support the Bill.

Mr. VENNING (Rocky River): In supporting the Bill I pay a tribute to members of the Commercial Road Transport Committee and particularly the Chairman, Mr. Flint. Growers in the North of the State asked that meetings be held in that area at which they could receive information from this committee, and I received full consideration from Mr. Flint in organizing these meetings. Mr. Flint and seven or eight members of the committee attended a large meeting at Jamestown at which more than 200 people from the North and other areas of the State were present to put their case and allow the committee to hear their ideas.

The Hon. G. T. Virgo: Were they satisfied with the explanations given?

Mr. VENNING: These meetings were of great assistance not only to the committee but also to many primary producers. The nature of this legislation has resulted from these meetings that were held throughout the State, because many of the problems were solved before the Bill was introduced. Primary producers with small trucks have expressed some concern, but I understand they are being catered for through certain exemptions provided in the Bill and there do not seem to be many other problems. I know that the Minister wants to zone silos, but that is another issue. For some time concern had been expressed about the speed limit of commercial vehicles: this legislation increases the speed limit to about 56 m.p.h. (90 km/h) provided that braking provisions are complied with, and it will be of great benefit to commercial and primary-producer transport users. It has been stated that many vehicles used by primary producers could not attain this speed under load, but when a vehicle is returning empty it will be able to be driven at the new speed limit without the driver breaking the law. I have travelled the roads often and know how difficult it is to catch and pass some of these vehicles because of their speed, but now the drivers of those vehicles will be acting within the law.

I will be interested to hear the Minister's views on various aspects of this legislation, and I hope that he will be able to give the details we require. Earlier, the member for Flinders expressed concern about the committee comprising 14 members with 12 of them living in the metropolitan area. However, after an approach by the United Farmers and Graziers of South Australia Incorporated, a primary-producer representative was appointed as a member of the committee. Mr. Michael Shanahan was the appointee, and his wide knowledge and background, no doubt gained from his father, would be of great assistance in putting forward the views of primary producers. Clause 10 refers to the situation where vehicles are operating in certain terrain, and it has been suggested that this provision should not have been necessary. I believe that, if an advantage is to be acquired in this way, permits will have to be issued. If a person does not wish to obtain a permit he may continue in the same way as he has always done.

Many people throughout the State, particularly on Yorke Peninsula, have suggested a higher speed limit is not required, but they approve of brakes being installed on trailers, and most of them, I understand, are now having brakes attached to their trailers. The purpose of this legislation is to conform with similar legislation in



other States concerning road transport. Before the meetings to which I have referred, I inquired in other States and I was amazed to find how the legislation operated in them. I asked the Secretary of the Victorian Farmers Union how the restrictions on primary producers' trucks operated in Victoria. Although he said they had not had any complaints from primary producers, I found later that, at harvest time, the provisions of the Act were not enforced and that growers could carry as much as they liked on their trucks and travel at whatever speeds they chose while the authorities looked the other way.

I cannot see how it is possible to have legislation for this. I go along with the member for Eyre when he says that if this sort of thing is to be permitted the situation will be very haphazard. If there is a law it must be a reasonable law so that growers and primary producers can act within it. Clause 10 relates to the issue of permits, an aspect that the Minister should consider carefully. As I understand that the Road Traffic Board will issue the permits necessary under this legislation, I will suggest in Committee that a primary producer representative be added to the board. The addition to the Commercial Road Transport Committee of a representative of rural industry was of great assistance, and if permits are to be issued successfully a representative of primary industry should be appointed in this case. I support the Bill.

Mr. HALL (Goyder): Matters of transport and the control of transport are growing more complex as methods of transport become more sophisticated. We find that many areas of legislation are in some ways quite undesirable but at the same time unavoidable. One or two features of this Bill cause me some concern, and yet I believe that there is little one can do about them. In the face of these complexities, the best speech made in this debate so far was made by the member for Eyre. While he could not always be easily followed, I believe he addressed himself fairly well to the Bill. He was much more understandable than was the member for Hanson, who took the first adjournment on the second reading debate and whose remarks about the Bill were quite unintelligible. I cannot understand the Liberal and Country League Opposition choosing him as its first speaker, but the member for Eyre took some practical view of the situation.

The SPEAKER: Order! The honourable member must speak to the Bill, and not discuss the activities of the L.C.L.

Mr. HALL: We have just heard three consecutive speakers from the L.C.L., and surely their views are something we can discuss in this debate. While some measure of agreement seems indicated, I think in Committee there may be some differences in detail as to the method of solving the problems involved. There are contradictions in the Government's approach to this Bill. It is saying that the heaviest road transport may travel along all roads at 56 miles (90 km) an hour unless some special prohibition exists or some other law is in operation. Such a speed is not safe on all sealed roads in South Australia. That is simply a fact. I need not go into a great deal of detail, but I challenge the Minister to say, for instance, that an articulated transport, loaded to the maximum weight under the provisions of this Bill, is safe at 90 km/h on every part of the road between Mallala and Balaklava; it is not.

While that speed might be easily maintained through the Adelaide Hills on the new freeway, or on many other newly built roads, it would not be safe on the road I have mentioned. This is the failure of a generalization: maxi-

imum speeds are not necessarily related to safety on the road. It is by no means a simple matter of applying a highway code which I believe this study was intended to do. Certainly, we need to modernize the controls and we need some emphasis on the freedoms under which highway users can operate. New standards of highway construction can bring new standards of highway operation. Applied as a new highway code there are many commendable features in the Bill, but it applies overall across South Australia a provision which could be extremely dangerous in some areas.

The contradiction is accentuated in the areas mentioned by my friend (or at least my Parliamentary colleague) the member for Rocky River, in relation to primary production. The Bill is saying to some thousands of primary producers that they can reduce their loads but increase their speeds. Is that a safety measure? I believe that a truck with the reduced loading indicated here, travelling at this speed (which has been increased from 35 miles (56 km) an hour to 56 miles (90 km) an hour) is in a less safe condition at the top speed than is a truck with a heavier load travelling at a lower speed. I do not think anyone in primary industry would dispute that.

Some aspects of the Bill are good and some obviously are bad. It is an indication of departmental and Governmental thinking which tends to tackle matters, which have the least political application, in the name of safety. How many people have suffered injury or death under the conditions that will be effected here? What is the Government doing, for instance, about drinking drivers? Which is more effective in causing harm and accidents on the road? It is impossible, legislatively and governmentally, because of the political consequences, to do anything about the drinking drivers, and the Government knows it, as do most Parliamentarians. Yet it is easy to tackle something such as this, which will have little effect in changing the road injury statistics. The Minister has not seen fit to produce accident statistics relating to vehicles of the type covered in the Bill.

Having made those somewhat miscellaneous critical remarks, I say that it is necessary to establish a new highway code for upgraded highway facilities, and this Bill tends to do that. It has applied a general upgrading of conditions to a limited area of non-highway transport in South Australia, and in so doing has caused a great deal of alarm in the community. That alarm is evident to a great degree in my electorate. I have attended several meetings where this matter has been considered. They were conducted in a way that reflects a great deal of credit on those who organized them. They were by no means selfish, industrial, or limited types of meeting: they realistically appraised the huge involvement of an industry caught up in an overall change in the law which was not really meant to apply to it. In a moderate fashion, the people concerned presented a case to the Minister, and I was present at at least one meeting with the Minister when that case was outlined. It was presented tactfully and moderately, and I believe the Minister would admit that. I had hoped that they would obtain a greater result than they obtained in this Bill. All that the Minister has done, really, is provide in new section 147 (6) as follows:

The board may by instrument in writing exempt any vehicle, or vehicles of any class, from any requirement of this section upon such conditions as the board thinks fit and specifies in the instrument.

That provision affords no real satisfaction to those who have protested to the Minister; such people will have to

rely, without any legislative discipline, on the whim of the board. The operators affected have one of the best accident records of any group of road users but, as they could be vitally affected by this Bill, at the appropriate time I shall move that they be exempted. I do not like exemptions relating to a section; I normally like legislation that applies generally, but I can see no other way of achieving justice under this legislation for those affected. In referring to speeds in his second reading explanation, the Minister was incorrect (or it has been printed incorrectly); on page 1216 of *Hansard* the speed of 90 km/h is stated as being equivalent to 50 m.p.h. Actually, the figure should be 56 m.p.h., and I advise the Minister to correct his previous mistake. If the Minister does not believe me, he can see the error in writing, and it is typical of his presentation of Bills. Under this Bill we are handing over more and more control to a board, and many matters will be dealt with by regulation. New section 126 (2) provides:

The braking system of a vehicle must comply with the requirements of the regulations both in relation to its design and construction and in relation to its performance and effectiveness.

Unfortunately, we do not know what will be the regulations referred to in that provision. Whilst either House can disallow regulations if it does not like them, it is not as easy to safeguard the rights of operators in regulations as it is in the initial legislation. Regarding braking safety, however, in this Bill it is impossible to define all the miscellaneous details that will be dealt with in regulations. In recent years much has been said about the braking systems, of trailers and caravans in relation to the weight of the towing unit. I ask the Minister not to be heavy-handed in applying the provision, which could affect many South Australians. I ask him to look at the accident statistics before he acts, and I hope he will be able to justify fully any action he takes.

There has been a feeling in country areas that the Minister is pursuing a vendetta against private transport. Such a statement cannot be made in a general way about this Bill because, in relation to highway use, it is probably pretty fair. However, in relation to primary industries, it is not totally fair. In this connection, the Minister had better agree to several of the reasonable amendments that have been foreshadowed, so that he can show his good faith in this matter. In the country the Railways Department is advertising that the railways are a cheap and efficient transport medium. However, every member who has studied the Budget will know that that is not the case.

Last week an advertisement stated that the railways could carry beer at the same rates in 1973 as they could in 1971. The reason why the railways can do that is that this year they will receive a subsidy of \$30 000 000 from the taxpayers. Actually, the railways are a very uneconomic means of transport. I hope the Minister realizes this and will not pursue his vendetta against road transport.

Further, I hope the Minister will not pursue his Party's vendetta and will not unduly restrict country people in connection with the use of a certain type of truck not essentially used by commercial operators but used by producers of certain products who have a very long record of safety on the roads. I will not oppose the second reading of this Bill, and I look forward to the support of the Minister and of his back-benchers in connection with the amendment I have foreshadowed which could properly exempt those who would be hardest hit by this Bill.

Mr. RUSSACK (Gouger): I support the Bill, which increases the speed limits relating to commercial vehicles. Having studied the Flint committee's report, I congratulate the members of that committee, particularly the Chairman, on having submitted such a helpful document. Mr. Flint has made himself available to interested persons at all times and has done his best to achieve a satisfactory result. However, some of my constituents are not happy about some aspects of the Bill, and they would like to see some alterations made. The committee set up by the Minister had to consider the hours of driving, the braking of vehicles, load capacity, and speeds.

Some time ago the Minister stated in this House that he was concerned about the differing speed limits for various commercial vehicles; he said that a dangerous situation could be created when a heavy vehicle attempted to pass other vehicles on main highways. This element of danger had to be obviated. Other factors concerning inadequate braking and overloading had to be considered by the committee, which also looked into the possibility of uniform laws throughout the Commonwealth. The committee has endeavoured to make the Jaws of this State as nearly as possible uniform with the laws of other States.

Before the report of the committee was made public, concern started to grow, particularly in primary producing areas. As I represent an area that essentially derives its income from primary industry, I naturally became involved and wanted to be as informed as possible about the various matters affecting people in these areas. I am sure I am voicing the opinion of these people when I say that they accept the fact that there has to be an adjustment in relation to speed limits. They realize that many recommendations of the committee must be accepted with regard to increasing speed limits: However, if other aspects of the report were made law, they would have a detrimental effect on the industry. I believe that a genuine effort was made by these people to ask the committee what it intended and to submit evidence to it. Public meetings were arranged for this purpose. I attended meetings at Jamestown, Maitland and Kadina, and other meetings were held at southern Yorke Peninsula (at Yorketown) and also on Eyre Peninsula. The outcome of the meetings was that certain resolutions were passed. I acknowledge the way in which the Minister accepted the representations and submissions from representatives of these meetings.

There are two major aspects that concern primary industry. First, there is the matter of the loading of vehicles. If the formula outlined in the Bill were adopted, it would have a severe effect on the economic viability of the industry. Although other members referred to this, I should like to give one example in this connection. In this case, a farmer with a truck and trailer can at present cart 150 bags. However, if the formula in the Bill were applied, his loading capacity would be reduced by about 50 bags, which is almost one-third. It is accepted that, because of the type of vehicle most farmers own—it is in the four tons (4.06 t) to five tons (5.08 t) class—the load-carrying capacity would be reduced by about 30 per cent, necessitating three trips, instead of two, to the silo. Not only would extra time be involved in travelling but extra time would also be taken up in unloading at the silo, and there would be additional fuel costs.

Secondly, it would be necessary to install further storage on farms. South Australia has a proud record of vermin-free wheat and grain for export, and this has been achieved because of the speed with which grain is taken to the silos and exported. It is essential that we maintain this record. It would not be to the advantage of the industry for this

system to be broken down. It has been suggested that perhaps contractors could be used, so that commercial vehicles with greater carrying capacity would be engaged. I am sure that all members realize the difficulty involved. If most producers relied on contractors there would be a problem at harvest time when everyone wanted grain carted at the same time. Under a new system, it may be necessary for producers to take action to cut down overhead costs. This could be done in several ways. First, farmers could work longer hours and I point out that at harvest time they work long hours now. Secondly, grain could be stored for longer periods on the properties. Thirdly, they could buy new trucks. Fourthly, I point to the tendency in the other States for farmers to ignore the restriction and defy the law, and I certainly do not recommend that practice here.

There are definite difficulties associated with replacing trucks. For a truck to be satisfactory according to the formula in the Bill, it would have to be an 8-ton (8.1 t) truck, the cost of which would be about \$8 000 to \$10 000. However, new trucks are just not available at present. The industry would be placed in some chaos if this happened, because producers would not be able to get a fair price for their old vehicles, as dealers would not be able to place the secondhand vehicles readily. Because of the restricted loading provision, these vehicles would not be required to any extent. As I have said, primary industry is the main industry in my district, so I believe I have a right, duty and responsibility to represent primary producers in this case. Clause 11 provides for an application for the exemption of vehicles with articulated tracks. This is not definite enough. Amendments have been foreshadowed, and I will support them if they are moved. Primary producers in general, not only cereal growers, are involved in this matter. For instance, fruitgrowers, grape-growers and other primary producers will find it difficult if the impositions and penalties contained in the loading provision are adopted, unless they can be assured that they will be exempted if they apply for the exemption. The record of carting grain to silos and the carrying of primary produce is an excellent one. The main aspect of the Bill is that of safety, for which primary producers have a very good record. Unfortunately, although questions have been asked concerning statistics on the carting of primary produce, no such safely record has been kept. However, as a result of reports from an authoritative source, it is accepted that there have been very few accidents in the carting of grain to silos.

There is another aspect concerning the farmer (and I speak for the area in which I am interested) in that he does not require high-speed vehicles to cart his primary produce, because the roads over which he travels do not permit of high speeds. Many of the districts are so surveyed that there are corners and cross roads about every three-quarters of a mile (1.2 km), thus necessitating slow speeds. Therefore, the primary producer should be given special consideration concerning loading and should have a straightout exemption during harvest for the carting of his produce.

Regarding braking, it is accepted by the general public and those involved in the trucking business or the carting of goods in heavy vehicles that trucks must be of a high standard. However, there is doubt about the brakes on four-wheel trailers of the turntable or dog-trailer type. It is considered by those who have the technical knowledge that there is a danger in brakes being fitted to the front wheels of four-wheel trailers weighing over 10 t. Clause 7 (2) provides for braking and regulations, but these provisions should be spelled out more clearly in the Bill

itself and not be left to regulations. However, I will be interested to see the regulations when they are laid on the table. I support the Bill generally, but there are these matters I have mentioned that cause me concern. I appreciate the way in which the committee has worked in the preparation of its report and the way its members have made themselves available so that evidence might be given. I congratulate them on their report. I emphasize the matters concerning primary industry and the detrimental effect the loading provision will have if the Bill is passed in its present form. I support the second reading.

Mr. ARNOLD (Chaffey): I too, support the second reading. However, there are aspects of the Bill with which I do not agree but, in the main, I think the Bill is a realistic approach to the situation with which we are faced today in relation to road traffic and road transport. The provision of a 90 km/h speed limit for road transport vehicles and omnibuses is a realistic one. There was a suggestion at one time throughout the community that road transport vehicles would possibly be limited to a speed of 80 km/h and buses to 90 km/h. I am pleased to see that the Bill provides the same speed limits for buses and road transport vehicles. I do not agree with the provision to retain split-axle weighing; this provision has been the cause of many injustices in the past. No accurate way exists for the weighing of a vehicle by using a portable weighing device.

Mr. Coumbe: The loadometer.

Mr. ARNOLD: Yes. I believe that this provision should be removed from the Bill in the maintenance of justice. The member for Eyre highlighted the situation with regard to primary producers. Regarding clause 10, the Minister, in his second reading explanation, said:

The power of exemption contained in section 147 (6) should be particularly noticed. This will enable the board to grant exemptions where, for example, grain or timber is being hauled over level terrain and there is no danger in the gross vehicle weight or gross combination weight limits being exceeded.

That is all well and good, but it should be spelled out more clearly in the Bill. I believe that the amendments foreshadowed by the member for Eyre will do precisely what is required, so that the board itself will have a clear-cut indication of what is required. The economics of primary production do not allow for the purchase of trucks costing about \$10 000 each that will be used only for about three months of the year; this will be the situation if the Bill is passed in its present form. In most instances, primary producers use their trucks only for about that time. As the Minister is no doubt aware, most of these trucks are certainly not late model trucks. They do the job of carting grain to the silo, grapes to the winery, and so on. We all know the situation that primary producers are in today. There has been considerable comment in the last few weeks about wine grapes used for brandy. The economics of that industry do not provide for the purchase of a \$10 000 unit, as would be the case if the Bill is passed in its present form.

I referred earlier to the limit of 90 km/h. It was stated that it is obviously not safe to drive trucks at this speed on some of the roads in this State. However, this applies to all forms of vehicle. For instance, in the Adelaide Hills and some other areas of the State one obviously cannot drive a semi-trailer, bus, or, indeed, a motor car at 90 km/h. The onus will be on the driver to show that he is driving with due care. In many cases, one could not claim one was driving with due care if one drove a vehicle at that speed. I agree wholeheartedly with the speed limit of 90 km/h and with the principle

that drivers should have to prove that they are not driving without due care if they exceed this speed limit. I support the second reading, and will support the amendments when they are moved in Committee.

Mr. EVANS (Fisher): In the main, I, too, support the Bill. The Minister would be fully aware that about 12 months ago I objected to certain proposals that were being formulated. The delay that has occurred because of action that was taken by certain individuals to convince the Minister to lay aside those proposals has resulted in a much better Bill being introduced. For that reason, I have no regrets regarding the action I took, with the help of others, last year. The committee that helped the Minister and the industry with the recommendations should be given full credit for its work. I refer, of course, to its representatives from the various sectors, whether they represented primary producers, tip-truck operators or any other field of endeavour involved.

I cannot agree entirely with the member for Goyder regarding speed limits. He said we should exempt vehicles that travel on roads on which it is deemed unsafe to travel at 56 miles an hour or more. If this happened, exemptions would apply to all our Hills roads. Lower speed limits would have to be introduced for commercial motor vehicles, passenger vehicles and service buses in those areas. Therefore, the member for Goyder's argument is not valid when it is considered seriously.

In law, one must drive with due care and I believe the member for Goyder understands that full well. In recent years we have attempted to avoid promulgating laws exempting one sector of the community from a law that others must obey (in this respect I refer particularly to the position of the country versus the city dwellers). The member for Goyder has been the strongest advocate for taking the two in conjunction with one another, that is, considering them in the same light and not allowing exemptions. Now, however, he believes there should be a total exemption for primary producers. I have had some experience in this sector, and in the sand, metal and general carrying sectors. I suppose I should openly admit that I have driven on the road vehicles that have been excessively overloaded and, possibly, I have, when struggling to survive economically, driven vehicles with brakes that would not meet today's requirements. However, in the past the roads have not been as crowded as they are now, nor was there the same danger, and the high speeds were not attained as often as they are now. One can see, therefore, that I have some background in this matter.

I accept the increase in the speed limit. This has imposed a burden in the past on service bus operators that travel to other States on tours, the long-distance services to the West Coast, the South-East and Murray

River areas. In the past, the drivers of these vehicles have had a prima facie case against them when they have driven in excess of 60 miles an hour (about 97 km/h), and now they are to be restricted to about 56 miles an hour (90 km/h), which they will not be able

to exceed at any time. In the past, if the drivers of these vehicles could prove it was safe for them to drive at 70 miles an hour (about 112 km/h), they could do so.

I believe the member for Gouger raised a good point regarding heavy vehicles. He referred to the availability of vehicles of the classification that will be required by primary producers if they are to continue to carry the quantities they have carried previously. There is no doubt that by January, 1975, many vehicles of the five-ton (5.08 t) to six-ton (6.1 t) range which are owned by primary producers, tip-truck operators, small carriers and

small contractors in the building industry will, if this Bill passes in its present form, be thrown out.

The Minister said last year in his original proposal that he would like to restrict the vehicle weight to the manufacturers' gross vehicle weight. We have not had a clear indication of what the gross vehicle weight will be in the future: all we know is that an advisory committee will be set up that will decide the gross vehicle weight, or the combined vehicle weight. That combined vehicle weight will be decided by the committee, but on what basis? Will it accept, in the main, the manufacturers' recommendations or will it set out with another set of standards to arrive at the weight that can be carried? That is one problem that I can see in the Bill. If it was provided that, in the main, we would use the manufacturers' recommendations as a basis on which to work, I could see no problems. However, I do not consider that the 20 per cent tolerance on the manufacturers' recommendation is satisfactory. I said publicly 12 months ago that I thought a tolerance of 25 per cent would be satisfactory, as most of the vehicles over the manufacturers' stated seven-ton range are not affected by the legislation. Once one moves into that type of classification, the axle limits stop one from going over the manufacturers' gross vehicle weight limit.

I do not believe the proposed law will affect the larger capacity vehicles. The member for Flinders made this point. When one gets into the Kenworth range of trucks, which are capable of travelling at speeds of 100 miles an hour (160.9 km/h) and which are capable of pulling heavy weights, no problems are experienced regarding safety, except for the person behind the wheel, on whom we rely so much in the heavy transport industry. I realize (and I want members representing country districts to know this) that it is not just the farmer who will be adversely affected when the limitations of gross vehicle and combined weights begin to apply in January, 1975. It is the operator who supplies gardening and footpath materials to the average home (that is, the sand and metal carrier) who will be affected. He is no better off financially than is the farmer, and he relies as much on his truck for a living as does the other sector of the community. Members should keep that aspect in mind when referring to exemptions, because that person needs to earn a living. He also operates his vehicle for 12 months of the year, because he cannot afford a holiday, and, for that reason, it may be argued that he can afford to pay a higher price for a larger classification of vehicle over a period. Unfortunately, this matter has been referred to many times and should be repeated as often as possible because this operator usually receives from Government departments only \$4 an hour while operating a vehicle valued at \$10 000. One would realize that under present-day conditions of costs that person cannot operate satisfactorily.

Mr. Coumbe: What weight is that?

Mr. EVANS: A vehicle carrying about six tons (6.1 t) to eight tons (8.1 t). Obviously, if one considers that sort of payment for such a vehicle, one must realize that the economics of that industry are indeed tight. Perhaps these operators would be better off if they took a clerical job in the Public Service. However, other sectors using this classification of truck must be considered. If this Bill is passed, in 1975 truck manufacturers will realize the need to produce many more middle-range trucks and not so many of the lighter range, because there will be an abundance of secondhand vehicles on the market in the next 15 months or so. Many will go to the scrap heap, but

a financial burden will be placed on the economy of the State, because cartage rates will increase.

I understand that a primary producer cannot pass on additional costs, because he operates in the only industry that I knew of in which goods are placed on the market and the seller has to take what he can get for them. The Government should consider seriously what it is doing; it should confer with the industry in order to make sure that planning takes place to ensure that enough vehicles are available; and it should do what it can to help those who have to dispose of an unwanted good. The Highways Department and the Engineering and Water Supply Department operate many of these classifications of vehicle, but in the past, after about 35 000 miles (56 300 km) they are placed on the market, and the Government receives as much for the vehicle as it paid for it, because it did not have to pay sales tax originally. The vehicles are used for two or three years and then placed on the market at public auction, and farmers buy the vehicles knowing that they have been fully serviced and well cared for and are a good proposition for them. However, that market will not be available to Government departments in future, because that classification of vehicle will be utterly useless. That aspect must also be considered.

The member for Eyre referred to the policing of the law and the apprehension of offenders by using a scale that weighs only one wheel at a time. Such a method could be considered very doubtful indeed. As an operator, I have known departmental officers to weigh vehicles on an uneven surface. I do not believe the device is accurate, because, after having my vehicle weighed, I have made checks at the weighbridge and found it to be inaccurate. But one cannot challenge the departmental officers or the police; one is lost unless a justice of the peace rides on the vehicle from where it is apprehended to the weighbridge and signs a declaration that nothing was unloaded from it in the meantime. A public weighbridge could be many miles from the point at which the offence was alleged but, if a driver tells the court that the vehicle was weighed half an hour later, the prosecuting counsel can say that goods had been offloaded in the meantime. One can understand that argument. For the benefit of the operator and of the department, such a vehicle should be taken to a public weighbridge. If people doubt the accuracy of the device it should be taken out on the road and used to check 20 or 30 semi-trailers by weighing each wheel individually before putting them over the weighbridge. There will be a variation in weights.

After a few convictions for overloading, the penalties imposed by the law are most severe. The Minister should look at this point carefully. I do not think he would wish any section of the community to be hounded by departmental officers or police officers, sometimes unjustly. I do not deny that operators have driven vehicles that are overloaded. Sometimes it is done accidentally, sometimes knowingly. The difference in weight of some goods when dry or wet is quite marked, and drivers are capable of errors of judgment. Because of economics they always drive to the maximum allowed by law, and the slightest error of judgment and a small quantity of moisture in some goods can get them into considerable trouble. They must drive to a weighbridge before they can check the weight of the load and if they are apprehended before they reach the weighbridge they are in difficulties. It is useless to tell the departmental officer that an error has been made and that the truck was being taken to be weighed. Even if he believes this, he seldom lets the

driver off. Many drivers have experienced this attitude of officers.

The way the law is used is important. I agree with the member for Eyre, who has said we do not want to adopt the Victorian idea of saying that it does not matter and that, if a vehicle is overloaded by 25 per cent, it does not matter because the law allows 20 per cent. The law should be implemented stringently, otherwise there will be accusations of favouritism. It is important to exempt some areas of operation if it can be proved that they are not likely to interfere with other sections of the community and create danger on the roads, but the areas involved will be few and very limited. Most members will understand that, because of the size of our State and because of the sparsity of population in some areas, it is possible to grant exemptions in some areas. There is no doubt that the braking systems of some trucks are not adequate. Further, there is no doubt that, because some trucks are overloaded and drivers take gambles, particularly in the Hills, some serious accidents and some near misses have occurred. In one case there could have been a catastrophe involving a service bus; fortunately, through the driver's good judgment there were no injuries and no real damage to the vehicle. However, serious accidents of that type can happen.

If we do not have regulations relating to the type and standard of brakes, the speed limit laws should be left as they are. The speed limit would possibly be too high. So, we must accept the need for braking regulations. I have argued that trucks of over eight tons (8.13 t) should have spring brakes, which are used in the railways. If pressure is lost the brake is automatically applied and the vehicle stays where it is until it is manually released. If that system had operated, most of the major accidents involving heavy vehicles in the Hills would never have occurred. If anyone had put that proposition to me when I was in the industry I would have told him to jump in the lake because the system was too expensive. However, considering the amount of traffic now on the roads and even the amount of traffic then on the roads, one can see the long-term benefits. The cost would not be any greater in the long term. Most operators think of the initial expense involved in installing the braking system, and they do not think so much of the long-term advantage.

The exhaust brake that has been developed is also an improvement; the motor acts as a compressor so that, instead of pushing air freely out of the motor when a vehicle is coasting downhill, we are compressing air so that the motor is operating in reverse and holding back effectively. By this method we prevent the overheating of brakes, and the oil does not boil. So, the brakes are still fully effective when they are needed.

In connection with the normal braking system, if air assisted, the shoes do not become glazed and are fully effective when required. So, the exhaust brake has been of great benefit to the industry, even with the medium class of truck. I strongly suspect that that will be the type of braking system recommended by the Minister or his department, and I do not believe that that will be unreasonable. I do not believe that the cost is too high. There is an overall saving to the driver not only in terms of economics but also in terms of the energy used in controlling the vehicle. The driver is not on edge wondering what will happen if overheating occurs.

I do not object to the provisions relating to braking regulations, provided they are handled sensibly. Regarding four-wheel trailers, if the brakes are applied suddenly on the front wheels and happen to grip before they grip

the rear wheels it will have a jack-knifing effect and cause accidents. If we apply the regulations so that four-wheel trailers must have brakes fitted on all wheels, I believe we will need a relay system between the front and rear wheel application so that the brakes will apply to the rear wheels first and then to the front wheels. If this does not happen, there will be serious accidents. The Minister should consider this matter carefully.

Overall, the transport industry undoubtedly has a good record. I accept the point made by members who represent rural areas that farmers possibly have the best road safety record. The long-distance hauliers travel great distances and have more opportunities to have accidents than rural operators have. Their record is not bad. There have been one or two serious accidents in the Adelaide Hills, but the record of drivers in the quarrying field is not bad, either. It is better than the record of the average private motorist. Private motorists abuse heavy transport operators, whether they be drivers of lorries, Tramways Trust buses or other large vehicles. It is said that these operators hog the road, but I believe that, in the main, heavy transport operators are more polite and courteous than are most private motorists. They are a credit to the industry, and their courtesy extends even to driving in the metropolitan area. I will speak on this matter in Committee, but I am satisfied that I was correct in what I said last year, even though the Minister attacked me then. I believe everyone has a greater appreciation of the problem now. The Bill is much more acceptable to everyone (and I hope to the Minister) than was the original proposal. I support the Bill at the second reading stage.

Dr. TONKIN (Bragg): I, too, support the Bill. Although I have one or two reservations about it, generally speaking it is long overdue. I am proud to say that I am an honorary member of the professional transport drivers' association, and I have been concerned with this problem for some time. There is no doubt at all that speed limits have been unrealistic in the past. As the weight limits and braking provisions are inter-related to this, it is right that all these matters should be introduced together and integrated. The present speed limit, which is unrealistic, has led to an absurd situation. It has remained unchanged since 1956 while automobile technology has advanced in leaps and bounds. The thought of transport vehicles travelling at 30 m.p.h. (48 km/h) and being restricted to that speed on the open highway is stupid.

This was brought home to me clearly when, while I still held an A class licence, I was able to drive a semi-trailer on the open highway. I found for myself that the handling characteristics of the vehicle and the braking were of an extremely high standard. There was a vast difference between the characteristics of the old C.M.G. semi-trailer I remember driving down to Outer Harbor to pick up the Christmas mail. However, the less said about that machine the better. Transport drivers have been placed in what has become a most invidious position. The attitude of the authorities, because of the existence of the present legislation, has made them feel almost like criminals. If they have obeyed the law strictly they have been on the road far too long and constitute a definite road hazard. On the other hand, if they do not obey the strict letter of the present law they are prosecuted and, under the points demerit system, they lose their licence and are forced off the road. This results in considerable hardship to their families and to themselves because the vehicle has to be paid off.

It takes experienced drivers off the road (as explained by the member for Fisher) and leaves the way open for inexperienced drivers to take over, and they present a far greater road hazard. As it takes a considerable time for a driver to become experienced (and members of the professional transport drivers' association have pointed this out to me quite strongly), there should be a type of apprenticeship scheme for transport drivers to learn to handle their vehicles correctly. Drivers are compelled to take longer over their trips, to slay longer on the road, and to be subjected to the hypnotic effect of the white line in the middle of the road and low speed, and experienced drivers are forced off the road, thus creating a hazard which has an adverse effect on road safety.

Another factor is also important, namely, the effect on the vehicle itself. The speed limit is such that it is not possible for the vehicle to maintain that speed and at the same time to retain its revolutions in one gear, whereas the next gear down will keep the revolutions too high, and damage to the engine could result. I seek leave to continue my remarks.

Leave granted; debate adjourned.

#### ADJOURNMENT

At 5.54 p.m. the House adjourned until Tuesday, October 30, at 2 p.m.