

**HOUSE OF ASSEMBLY**

Thursday, November 1, 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:

Land Commission,  
Savings Bank of South Australia Act Amendment.

**PETITION: CASINO**

Mr. GOLDSWORTHY presented a petition signed by 48 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.

Petition received.

**PUBLIC WORKS COMMITTEE REPORTS**

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Morphett Vale West Primary School,  
Paradise Primary School,  
Port Noarlunga South Primary School,  
Redwood Park Primary School,  
St. Agnes Primary School.

Ordered that reports be printed.

**QUESTIONS**

The SPEAKER: Pursuant to Standing Orders the following written answers to questions have been received and, being in conformity with Standing Orders and the practice of the House, I direct that they be distributed to members who had asked them and that, together with the questions, they be printed in *Hansard*.

**SMALL BUSINESSES**

In reply to Mr. VENNING (October 18).

The Hon. D. A. DUNSTAN: Regrettably, the days of the small local business seem to have passed as a result of the public buying where prices are lower. This has been brought about by the economies of scale available to self-service type operations, more mobile customers, and the level of competition amongst small selling businesses. Some small units have managed to survive by registering as co-operatives and buying as a group. They still operate independently, but have at least some of the advantages of the larger business. However, even when buying in this way, small businesses are at a cost disadvantage in that they are relatively more labour intensive, and this is where the cost differential is greatest, ensuring higher prices than those charged by the large self-service type operation. A Government buying service would not be able to overcome this limitation and would inevitably be competing with existing co-operatives' arrangements. There is no guarantee that a Government buying service would substantially reduce prices for country businesses, and certainly no surety that its prices would be lower than those available through existing co-operative arrangements.

**SCHOOL DENTISTS**

In reply to Mr. CHAPMAN (September 19).

The Hon. L. J. KING: The Minister of Health reports that at this stage the Regional Dental Officer on Kangaroo Island is fully committed in supervision of the treatment

of schoolchildren by dental therapists and the provision of special and emergency treatment, including some dental care for pensioners. Whilst the School Dental Service usually restricts treatment to primary schoolchildren, the service has been extended to all secondary school students on Kangaroo Island. This departure from normal policy has been allowed because there is no practising dentist on the island. In these circumstances, the school dentist would not be available to provide dental treatment to other residents.

**FLINDERS MEDICAL CENTRE**

In reply to Dr. TONKIN (October 9).

The Hon. L. J. KING: The Minister of Health states that, as part of the commissioning procedures for the Flinders Medical Centre, both general and detailed arrangements have been placed in train for the recruitment of professional staff. Some appointments have already been made, others are now at the advertisement stage, and a specific time table has been devised with the commissioning requirements in mind.

**QUEEN ELIZABETH HOSPITAL**

In reply to Dr. TONKIN (October 18).

The Hon. L. J. KING: The Minister of Health states that there is no intention of closing any part of the Queen Elizabeth Hospital next year.

**OIL RECYCLING**

In reply to Mr. DEAN BROWN and Mr. EVANS (September 27).

The Hon. G. R. BROOMHILL: A spokesman from the Petroleum Industry Environmental Conservation Executive has stated that a recovery and blending system is to be set up in South Australia soon. This will enable the recovery of about 700 000 gall. (31 820) a year of oil from service stations in the metropolitan area. The oil will be disposed of by blending into furnace oil in the ratio of about one to two per cent, at which proportion it is not believed that any air pollution problems will result. While the establishment of a re-refining business would be beneficial in that the waste oil would be used for perhaps a better purpose than blending into furnace oil, the economic evaluation of Mr. McDonough's case shows that the project is not viable. The Industrial Development Division of the Minister of Development and Mines has had much contact with Mr. McDonough over the past several years, and, in fact, assisted him in presenting an unsuccessful application for financial assistance to the Industries Assistance Corporation. While it is not disputed that Mr. McDonough has a considerable degree of experience in the re-refining of oils over the past few years, technical problems caused by new formulations and different types of additives that are now included in the oil make it difficult for this expertise to be immediately applied. I believe that any re-refining venture that is established in South Australia needs the backing and technical assistance of the Petroleum Industry Environmental Conservation Executive.

**MINISTERS**

The SPEAKER: Before calling on questions without notice, I have to inform the House that the Premier will be taking questions that would normally be directed to the Attorney-General, and the Minister of Education will be taking any questions that would normally be directed to the Minister of Works, in the absence of those two Ministers.

**PETROL RATIONING**

The Hon. D. A. DUNSTAN: I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: Last evening I was telephoned, first, by the press and then at about 11.30 p.m. by the Chairman of the South Australian Automobile Chamber of Commerce (Mr. Mitchell), and I was told by Mr. Mitchell that some motions had been passed by a meeting of petrol resellers. I said that I had already been told by the press that some motions had been passed, and he said, "Well, I hope you realize that we also passed a resolution expressing appreciation of the South Australian Government's actions in support of the resellers." I said, "I appreciate that you should pass such a resolution, but it does not make terribly much difference to my reaction to the rest of what you passed." I received this morning a letter that I will table. However, the resolution to which Mr. Mitchell referred is as follows:

That this meeting resolves that all petrol retailers close their petrol pumps until the strike is settled and until such time as the South Australian Government has determined to proceed in an urgent sense with the elimination of price discrimination at the wholesale level and with protective legislation promised by them in their election platform in March of this year.

The Government has been working to eliminate discounting practices, which are uneconomic, in petrol reselling in South Australia, but the process of doing this on the basis of a voluntary agreement between the oil companies and petrol resellers has been sought by the Automobile Chamber of Commerce itself, and the present process of obtaining agreement in that way is at its request. I pointed this out to Mr. Mitchell last evening and said that the legislation was before the House but that the chamber itself had asked that we should not proclaim it while a voluntary agreement could proceed. He said, "Well, we believe that you should take action urgently to eliminate the sale of petrol to resellers at a higher wholesale price than they are charging to industrial pumps, which are discounting." I said, "Well, how can I achieve that under present legislation without getting through the Motor Fuel Distribution Bill, and you have asked me to postpone that? We do not have any power to specify minimum prices in South Australia, nor should we have that power." He said, "Oh well, I appreciate that about minimum price control, but our resellers think that the Government has the power." I said, "What power?", and he could not tell me. As a result of this, the absurd action has been taken today by certain petrol resellers, who are specified as retail outlets for the sale of petrol to permit holders, of closing their stations.

One other basis of complaint apparently was that certain company-owned outlets were amongst the 16 specified. However, the 16 were carefully worked out so that there was a balance between company-owned outlets, privately owned outlets, and company-leased stations. All of them are being treated on the same basis. That this action should be taken at this time, on the eve of the settlement of a grievous dispute, to prevent members of the public from getting petrol for essential sendees is, in my view, utterly unsupported. I say this as a member of the House who has persistently supported the case of petrol resellers in South Australia. I have done this for 20 years, ever since I became a member of this Parliament. I believe that the action that has been taken on this occasion is wholly against the public interest and should not be supported. If petrol resellers persist in this view and refuse to sell to the public petrol that we are able to obtain

for the public from now on, the only course open to the Government is to see to it that the public does get the petrol.

Mr. Millhouse: You're stronger against them than you are against the—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I am happy to let the honourable member see the letter. If he supports what petrol resellers are doing in this matter—

Mr. Millhouse: I didn't say that; I said you were stronger against them than you were against—

The SPEAKER: Order!

Mr. Millhouse: It is in marked contrast—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: If the honourable member—

Mr. Millhouse: Why don't you treat them equally?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member is always trying to make a political point.

Mr. Hall: Rubbish!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: It is the case in this House that I am urged from the benches opposite to take a strong stand on the part of the Government, but if members opposite (or at least the two in the corner) think that they can make a political point out of it if I do take such a stand, they then suggest that I am somehow being unfair, irresponsible or improper.

Mr. Hall: And—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Let members of the Liberal Movement stand up and say what they mean in this case. Do they believe with regard to petrol resellers, given the assistance which this Government has sought for them and the carrying out of their requests (which we have done to the letter), that the situation is now that we should simply say, "Well, let the public not get any petrol for essential services because of this action"? If members in that corner do not believe that, let them be a little responsible about their positions. I am fairly upset about this situation because, as I have said, I have always supported the case of the resellers. I believe that they have been very badly dealt with in the past, this Government having set out to help them. I can only say that what they have done on this occasion serves their case to no extent. Certainly, it does not help them with the general public and with their customers. If they want to get what they are after, this is not the way to go about getting it.

Mr. HALL: I seek leave to make a personal explanation in reply to the Premier's statement and to comply with his request that I state my view.

Leave granted.

Mr. HALL: I thank the House for its indulgence, and I will not take long with this personal explanation. It follows the Premier's implication and his direct statement that we, in this corner of the House, were playing politics. I have been invited to say what we in this corner of the House, in the Liberal Movement, suggest should be done in respect of this dispute. What we recommend should be done is that all parties who prevent South Australians from receiving petrol should be treated equally and should not be shown favour, nor selected one for criticism and one for no criticism. We have frequently slated that the Premier should take a deliberate stand in condemning the strike and that he should request that the provisions of the Commonwealth Conciliation and Arbitration Act be invoked at the request of the Commonwealth Minister.

The Hon. HUGH HUDSON: I rise on a point of order, Mr. Speaker.

The SPEAKER: There is no need for the honourable Minister to take a point of order. The honourable member for Goyder sought leave of the House to make a personal explanation, but he has now gone beyond the bounds of a personal explanation.

Mr. HALL: I apologize if I have done so, but I thought I was within my bounds. I refer specifically to the matter which the Premier raised in this House and on which he challenged me to comment. The L.M. and I do not believe (nor do we support the belief) that petrol resellers should stop selling petrol. I make that clear. At no stage have we indicated to the Premier or to the House that we support such action. We do not support moves by resellers to deny South Australians their petrol supplies. We oppose that move, and we believe that the Premier is right in opposing it, too. However, our view is conditioned by our criticism of the Premier that he has not opposed the basic reason why South Australians cannot get petrol—the strike. He has not condemned it and he has not invoked—

The SPEAKER: Order! Leave is withdrawn.

Mr. Venning: Protection for the Premier!

Mr. HALL: Can the Premier say what were the reasons behind the fixing by the Government of the boundary within which petrol shall be rationed in country areas, specifically that area south of the Kadina and Moonta district? I have been approached by several constituents from Yorke Peninsula, and one in particular from Northern Yorke Peninsula who is irate that the boundary line within which petrol shall be rationed is close to his depot. He has plenty of petrol but cannot sell it, whereas resellers in Moonta, Kadina, and Wallaroo are able to sell it and obtain supplies, I understand, from Port Pirie. He serves a rural area that depends on petrol supplies at harvest time as much as any other part of the State. This person considers that, if rationing must be applied, it should be applied generally without fear or favour and that, if it need not be applied, it should not be. He was not criticizing the Government for its action in making fuel supplies available to a community that would otherwise be short but, in his statement to me, he was criticizing the way rationing was being applied in that area. He wanted to know why that line has been drawn as it has, because it seemed to have no relation to any relevant factors that local residents could find.

The Hon. D. A. DUNSTAN: Obviously, there will be some anomalies about any border that is drawn in relation to this matter. The basis of the Government's reasoning was that rationing should apply within what is called the metropolitan delivery area; that is, in the area from which deliveries take place from Birkenhead. In areas serviced from Port Pirie or Mount Gambier restrictions do not apply, but it was in respect of the area that had to be serviced normally with deliveries from Birkenhead that we had to apply restrictions, because that is the area in which we are short of petrol.

Mr. MATHWIN: Can the Premier say whether provision is being made to help people who cannot attend in person to apply for a petrol permit? I have been approached by some nurses who work at the Ashford Community Hospital and who are at present on shift work. They cannot attend at a permit office during the hours that such offices are open. They work on Sunday, and they will find it most difficult to get to work this Sunday because they are not on a public transport route.

The Hon. D. A. DUNSTAN: A telephone number has been published so that people may get in touch

with the officers in charge of the distribution of permits in cases where it is not possible to get to one of the permit-issuing offices. I would advise people in these circumstances to telephone that number and discuss their problem with the officers involved. However, I am hopeful that the nurses concerned will not have to worry about Sunday.

Mr. COUNBE: Will the Premier obtain further information in respect of petrol outlets in this State? This question is not concerned with the current petrol dispute. The Premier recently referred to a voluntary agreement in respect of the proposed Motor Fuel Distribution Bill. He said that the proposed legislation might not be proclaimed if the oil companies, in particular, co-operated with the Government. I have noticed recently in the metropolitan area that several petrol outlets have closed down, apparently permanently. Will the Premier indicate what is the present position and whether the number of outlets is being reduced or whether the existing outlets are merely being relocated?

The Hon. D. A. DUNSTAN: There is some relocation, but there is also a reduction required of the oil companies on the basis of their agreement with the Government that there be a 10 per cent reduction in the number of outlets before June 30, 1974, because it was clear from our investigations that there were too many outlets in respect of the gallonage sold, and this made it difficult for resellers to make a reasonable return on the gallonage available to them. This situation is proceeding and, at the request of the resellers, I have called together the committee, established by me in 1970, of representatives of the resellers, oil wholesalers and the Commissioner for Prices and Consumer Affairs to oversee what is happening in this area.

#### INDUSTRIAL DISPUTES

Dr. EASTICK: With the expected return to normal of railway services and petrol supplies, will the Premier say what additional areas of industrial unrest are building up of which the Government is aware, either by direct involvement or report, and which will affect the South Australian community? Obviously, the Government was well aware of the type of unrest that was building up in the railway services, because it was involved as one of the employers. It was also aware, as were many other people in the community, of unrest building up in the petrol retailing and refining business. Having regard to the knowledge that the Premier must have of industrial relations in this State, I seek a reply to my question.

The Hon. D. A. DUNSTAN: I am disappointed in the Leader.

The Hon. G. T. Virgo: He's a big stirrer.

The SPEAKER: Order!

Dr. Eastick: Answer the question.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: After yesterday's episodes in this House, I should have thought that, following the magnificent work done by the Minister of Transport, the President of the Australian Council of Trade Unions, and Mr. Barnes (Acting Secretary of the Australian Federated Union of Locomotive Enginemen in South Australia) in ensuring that South Australia did not suffer—

Dr. Eastick: This is not a reply to the question.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The Leader will get his reply all right. I thought that, following the work those people did in seeing to it that South Australia did not suffer the dire results of a railway strike, which were dilated upon yesterday by members in the corner opposite,

an urgency motion would have been moved congratulating the Government on its successful intervention to ensure that South Australia did not suffer in that way.

Dr. Eastick: This is not a reply to the question.

The Hon. D. A. DUNSTAN: I am merely telling the Leader how disappointed I am in my expectations.

Mr. Venning: Answer the question. Don't preach a sermon!

The Hon. D. A. DUNSTAN: It is obvious that certain politically imposed limitations do not allow people to act equally in matters of this kind. I can tell the Leader that we were not aware until mid-day yesterday of an impending stoppage in the Railways Department, and from that time until early yesterday evening we worked to see that South Australia did not suffer an industrial stoppage of this kind and that a basis of settlement was achieved. That was achieved by the intervention of the Minister of Transport in working with the local officials of the A.F.U.L.E. and with Mr. Hawke, who was a great help to the Government in the matter.

Mr. Millhouse: Ha, ha!

The Hon. D. A. DUNSTAN: The honourable member may carry on with his sarcastic laughter. The fact is that, knowing him, I am sure he is disappointed that the matter has not proceeded otherwise.

The SPEAKER: Order!

Mr. Millhouse: You seem to be drawing—

The SPEAKER: Order! I warn the honourable member for Mitcham. The honourable Premier.

The Hon. D. A. DUNSTAN: I do not know of additional areas of industrial unrest in South Australia that are likely to lead to major stoppages: certainly, I have not been informed of any. If the Leader knows of any, perhaps he will tell me. I do not consider that the bases of other major stoppages exist in South Australia.

Mr. Hail: You don't have to worry about—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I point out to the Leader that the record on industrial peace in South Australia is by far the best in Australia.

Mr. Chapman: It's never been worse.

The Hon. D. A. DUNSTAN: The honourable member has not been here long, so he would not know. Those of us who have been here, and who know what has happened, will know the statistics and realize that the honourable member is talking nonsense. The basic statistics in relation to this matter should have a greater degree of—

Mr. DEAN BROWN: On a point of order. I cannot see that in answering a question a Minister can refer to other members and points they have raised because, in doing so, he is debating an issue, and Standing Order 125 provides that a Minister cannot debate an issue.

The SPEAKER: The Chair will rule whether it is debating or otherwise. The question asked by the Leader was an extremely broad one. It was on the basis of whether the Premier had any knowledge of further industrial strife in South Australia. The question is extremely broad and I believe the answer being given relates to the question asked.

The Hon. D. A. DUNSTAN: Therefore, the simple answer is that I do not know of further areas of industrial dispute in South Australia. The leadership of trade unions in South Australia has generally been extremely responsible and sensible. We have been able to achieve throughout the life of the Government a great deal of conference and conciliation on matters of industrial dispute. This has been of a kind not previously achieved by Governments in this State. I am sure that that situation will continue.

### APPRENTICES

Mr. MAX BROWN: Will the Minister of Labour and Industry ask his department to conduct a survey in Whyalla to ascertain the percentage of apprentices in relation to total employees employed by heavy industry apart from Broken Hill Proprietary Company Limited's shipyard? As a result of that survey, will he recommend a desirable percentage if his department does not think the present number is adequate, and also recommend to some employers that proper facilities and the number of apprentices employed be increased? In yesterday's *Advertiser*, the Administration Manager of B.H.P. Company Limited said that 11 per cent of the B.H.P. workers at Whyalla were apprentices. Based on other employers, this seems to be a high percentage and I believe that the company should be commended, because it is only apprenticed labour that really looks after the future needs in relation to skilled labour. However, I sincerely believe that not all employers face up to their responsibilities in relation to apprentices and that every endeavour should be made to rectify this situation.

The Hon. D. H. McKEE: I appreciate the concern expressed by the honourable member as to the training of our future tradesmen in this State. If it is possible to have a survey carried out, I shall be pleased to arrange it and bring down a report.

### ANNUAL LEAVE

Mr. COUMBE: As the Government has now decided that daily-paid and weekly-paid Government employees are to be granted a 17½ per cent annual leave loading (I am not talking now about shift workers) on a parity with present conditions in some sections of private industry, I ask the Minister of Labour and Industry when this loading will apply and what the likely cost to the State will be for a full year.

The Hon. D. A. DUNSTAN: This is a matter of Government policy on which I should answer. The Trades and Labor Council has been told that the annual leave loading will apply in respect of leave due and taken after July 1 this year.

Mr. Coumbe: What is the likely cost?

The Hon. D. A. DUNSTAN: At this stage I cannot give an accurate figure, but it would be over \$2 000 000. I will bring down an accurate figure on Tuesday.

### WHEAT QUOTAS

Mr. McANANEY: Will the Premier ask the Minister of Agriculture what is the cost of administering South Australia's wheat quota scheme for each of the last two years, as well as the estimated cost for this year? I notice from a newspaper report that the estimated cost of administering the Australian scheme is increasing by about \$1 000 000 each year, and I see no reason for this now that quotas have been established.

The Hon. D. A. DUNSTAN: I will get a report from my colleague.

### FLINDERS CHASE

Mr. CHAPMAN: Will the Minister of Environment and Conservation arrange for the installation of adequate toilet facilities at Flinders Chase Reserve? As complaints have been received from the Kangaroo Island Tourist Promotion Centre and from individual tourists, there would seem to be a desperate need for these facilities to be provided. The Kangaroo Island Tourist Association has stated that, as a conservative estimate, 20 000 tourists visit the chase each year, and it urges that serious and urgent consideration be given to the matter in the interest of

general health and hygiene, local conservation and environment, and tourist promotion generally.

The Hon. G. R. BROOMHILL: I shall be pleased to have the matter examined and will let the honourable member know what is the situation.

#### ANSTEY HILL RESERVE

Mrs. BYRNE: Will the Minister of Environment and Conservation have action taken to remove a disused motor vehicle from, and to repair the fences of, State Planning Authority land (Reserve No. 13) near Ansley Hill? This matter was amplified by me when I spoke in the Public Purposes Loan Bill debate on August 21, 1973. On that occasion I referred principally to activities of trail bikes on this land and the need to patrol the area. Repairing the fences will help prevent the entry of trail bikes to the reserve. The vehicle referred to, having been dumped on land facing Perseverance Road, is still there and is unsightly.

The Hon. G. R. BROOMHILL: I will have the matter examined and the motor vehicle removed, and I will consider the repairing of the fence.

#### SHACKS

Mr. MILLHOUSE: Can the Minister of Education, temporarily representing the Minister of Lands, say whether, in the last few weeks, there has been any modification in the Government's policy on shacks built on Crown land and occupied under licence? You will remember, Mr. Speaker, that a couple of weeks ago the Minister of Lands sent a circular letter to councils and made known publicly that there was to be no building and no alteration to existing buildings on Crown land occupied under licence along the shores of coastal and inland waterways. As a result, there has been much protestation by councils, which will lose revenue, and by individuals who will be badly affected and the value of whose properties will be reduced. In explanation, I refer to one case only: that is, of a man who has a valuable building on such a block. Because of his changed personal circumstances he must sell it, but the Government announcement has adversely affected the price he can obtain, as the transaction is now subject to the transfer of the licence. That is one example, but many others must be known to the Minister of Education. Because of the circumstances, I ask whether there has been any modification of the policy of the Government on this matter because of the hardship that would be caused as a result of the announcement of its present policy.

The Hon. HUGH HUDSON: When that policy was announced it was also announced that a special committee was being established to review the situation with respect to all coastal and waterfront shack sites on which buildings existed or in respect of which application had been made to modify buildings. I am sure that, if the honourable member submitted to the Minister of Lands a special case in relation to his constituent, my colleague would have the matter examined and ask the committee to report on it and that, if an urgent case of hardship was involved, the representations of the honourable member would be considered carefully. Since the announcement was made and the committee established, here has been to my knowledge no change or modification of the policy. However, I suggest that, as the question relates to specific circumstances and to one individual, either through me or directly to the Minister of Lands the honourable member should submit the facts and ask that the case be considered.

#### HOMOSEXUALITY

Mr. BECKER: Is the Minister of Education aware of the material to be presented by the Gay Activist Alliance when addressing secondary school students in this State? I refer to an article in the press in which the Minister has been reported as saying that it would be left to headmasters to decide whether Gay Activist Alliance members should address secondary students in this State. I refer also to the leader in this afternoon's *News* which asks whether the Minister knows just what the homosexuals intend to say and what guidelines headmasters should follow. I support the following statement, which appears in the article:

The proper place for children to learn about homosexuality is in carefully researched sex education classes which present a balanced view by people trained in the profession of teaching.

As the parent of a son who could eventually be subjected to the type of propaganda proposed by this organization, I ask whether the Minister knows what material is to be used and what will be the situation if I desire to withdraw my son from the class at which this material is presented.

The Hon. HUGH HUDSON: I am obviously not aware of what material will be used; nor am I aware that the Gay Activist Alliance, or whatever it is, will actually be approaching South Australian secondary schools. The *Advertiser* approached me on the basis of what had been reported as having happened at secondary schools in New South Wales and Victoria, I think, and it involved one of those concocted stories where the Chief of Staff said to a reporter, "Ring up the Minister and see whether you can get a comment on that."

Mr. Goldsworthy: Are you reflecting on the *Advertiser*?

The SPEAKER: Order!

The Hon. HUGH HUDSON: I am reflecting on the *Advertiser*; indeed, I commented to the reporter that the only time that I was approached by reporters from the *Advertiser*, other than the education writer, was when there was a matter dealing with sex (and now, presumably, this is an extension of that, involving homosexuality), and it appeared that the paper had something of a hang-up on the whole question. One can hardly be blamed for reaching that conclusion—

Mr. Goldsworthy: Yes, one could not.

The SPEAKER: Order!

The Hon. HUGH HUDSON:—when the media demonstrate time and time again that they are obsessed with these issues, no doubt because such issues make a good story. The reply I gave the newspaper last evening was that I had every confidence in the ability of schools to handle the matter. I do not believe (and never have believed) that, every time someone suggests that something may happen on the basis of what has happened or what is alleged to have happened somewhere else, the Education Department or I as Minister should be rushing around issuing directions to all the schools. We have established a policy of autonomy to the greatest possible extent concerning the management of individual schools, because we have confidence in the administration of the schools. I have confidence in the ability of staffs to handle this matter, and to establish a policy where one tries to give the schools a degree of independence and then, as soon as a hypothetical question is asked, to rush into giving directions to the schools would be completely contrary to the policy we have tried to follow. That is my position in the matter: I have every confidence in the ability of our secondary school headmasters and in the tactfulness of their administration to handle any difficulty of this kind that may arise. I believe that parents, as well as members opposite, including

the member for Hanson, should have the same confidence and, further, that the editorial staff of the *News* should have the same confidence and not plague us with the kind of editorial that is published today.

Mr. GOLDSWORTHY: Does the Minister of Education believe that he or the Government has a responsibility in determining a policy in, respect of the presentation, by homosexuals, of material in high schools? In his previous reply, the Minister implied that this was the responsibility of headmasters. While visiting a large high school in the United States last week, I interviewed a young woman teacher who, being in charge of the civics course, had been given complete freedom in respect of the material she presented on that course. Amongst other things, homosexuals were invited to the school to address students. The situation seems to have got out of hand at that school.

The Hon. HUGH HUDSON: I make clear the position in respect of policy questions: that we wish schools to act, using their own initiative. Schools acting in this way may occasionally do things with which we do not fully agree and, if the matter were serious enough, the issue would be taken up with the school concerned. In this instance, the question was a hypothetical question which arose only because, I presume, the newspaper concerned thought it was a good story. I think that today the *News* was short of something to write about in its editorial.

The position in respect of wishing to give a degree of autonomy to schools is not helped if, every time a hypothetical situation comes out, I have to lay down a policy and virtually issue a direction as to what the schools shall do. Certainly, if schools are exercising initiative, difficulties may occasionally arise, and I do not deny that at all; but it is vital in this day and age, when schools are dealing with an age group of 12 years of age to adulthood and when some of the students are treated at law as adults, that the schools be able to act with some initiative.

Questions have been asked previously in this House about alleged teaching on the use of contraceptives, distribution of material about Vietnam, and all sorts of subject. However, I do not recall any instance when a justifiable complaint has been laid about how schools have handled these matters. Indeed, on the basis of past experience, I have every ground for being confident of the way our secondary schools handle this sort of matter. I have complete confidence on this occasion and, in expressing that confidence, I do not intend to undermine that confidence by issuing directions.

#### **BUSINESS SAMPLER CLUB**

Mr. DEAN BROWN: In the absence of the Attorney-General, will the Premier ask his colleague to prepare a report on the legality and ethics of the Business Sampler Club? This organization is currently advertising on radio, on television and in the newspapers the availability of \$500 worth of goods, services and entertainment for the "unbelievable" price of \$19.95. No-one would believe that such a gift was available without some catches being involved. I understand that in 1971 the Attorney-General of Western Australia prepared a report on the Business Sampler Club and distributed this report to several other Attorneys-General. This report apparently revealed some of the weaknesses of the system and indicated that only part of the costs at the beauty salons advertised was covered under the free voucher. It also indicated that the motor vehicle lubrication voucher did not cover the cost of the motor oil used, and only one person was given a free meal on the voucher if a party used one of the restaurants advertised.

A close examination of the advertisement reveals further catches. Whose car, for instance, can have 36 lubrications in a seven-month period in an area extending from Elizabeth to Hope Valley and Magill? It is unlikely that a person could ever attend, or want to attend, the many entertainments advertised, and I do not believe that those advertisements can be substantiated. Who would play squash in an area extending from Daws Road to Semaphore and Elizabeth? As it is obvious that in practical terms an individual could not avail himself of \$500 worth of goods and services, I request that the Attorney-General prepare a report on the Business Sampler Club.

The Hon. D. A. DUNSTAN: I will draw the matter to my colleague's attention.

#### **ESCAPED PRISONERS**

Dr. TONKIN: Will the Premier say what arrangements have been made to provide legal representation for the prisoners McDonald and Farnsworth when they appear in court next week as a result of their escape from custody at the Wayville showgrounds? Concern has been expressed to me that neither of these prisoners will have legal representation when he appears in court next week and, in view of the circumstances surrounding the occurrence, it has been suggested to me that this legal representation should be available. Is it the policy of the Government to provide representation in such cases?

The Hon. D. A. DUNSTAN: Of course, it is not only possible for the Law Society to give assistance: it is also in the hands of the court to direct that such assistance be given, and that would be likely in a case of this kind. However, I will inquire of my colleague and let the honourable member know.

#### **CANNERY FINANCE**

Mr. ARNOLD: Will the Minister of Education ask the Minister of Agriculture to assist representatives of the canning fruit industry and of the South Australian Canning Fruit Growers Association to arrange a deputation to the Commonwealth Minister for Primary Industry? On September 14 last, a public meeting of about 500 canning fruit growers was held at Berri, and following that meeting I asked the Premier a question about the 1971-72 cannery payments. A loan was provided through the Commonwealth Government to the canneries, and the canners have been making representations to have this loan converted to a grant. At the meeting on September 14, the following resolutions were passed:

That we request the Minister for Primary Industry, Senator Wriedt, for assistance for the 1971-72 fruit payment without further delay.

That unless a satisfactory answer is received from the Minister shortly, this public meeting directs the South Australian Canned Fruits Industry Advisory Committee to arrange a deputation to meet the Minister for Primary Industry, Senator Wriedt, to discuss fully with him the need for urgent financial adjustment.

Since then, I understand that three attempts have been made, without success, to arrange a deputation to the Commonwealth Minister for Primary Industry. I ask whether the Minister of Agriculture can help arrange a meeting.

The Hon. D. A. DUNSTAN: It was required of me that I should pass on the representations that the honourable member asked me to make, and I did that. Only yesterday I received a letter from Senator Wriedt saying that he had considered the recommendations I had made and that we would receive a further communication from him soon. I have no more to tell the honourable member than that. Only this morning, I directed that a copy of

the letter be sent to him. With regard to trying to arrange a meeting with Senator Wriedt, I will see what can be done.

#### SWAN REACH FERRY

Mr. NANKIVELL: Is the Minister of Transport aware that, because of the high river, it is expected that the ferry at Swan Reach will go out of action some time this week? There are nine schoolchildren from three families who presently use that ferry to attend the Swan Reach school. Their parents are obliged to take them by car, as there is no bus service. They would have to go to attend an alternative school. As these children could be isolated from their school for several weeks, and as it has hitherto been accepted that it is the responsibility of the Highways Department to provide access across the river, can the Minister say whether a boat or some other facility could be supplied by the department to provide a service for those who are isolated as a consequence of the high river?

The Hon. G. T. VIRGO: I shall be pleased to look into the matter with officers of the Highways Department. In this case, I think I should also confer with the Minister of Education.

#### BOAT RAMPS

Mr. OLSON: Can the Minister of Environment and Conservation say whether the number of boat-launching ramps at metropolitan beaches and Outer Harbor could be increased? Owing to the increasing number of owners of small boats, difficulty is being experienced because there are not enough launching ramps. Apart from the congestion and the long time spent in waiting to launch and retrieve boats, damage to craft results from the absence of adequate ramp facilities.

The Hon. G. R. BROOMHILL: I will refer the matter to the Coast Protection Board and see whether it can tell the honourable member what proposals it has in mind for the future development of ramps.

#### PAPER SHORTAGE

Mr. ALLEN: Mr. Speaker, will you consider a suggestion that members of this House, in order to conserve paper supplies, return the envelopes which are forwarded to them from the Government Printer and which contain a copy of their questions, the replies, and their speeches in debates? This morning, members received from you, Sir, a letter in which you stated that there was a serious shortage of paper in South Australia and recommended that we take care to conserve paper. I think that what I have suggested is an excellent method of conserving envelopes. In the 1972 session, 4 413 questions were asked in this House and replies given, in addition, there were the speeches made by members in debates. Therefore, about 5 000 envelopes are used in this way during a year. It would be a simple matter for members to save these envelopes and return them to *Hansard*. If there is a shortage of paper in the State, it is up to members of this place to set an example in conserving paper.

The SPEAKER: As the suggestion of the honourable member appears to have considerable merit, I will certainly consider it seriously. I point out that the paper shortage does not apply only in Adelaide or in South Australia: it applies throughout Australia and, indeed, the world. The situation with regard to stocks of paper held by the State Supply Department and the Government Printer is serious. I will consider carefully any suggestion about ways of conserving paper, and I will inform the honourable member about the matter in due course.

#### POLICE

Mr. WARDLE: Will the Premier ask the Chief Secretary whether a charge is made for a visit to city centres by the police band and the police greys and whether a charge is also made in respect of visits to country centres?

The Hon. D. A. DUNSTAN: I do not know, but I will find out.

#### HOUSE INSURANCE

Mr. McANANEY: Can the Premier say whether people signing contracts with licensed builders in South Australia have financial protection against bankruptcy, fraud, breaches of contract and ordinances, and major structural defects that are the fault of the builder? If they have not, will the Government consider introducing an insurance scheme such as that introduced in New South Wales where, for a maximum cost of \$18, this protection is provided for persons signing such a contract?

The Hon. D. A. DUNSTAN: There is no provision against bankruptcy or against financial default by the builder. In respect of structural defects, the influence used is that the builder must keep his licence going if he wants to stay in business. Therefore, the Builders Licensing Board has a means of ensuring that builders remedy defects. Many defects have been dealt with in this way at no cost to the owner of the building. However, in respect of an assurance scheme, it is doubtful whether we in South Australia could manage such a satisfactory scheme that would give sufficient coverage to the owner of a building, but I shall have the matter investigated.

#### WINDOW CLEANING

Mr. CHAPMAN: Will the Minister of Education arrange to have included in the work of school cleaners, or school-cleaning contractors, the regular cleaning of windows of State schools? Representations have been received from the Secretary of the Kangaroo Island Association of School Welfare Clubs seeking co-operation in this matter. The association claims that the engagement of professional window-cleaning contractors would be far too costly to consider and it would appreciate an extension to the duties of school cleaners at present employed to have the necessary work done. I make representations on behalf of the country schools in particular, because many of these are adjacent to unsealed dusty roads and paddocks, and regular window cleaning is necessary.

The Hon. HUGH HUDSON: No, Mr. Speaker.

#### SIGNPOSTING

Dr. TONKIN: Will the Minister of Transport investigate the adoption of an adequate and standard system of signposting in *culs-de-sac* in the metropolitan area? Many dangerous intersections have now been closed off and adjoining streets converted into *culs-de-sac*. Councils have displayed various forms of "no through road" notices at the entrance to such streets, but, now that *culs-de-sac* are becoming more common, it seems that it would be an advantage to use a fairly clearly identifiable sign that can be seen for a greater distance than that for which the present signs are visible to drivers proceeding towards *culs-de-sac*. It would be a further advantage if the signs were of standard size and easily recognizable.

The Hon. G. T. VIRGO: I shall be pleased to take up that matter. I think it is a worthwhile suggestion, and I hope we can arrive at a standard that we could have adopted by councils, which after all are responsible for this matter.

**BUILDING ACT**

Mr. GUNN: Will the Minister of Local Government say whether it will be his policy to grant exemptions to all district councils that apply to him for exemptions under the Building Act, which will come into force on January 1 next? The Minister would be aware that district councils have until December 31 to seek exemption from the provisions of the Act, which will require all people in South Australia, whether in the metropolitan area, in townships, on farms or on rural property, to seek permits from the council before they do any building. I understand that several councils already have sought this exemption from the Minister.

The Hon. G. T. VIRGO: Obviously, I would not be able to give the blanket "Yes" that the honourable member wishes. However, I think I should qualify that statement by saying that, under the existing Building Act, much tolerance has been extended on what I think is a commonsense basis in the matter of exemptions, and I should expect the same sort of situation to apply under the new Act. Does that satisfy the honourable member?

Mr. Gunn: Yes.

The Hon. G. T. VIRGO: That is the course we would propose to follow.

**MELBOURNE CUP**

Dr. EASTICK: Having regard to the reduced period of Question Time now available to members, do you, Mr. Speaker, intend to permit any delay in Question Time next Tuesday on the occasion of the running of the Melbourne Cup? In this House the practice has been to adjourn Question Time for the period taken for the running of the Melbourne Cup. To do this under present arrangements, when Question Time is completed by about 3.15 p.m., would seriously reduce the amount of Question Time available to members, and I seek from you an assurance that adequate opportunity will be given and that the full period of Question Time will be available to members.

The SPEAKER: As I will not be going to the Melbourne Cup I will consider the matter and give a reply next Tuesday.

**PERSONAL EXPLANATION: MINISTER'S ALLEGATIONS**

Mr. GUNN (Eyre): I seek leave to make a personal explanation.

Leave granted.

Mr. GUNN: In the course of his reply to the second reading debate on the Road Traffic Act Amendment Bill (Weights) last evening, the Minister of Transport made several statements about certain alleged activities of mine at a meeting held at Cummins. I want to put the record completely straight by first reminding the Minister that the meeting was not held in my district: it was held in the district of the member for Flinders.

The Hon. G. T. Virgo: Well, why were you there?

Mr. GUNN: The meeting was chaired by the member for Flinders—

The Hon. G. T. Virgo: He did well, too.

Mr. GUNN:—and he will endorse what I have to say. The meeting was not attended by the Chairman of the committee of inquiry (Mr. Flint): Mr. Jim Crawford attended. The Minister also implied that there was no opposition to the recommendations in the report. That is completely untrue. I do not intend—

The Hon. G. T. VIRGO: On a point of order, Mr. Speaker, I think that the point the honourable member

is making is not a point of personal explanation but that it should rather be dealt with in the debate on the Bill, which is currently on the Notice Paper.

The SPEAKER: The honourable member sought leave to make a personal explanation. He may continue, so long as he confines his remarks to that personal explanation and does not include extraneous matters.

Mr. GUNN: Thank you, Sir; I will accept your guidance. I was only putting the record straight. In the course of his remarks, the Minister made serious allegations about me that were untrue. Last evening, during the debate on the Bill in Committee, I tried to clarify the situation, but I was ruled out of order by the Chairman.

The SPEAKER: Order! The honourable member may not comment on or criticize a decision of the Chairman.

Mr. GUNN: During the meeting to which I have referred, a gentleman asked a question from the floor of the meeting—

The SPEAKER: Order! The honourable member sought leave to make a personal explanation. In referring to what happened on the floor of a meeting, the honourable member has gone beyond the bounds of an explanation. Leave to make the explanation is withdrawn.

**SITTINGS AND BUSINESS**

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

That for the remainder of the session Government business take precedence of all other business except questions. I assure members opposite that time will be given during this part of the session for a vote, although not for further debate, on the remaining private members' business on the Notice Paper, and in the latter part of the session next year a further afternoon for private members' business in relation to any new matters that may have required attention in the meantime will be given to honourable members.

Motion carried.

**ADMINISTRATION AND PROBATE ACT AMENDMENT BILL**

The Hon. D. J. HOPGOOD (Minister Assisting the Premier) obtained leave and introduced a Bill for an Act to amend the Administration and Probate Act, 1919-1972. Read a first time.

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

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

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

**EXPLANATION OF BILL**

It arises from a proposal that the Public Trustee should acquire alternative accommodation from that which his office presently occupies. The suite of offices that he presently occupies in the Reserve Bank building is now required for the expansion of other Government departments. The most satisfactory means of solving the present accommodation problem is for the Public Trustee to acquire land on which he may erect his own office accommodation, or to acquire an existing building if, in fact, a satisfactory building is available for purchase.

The Bill therefore enables the Public Trustee, with the consent of the Minister, to acquire land and to erect a new building thereupon or to alter any existing building upon the land for his own purposes. If the accommodation that he acquires exceeds his existing requirements, the Public Trustee is empowered to lease parts of the building to other tenants. The Bill empowers the Public Trustee to apply moneys from the common fund for these purposes.



The interest that is to be paid on moneys so applied and the terms on which they are to be repaid to the common fund are to be determined by the Minister on the advice of the Auditor-General. The interest to be paid on these moneys will be in line with comparable trustee investments.

Clause 1 is formal. Clause 2 inserts a definition of "the common fund" in the principal Act. Clause 3 provides that the Public Trustee is an instrumentality of the Crown. This appears to follow from the existing provisions of section 76 of the principal Act but, in order to remove any possible dispute about the matter, a specific provision to that effect is inserted in the principal Act.

Clause 4 enacts new section 118a of the principal Act empowering the Public Trustee, with the consent of the Minister, to acquire land and to erect and furnish a building, or to alter an existing building for his purposes. Subsection (3) enables the Public Trustee to apply moneys from the common fund for these purposes, and subsection (4) provides for the terms and conditions upon which the Public Trustee uses those moneys to be determined by the Minister on the advice of the Auditor-General.

Dr. EASTICK secured the adjournment of the debate.

### ROAD TRAFFIC ACT AMENDMENT BILL (WEIGHTS)

In Committee.

(Continued from October 31. Page 1543.)

Clauses 8 and 9 passed.

Clause 10—"Repeal of ss. 145 to 148 of principal Act and enactment of sections in their place."

Mr. GUNN: This is one of the most contentious clauses, and it will have a wide-ranging effect on many people, including the primary producing section of the community, to which the Minister of Transport took such a dislike last evening in his long and bitter attack on members on this side. He singled out, for special mention, people who had made a big contribution to this country.

Mr. Venning: They still do.

Mr. GUNN: I agree This clause relates to the loading of commercial vehicles. For the first time people will be restricted in most cases to the manufacturer's recommendation plus 20 per cent. That may appear to the average person to be a fair tolerance but, if the Minister examines in detail some of the effects of this clause, I believe he will be willing to provide for a greater tolerance. The clause will significantly affect the operators of small tip-trucks, who have requested a tolerance of 30 per cent, and I support their request. I foreshadow an amendment on this matter.

Some people will have to change their vehicles to comply with this legislation. I realize that the Minister said that consideration would be given to granting exemptions in connection with grain carting and the Limber industry in cases where the vehicles concerned are operating on level terrain; that is reasonable. However, other people also need consideration. When people cart grain to a terminal port they sometimes backload with superphosphate so that they can reduce costs. However, under this legislation such people will have to return to their properties with only a part load. One of my constituents has the mail contract between Kingoonya and Coober Pedy, and his loading will be considerably reduced. Of course, he may be able to apply for a special exemption.

In his second reading speech the Minister said that another committee would be formed. All these points should be clearly set out in the Bill; it is unsatisfactory for things to be done by regulation. It is clear that the Minister has not properly considered the matter. Notwithstanding what he said last night, I shall refer to

the most contentious issue raised at all the meetings I attended, particularly the meeting at Cummins. The Minister said that I went to that meeting to cause political strife, but his allegation is untrue. I challenge the Minister to ask Mr. Crawford about this matter. Let the Minister say who made the allegation.

The Hon. G. T. Virgo: I made the allegation in this place.

Mr. GUNN: The Minister was not at the meeting. Let him say who informed him. I attended meetings at Kadina, Ceduna, and Chandada.

The ACTING CHAIRMAN (Mr. Crimes): Order! I ask the honourable member not to pursue discussion along those lines. He must confine his remarks to this clause.

Mr. GUNN: This clause, which deals with the loading capacity of trucks, will affect many people in a wide range of industries. It has been discussed at great length throughout the State, and it came under close scrutiny at many meetings. At a meeting at Cummins—

The ACTING CHAIRMAN: Order! We are not discussing a meeting at Cummins: we are dealing with the clause before the Committee.

Mr. GUNN: I am aware of that, Mr. Acting Chairman, but I believe it would be only proper to relate to the Committee the discussions that took place at meetings I attended.

The ACTING CHAIRMAN: The honourable member will be out of order if he does that.

Mr. GUNN: I do not wish to be difficult, but I have close connections with colleagues in adjoining districts who will be seriously affected by this clause. I should therefore like to put before the Committee the opinions expressed at meetings. This matter has been discussed at some length in the community and the people have been concerned about its effects. It has been alleged that I went to the meetings with the sole purpose of causing political trouble. I made clear to the people concerned that I would do my utmost to have this clause changed. I pointed out to the meeting that the committee was charged with the responsibility of making recommendations to the Minister in line with the terms of reference, one of which related to the loading of vehicles. I also informed the people that, while it was the committee's responsibility to carry out its duties in line with the terms of reference, it was my responsibility to state my opinions, and I undertook to move certain amendments; there was nothing political in that. I have a responsibility to the people in my district and, indeed, to the people of the whole State, and I will always discharge that responsibility. Members on this side are not bound by obnoxious pledges that bind them to take a certain course of action.

The ACTING CHAIRMAN: Order! That has nothing to do with the clause under discussion.

Mr. GUNN: This clause will have a serious effect on the value of secondhand motor vehicles. Obviously, if a person tries to sell his truck, he will not get much for it, because the only reason why he will be getting rid of it is that he will be drastically affected—

Mr. Payne: Be honest: he will be getting rid of it because he will not be able to overload it.

Mr. GUNN: Rubbish! Many people in the rural community own trucks that are between eight years old and 11 years old; for many years those people have carried sensible loads on those trucks, but they will now be seriously affected by this clause. What about a person who owns a 1953 Chevrolet or Bedford truck? Over the years that person may have carted loads of 90 bags of wheat in safety at between 30 m.p.h. (48 km/h) and 35 m.p.h.

(56 km/h), and they have not been doing any harm. Many people are concerned that they will have to replace their vehicles at a cost between \$9 000 and \$10 000, and there will be virtually no trade-in value. It is now just about impossible to buy vehicles. I realize that it will be 1975 before this provision is brought into effect, but obviously people engaged in selling vehicles will take this into account when they make an offer for a secondhand truck.

Mr. Payne: What should a person get for a 1953 Chevrolet truck?

Mr. GUNN: That is the very point I was trying to make. They do not want to sell their trucks; they are satisfied with them, but it will be uneconomical for them to use them. If the honourable member does not understand that, he should get some practical information. The clause, if passed in its present form, will have a serious effect on country people. No Opposition member has suggested that people should be allowed to load in an irresponsible way, but no-one can point the finger of scorn at the primary producer, whose safety record for the cartage of grain is second to none. I hope that the Minister will accept my amendments. They would not destroy the effect of the Bill or affect the large transport hauliers, because of the types of truck they operate. They cannot load to the maker's recommendation, because of the 8-ton axle limitation.

Mr. HALL: I believe that the amendment should be amended, but I am not sure whether the member for Eyre has moved his amendment.

Mr. Gunn: No, but I have one to move.

The Hon. G. T. Virgo: He got carried away and forgot about it.

Mr. HALL: The amendment of the member for Eyre has precedence of mine, because it was the first one to be lodged. As I understand the position, a test could be made, because the amendments are somewhat similar.

The ACTING CHAIRMAN: I draw the honourable member's attention to the fact that the matter he is attempting to deal with comes later in the clause.

Mr. HALL: I am sorry, Sir. The amendment to be moved by the member for Eyre concerns overloading.

The ACTING CHAIRMAN: The honourable member is out of order in discussing that matter now.

Mr. HALL: I shall wait until the member for Eyre moves his amendment.

The ACTING CHAIRMAN: I call on the honourable member for Eyre to move his amendment.

Mr. GUNN: I move:

In new subsection 146 (3) to strike out "The" first occurring and insert "Subject to subsection (3a) of this section, the"; and to insert the following new subsection:

(3a) At least one member appointed under subsection (3) of this section shall be a person who is, in the opinion of the Minister, a suitable person to represent the interests of primary industry.

The amendments, would give primary industry representation on the advisory committee which the Minister intends to appoint and which will have the duty of determining gross vehicle weights and gross combination weights for vehicles that have a low combination weight or do not have a maker's recommendation. Primary producers own about 50 per cent of the commercial vehicles registered in South Australia and, as they comprise a large section of the transport industry, they should have a representative on the committee.

Mr. HALL: I am not sure what the honourable member is talking about.

The Hon. G. T. Virgo: The same amendment was moved last evening, namely, to appoint a primary producer representative to the Road Traffic Board; so, we must go over it all again.

Mr. HALL: I thought that the same amendment could not be moved again.

Mr. Gunn: It's not the same amendment.

Mr. HALL: I take it that the Minister is wrong, because otherwise you, Mr. Acting Chairman, would not have allowed the amendment to be moved. In ignorance, I might support the amendment.

The Hon. G. T. VIRGO (Minister of Transport): I am amazed that the member for Goyder, without even knowing the effect of the amendment, has said that he might support it. The member for Eyre has said that the amendment provides that a primary producer representative who, in the opinion of the Minister, is suitable to represent the interest of primary industry, will be appointed to the board. The amendment is exactly the same as the one we debated last evening.

Mr. HALL: On a point of order. Mr. Acting Chairman. The Minister claims that this is the same as an amendment moved last evening. You have already ruled that it is not the same amendment, and I ask for another ruling.

The ACTING CHAIRMAN: I have ruled that it is not the same amendment.

The Hon. G. T. VIRGO: I said that, in promoting the amendment, the member for Eyre said that it would provide for a primary producer to be a member of the Road Traffic Board. It seems that the Opposition is trying to delay legislation that is designed to assist road safety. This is an important Bill and there should be a proper and full discussion on it, with members expressing their views instead of making allegations that I have singled out the rural industry for special attention. This Bill will affect all sections of the community and, if it were valid to appoint to the Road Traffic Board a member representing primary industries, it would be equally valid to appoint persons representing other organizations. The members of the present board are, in my opinion, adequate to represent all sections of the community.

Mr. BLACKER: The Road Traffic Board is not referred to in this clause: it refers to an appointment to the advisory committee, which is to be appointed by the Minister. I support the amendment.

The Hon. G. T. Virgo: That is true: I apologize.

Mr. GUNN: Because the Minister's comments earlier were completely irrelevant, will he now accept this reasonable and logical attempt to give representation to a large section of the transport industry on the advisory committee? I would support his action if he appointed representatives of other sections of the community to this committee.

The Hon. G. T. VIRGO: I thank the member for Flinders for his explanation, but I do not believe we should cater for specific industries when appointing members to such a committee. The main purpose of this committee will be to determine, on an engineering level I suppose, the gross vehicle weight and the gross combination weight of a vehicle, and I hope that all members of the committee would be capable of representing all sections of industry. I assure honourable members that the sentiments contained in this amendment will be borne in mind when I make the appointments, but I should not like to be restricted by including it in the legislation.

Mr. BLACKER: The clause provides that the Minister "may" appoint an advisory committee. Does he have to appoint this committee, or is this word used as a loophole?

The Hon. G. T. VIRGO: I do not know why "may" was used, but it is obvious a committee must be appointed to deal with vehicles on which modifications are made.

Mr. Chapman: Include "will" rather than "may".

The Hon. G. T. VIRGO: I am not a lawyer, and I accept the advice of the Parliamentary Counsel.

Mr. VENNING: Has the Minister had an approach from United Farmers and Graziers of South Australia Incorporated regarding representation and, if so, what has been the outcome?

The Hon. G. T. VIRGO: Having received a letter and a message from him today, I telephoned the Secretary of U.F. & G., who said briefly that he was extremely sorry for what happened here last evening.

Amendments negatived.

Mr. GUNN: I move:

In new section 147 (4) (a) to strike out "twenty" and insert "thirty".

The Minister has accepted a tolerance of 20 per cent on the gross vehicle weight or the gross combination weight of vehicles, and this aspect will be reviewed after four years. However, that is unsatisfactory as this tolerance will discriminate against small tip-truck and other transport operators who do not use large vehicles. My amendment, which I hope the Minister will accept, will increase the tolerance to 30 per cent.

The Hon. G. T. VIRGO: Certain members of the committee considered that initially the tolerance should be 20 per cent and that in four years it should be reduced to the more realistic figure of 10 per cent. However, that is not the matter before the Committee. The Government has merely implemented the committee's recommendation in this respect. Parliament could, if it so desired, alter that 20 per cent tolerance in, say, 12 months, and it would be improper for the Committee to debate what might happen in future.

Mr. Hall: Why?

The Hon. G. T. VIRGO: Because the members considering any review at that time will be the appropriate people to deal with the matter. This Committee can only debate what is before it now. It would be completely irresponsible to extend the 20 per cent tolerance and, indeed, to do so would be to ignore completely the technical and professional expertise of the engineers who design vehicles to perform a certain task. Manufacturers will alter their gross vehicle weights in this State in exactly the same way as their counterparts have done in the other States. These weights vary between States, because other States have not taken into account the foolishness of certain Parliaments. South Australia's proposal is the most generous in Australia and, if I had any doubts about it, they would be not that the tolerance might be too low but that it might be too high. The committee, with its widely-based representation, unanimously agreed on a tolerance of 20 per cent, and I am not willing to deviate from its recommendation.

Mr. HALL: I am usually disappointed in the Minister, but I am not so disappointed this time, as I believe that his attitude regarding this amendment is correct, provided, of course, that he accepts later amendments. I know that I am not allowed to develop an argument on those amendments, which will be affected by the result of this amendment. The member for Eyre has tried to obtain too much recognition for something that could discriminate against primary industry. Indeed, the Committee would be going too far if it accepted all his amendments. True, manufacturers will alter their tolerances, and a 30 per cent tolerance will therefore probably be significant in future in

causing overloading. Many thousands of trucks now on the roads will be used for years to come, and subsequent amendments will provide relief for specific industries. Unfortunately, the amendment applies across the board, and a 30 per cent tolerance will remove the significance of the provisions relating to the gross vehicle weight and the gross combination weight. I oppose the amendment because it conflicts with what I am trying to do in the amendment I have on file. I do not agree with the general increase to 30 per cent. As this covers altered manufacturers' ratings in future, the 30 per cent will have an effect greater than that suggested by the member for Eyre.

Mr. GUNN: I think that the Minister has failed to understand the effect that this provision will have on many people who are currently permitted to carry a reasonable load. Several vehicles that operate safely in the industry have a load recommendation by the maker. The Minister should examine these vehicles, as I have done. For instance, there is the last model Chevrolet truck, which carries a good load, particularly when it is towing a four-wheel trailer. Various types of two-wheel bulk trailers are also towed. Bedford and Diamond T trucks are capable of carrying large loads, as they have done for many years without danger.

The Hon. G. T. Virgo: Your amendment allows all vehicles to do this.

Mr. GUNN: They have already done it. What the Minister fails to understand is that most of the newer and larger trucks cannot carry on them, because of the 8-ton (8 t) axle limitation, the maker's specification. Volvo and Mercedes trucks cannot carry the maker's recommendation. If the Government intends to examine this matter again in the future, surely we could have a 30 per cent tolerance in the interim to give these people an opportunity to provide for the change. It would need at least four years because of the costs involved for small operators, who are not able to outlay \$10 000 or \$11 000 to buy an ordinary truck, which will perform only the work that they are doing at present, and they are doing that work now properly and safely and are causing no danger to anyone on the road. The Minister should look at the figures placed before the committee of inquiry and consider that, of the relevant vehicles currently on the road, over 50 per cent are owned by primary producers, whose low accident rate is second to none. I know that the Minister has said that certain exemptions will be made, but the Bill does not make that clear. We will have to rely on the Minister's judgment and good nature. Having seen him operate over the last 31 years (and last evening he gave one of his best exhibitions), I am not willing to leave it to his discretion. I would like this set out clearly in the legislation.

The Committee divided on the amendment:

Ayes (.15)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Coumbe, Eastick, Goldsworthy, Gunn (teller), Mathwin, McAnaney, Nankivell, Russack, Tonkin, and Venning.

Noes (20)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Duncan, Dunstan, Groth, Hall, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo (teller), and Wells.

Pairs—Ayes—Messrs. Chapman, Evans, Rodda, and Wardle. Noes—Messrs. Corcoran, King, McRae, and Wright.

Majority of 5 for the Noes.  
Amendment thus negatived.

The ACTING CHAIRMAN: There are on file amendments from both the member for Eyre and the member for Goyder. Both members seek to insert in new section 147 new subsection (5a). The amendment of the member for Eyre was received first, and in accordance with the usual practice I will ask him now to move his amendment. However, to protect the amendment of the member for Goyder I will propose as a test of the opinion of the Committee only the first part of the amendment, that is, that the words "Subsections (4) and (5) of this section do not apply" be inserted. Those words are identical in the amendments put forward by both members. If the question to insert those words is carried, then I intend to proceed further with the amendment of the member for Eyre.

Mr. GUNN: I move:

In new section 147, after new subsection (5), to insert "(5a) Subsections (4) and (5) of this section do not apply". The purpose of the amendment is to make quite clear that the exemptions mentioned in the Minister's second reading explanation that may apply to vehicles carrying grain and timber will apply to a larger group in the community. It is widely believed among transport operators that the group to which exemptions may be granted under certain circumstances is far too narrow. If the Minister wishes to take a practical step to assist a large section of the community that otherwise could be financially embarrassed in some cases because of the economic effects of this Bill (and knowing the Minister would not want to cause undue hardship to any section of the community) he will accept this amendment. I wish to test the goodwill and the good nature of the Minister in his concern for certain sections of the community.

Mr. HALL: I appreciate the manner, Sir, in which you are putting this amendment. I ask the Minister to consider supporting this amendment on the basis of further action by the Committee which might not follow the amendment of the member for Eyre. I do not believe this amendment is a suitable one, although its intention is quite good in that it seeks to remove any hardship which might accrue to primary industry, particularly in harvest time, in relation to carrying produce to market. If this is what the honourable member wants, his amendment (or that part of it not yet actually moved) is far too wide, because his intention is to provide a complete exemption for all primary production regardless, as I understand it, of whether it is carried by a commercial carrier or any other person. I do not believe it is reasonable to ask that, as it may result in a wholesale evasion of the Bill. However, I ask the Minister to support the amendment under direct discussion, on the basis of providing a specific exemption for primary industry. Only those involved could avail themselves of exemption and the vehicles so involved would be subject to a speed limit specifically and substantially lower than that applying generally. On that basis, the Minister could very reasonably accept the amendment.

The Hon. G. T. VIRGO: Many of the views expressed by the member for Goyder in relation to the amendment moved by the member for Eyre have my support. However, while I am not out of sympathy with the points contained in the amendment of the member for Goyder, I do not agree that they should be written into the Bill; they are quite unnecessary. The very points to which the member for Goyder has referred are covered in new section 147(6), and it would be quite irresponsible to provide a blanket exemption for one section of the community only, a section which at a certain time was carrying wholly or mainly the produce of primary production.

Mr. Hall: That depends on the further amendment.

The Hon. G. T. VIRGO: That further amendment, too, could be included in the instrument the board is permitted to issue under new subsection (6). The point made by the member for Goyder could well be covered. If we extend to primary industry this blanket exemption whenever it is carrying wheat or wool—

Mr. Venning: Or super.

The Hon. G. T. VIRGO: I could not imagine super-phosphate being a product of primary industry. Why restrict it just to those areas? The rest of the community would be placed at a permanent disadvantage. New subsection (6) provides the avenue to make this provision work in a commonsense way. For these reasons I cannot support either of the proposed amendments.

Mr. ARNOLD: I had hoped that the Minister would adopt a more realistic attitude. Primary industry is one section of the community that uses its vehicles for only about three months of the year. The average wine-grape growing property cannot afford to maintain vehicles (or, in the first place, even purchase vehicles costing about \$8 000 or more) to carry a realistic load to the wineries. That section of the community would be forced into purchasing vehicles beyond its financial means. The economics of the industry prohibit such expenditure by primary producers. This is a realistic request; the Minister believes it is sectional, but it is in respect of one section of the community that uses its vehicles for only about 10 weeks annually.

Mr. GUNN: I support the remarks of the member for Chaffey. If the Minister is willing, I would withdraw part of my amendment in favour of the amendment contemplated by the member for Goyder. Many people in the community have had much experience of the necessity to obtain permits. People do not wish to return to the situation applying to the issuing of permits by the Transport Control Board. This legislation is part of the Minister's scheme. We know of the record of the Labor Party, which does not like road transport or the people involved in it.

The ACTING CHAIRMAN: Order! There is nothing about the Minister's record in this clause.

Mr. GUNN: I was not talking about the Minister but about the Labor Party generally. I hope the Minister is fully aware of the significance of this clause and the legislation generally, including its effect on a large section of the community. If this legislation is not administered carefully and logically it will drastically increase costs.

Mr. HALL: If the Minister foresees provision being approved by the Road Traffic Board, I point out that the problem is that he may not always be the Minister of Transport. Therefore, he cannot give an assurance in respect of the future and, unless provision is made in the Bill, we have no guarantee about the future. Will the Minister actively seek the type of exemption to which I have referred?

The Hon. G. T. VIRGO: I am not sure what the honourable member is expecting me to do in seeking an exemption. I refer him to the second reading explanation in which I 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.

It has not been spelt out in great detail but I think it indicates clearly that that clause has been put into the Bill to provide an avenue that can be pursued to meet the situation of farmers with silo problems, where long

hours are involved and it is necessary to get the grain to the silo. We are looking at the timber trucks, the log trucks used in the South-East, where there is a further specific problem. I assure the honourable member, if this is the assurance he is seeking, that I shall require the Road Traffic Board seriously to look at each and every application that comes before it.

Mr. CHAPMAN: The Minister, by having this provision inserted in the Bill, is attempting to destroy the integrity and common sense of the primary producers. There is no suggestion that they are irresponsible in this regard, but the Minister persists in saying they must obtain permits. These men have proved themselves able to handle their own affairs responsibly and they do not want to be burdened with a lot of paper work and red tape, as proposed by the Minister in his demands for permits and what have you. Each individual will still have to apply.

The Hon. G. T. Virgo: Not if he does not overload his vehicle.

Mr. CHAPMAN: I am pleased that the Minister has made that point. Primary producers cannot own and operate heavy commercial vehicles economically unless they make full use of them in carting their own produce or associated primary products to and from their own properties. That is the point that has been submitted to the Minister here by the various rural representatives on this side of the Chamber. I agree with the submissions they have made but should like to refer to one or two things in connection with the maximum loading of vehicles.

If this Bill is passed in this place and elsewhere, it will cause the primary producers to carry lighter loads. That will create congestion at silo delivery centres, at the same time increasing substantially the risk of crop damage and loss of reaping hours. It will also cause smaller loads to be carted by many privately-owned commercial motor vehicles, which will be on the roads all at the one time, thus increasing the volume of traffic, congesting the roads and enhancing the risk of accidents. Another matter that has not been raised so far is that, as a result of lighter loads being carried, the cartage of a certain quantity of produce will naturally mean many more trips for those primary producers. It will increase their costs but, more particularly, it will increase the consumption of motor fuel. Surely the Minister at this time, if at no other time, should consider this point and be seriously pondering the unnecessary use of motor fuel. There is a national, if not a world, shortage of motor spirit and, even though we have it here, we cannot use it at all at this moment, thanks to the lack of attention by this Minister and his colleagues to this matter.

Mr. Gunn: Thanks to the unions.

The Hon. G. T. Virgo: That's the stupid sort of remark one could expect from a Fascist.

*Members interjecting:*

The ACTING CHAIRMAN: Order!

Mr. GUNN: On a point of order, the Minister of Transport has implied that the member for Alexandra is a Fascist, which is unparliamentary I ask for a complete withdrawal.

The ACTING CHAIRMAN: Order! There is no point of order. The honourable member for Alexandra.

Mr. CHAPMAN: I appreciate the ruling you have given, Sir, and that it is a very touchy matter that I happened to mention: it is embarrassing to the Government at this stage.

The Hon. Hugh Hudson: Have you joined the League of Rights?

The ACTING CHAIRMAN: Order! The League of Rights has nothing to do with this Bill.

Mr. CHAPMAN: As a result of the lighter loads being forced upon primary producers and the additional usage of fuel, another factor, which has not been raised in this Chamber (although I hoped it would have been raised in the presence of the Minister of Environment and Conservation, whom I am pleased to see is now present), is the increased pollution caused by motor vehicles having to make more trips to delivery points because of the lighter loads that will be necessary under this legislation.

The Hon. G. T. Virgo: If you went outside there would not be as much pollution in the Chamber.

Mr. CHAPMAN: I shall not continue, in face of the rude and unnecessary interjections of the Minister of Transport, who has treated the whole matter lightly and with no real concern. I am disappointed he has not seen fit so far to acknowledge the reasonable and proper consideration of the Bill extended to it by members on this side of the Chamber.

Mr. RUSACK: I support the amendment. The Minister has said that it would affect only a sectional industry, but I point out that this industry would be the one with the most trucks or motor vehicles to be affected by this Bill. Therefore, it is important that this industry be considered. Bearing in mind subclause (6) of this clause, I know that the Minister cannot say what the board will do but does he envisage the primary producer having to apply annually or will one application and one instrument in writing cover him for the life of his vehicle?

Mr. GUNN: The member for Gouger has made a pertinent point, as the clause revolves around the granting of permits. That honourable member rightly wanted to know how this would be carried out, and the Minister should have replied to him.

The Hon. G. T. Virgo: We can have only one member on his feet at a time.

Mr. GUNN: Last evening we saw how the Minister was going to rise to speak. We will not be caught a second time. Will the people have to submit forms to the Road Traffic Board every year? I can imagine the amount of red tape involved, and people will be delayed in operating their vehicles because they have not received a permit. I hope the Minister gives the Committee the information that he has on the matter.

The Hon. G. T. VIRGO: As usual, I have waited to reply until I saw whether any more members opposite wanted to speak. I now tell the member for Gouger that the board, in accordance with the clause, will determine the matter that he has raised.

The Committee divided on the amendment:

Ayes (16)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Goldsworthy, Gunn (teller), Hall, Mathwin, McAnaney, Nankivell, Russack, Tonkin, and Venning.

Noes (19)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Kenealy, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo (teller), and Wells.

Pairs—Ayes—Messrs. Eastick, Evans, Rodda, and Wardle. Noes—Messrs. Corcoran, King, McRae, and Wright.

Majority of 3 for the Noes.

Amendment thus negated.

Mr. GUNN: I am disappointed that the Minister has given the Committee as little information as he can. He has shown a complete disregard for the fact that this legislation will affect many people, not only primary producers but also people in other fields, such as in the tip-truck industry. We have again seen the Labor Party in operation. It loves to create departments, boards and committees that then require people to obtain permits before they can do what they have been doing for many years as a normal part of their lives. The Labor Party likes to engage in this bureaucratic control.

The Minister has deliberately set out to make out that he is a good fellow, but after much questioning he admitted to the member for Gouger that he had not made up his mind and that the matter would be for the board to determine. If that is so, how could the Minister say in his second reading explanation that these permits would be issued? I hope that he gives to members on this side a clear undertaking so that people will know how their livelihoods will be affected. The development of South Australia has depended on an efficient and cheap transport system. The railway system has never been able to provide a service similar to that provided by road transport. It is obvious that this is another attempt by the Minister—

The Hon. G. T. Virgo: You have been told 27 times that that is untrue, but you keep on repeating it like a parrot.

Mr. GUNN: It is apparent from the Minister's reaction that I am getting close to the mark. When the Minister is on shaky ground he starts to get abusive.

The ACTING CHAIRMAN: Order! The honourable member should confine his remarks to clause 10.

Mr. GUNN: As this clause will seriously affect many people, it is pertinent for me to say why the Minister has included the clause in the Bill. Many people who own trucks between 10 years old and 12 years old will probably be forced to spend large sums of money, which they cannot afford to spend, to replace those trucks. I hope the Minister will reconsider his arrogant attitude.

Mr. HALL: I am sorry that the amendment was not carried, and I am also sorry that this clause will be passed in the form in which it was introduced. I hope that perhaps something will be done in another place about this matter. I remind honourable members that there is at least one worthy man in another place.

*Members interjecting:*

Mr. HALL: For the information of the member for Kavel, I point out that the amendment that a certain honourable member in another place moved the other day was carried. The member for Kavel is not well up in politics, whether he is in the State or out of the State. However, all is not lost. The Minister would be the most conservative of all the Ministers but, despite his conservatism, I view the debate on this clause with some optimism, because he has drawn the attention of members to the possibility of exemptions, a matter included in the report. I take it that the Minister will seek, and eventually provide, exemptions for the classes of people referred to.

Mr. VENNING: I agree with the remarks of the two previous speakers. The Minister's attitude to this matter is most unsanitary! We have no guarantee that what we are seeking will be granted. I believe that the details should be written into the legislation. However, it is comforting to know that another place will deal with the Bill. I wonder what transpired this afternoon when the Minister conferred with Mr. Andrews.

The ACTING CHAIRMAN: Order! The honourable member should confine his remarks to this clause.

Mr. VENNING: I look forward to having a talk with Mr. Andrews.

Mr. ARNOLD: I, too, must record my disappointment and dismay at the Minister's attitude. He appears to have adopted the attitude that the committee investigating and reporting on road transport must be 100 per cent correct at all times. However, I do not believe that Mr. Flint himself would adopt that attitude, although I agree that, in the main, the committee did an excellent job.

Clause passed.

Clause 11 passed.

Progress reported; Committee to sit again.

#### MURRAY NEW TOWN (LAND ACQUISITION) ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 2 (clause 4)—Leave out "definition" and insert "definitions".

No. 2. Page 2 (clause 4)—After line 5 insert new definition as follows:

"the Committee" means the committee established under section 8a of this Act."

No. 3. Page 7 (clause 10)—After line 20, insert new subclauses as follows:

"(aa) by striking out the word 'Where', being the first word in the section, and inserting in lieu thereof the passage, 'Subject to this section, where;

(ab) by striking out the word 'Valuer-General' and inserting in lieu thereof the word 'Committee'."

No. 4. Page 7, line 24 (clause 10)—Leave out "and".

No. 5. Page 7 (clause 10)—After line 27 insert new subclauses as follows:

and  
(c) by inserting after the present contents thereof, as amended by this section (which are hereby designated subsection (1) thereof) the following subsections:

(2) Where the Minister desires to attribute a price in relation to a sale referred to in subsection (1) of this section, the Minister shall, by notice published in the *Gazette*, give notice of his intention so to attribute a price.

(3) A notice under subsection (2) of this section shall—

(a) specify with reasonable particularity the sale in relation to which the Minister intends to attribute a price;

(b) specify the price he intends to attribute in relation to that sale;

and

(c) set out the grounds on which the price he intends to attribute is higher or lower than the price actually paid in relation to the sale.

(4) Within two months next following the publication of a notice under subsection (2) of this section any person may, in accordance with the rules of court, apply to the Court for an order varying the price referred to in the notice and upon hearing the applicant and the Minister the Court may—

(a) dismiss the application and confirm the price proposed to be attributed; or

(b) uphold the application and vary the price proposed to be attributed by substituting a higher or lower price therefor.

(5) Where—

(a) two months have elapsed since the publication of a notice under subsection (2) of this section and an application under subsection (4) of this section has not been made the Minister may by notice published in the *Gazette* attribute in relation to the sale specified in the notice the price specified in the notice as the price he intended to attribute in relation to the sale;

or

- (b) an application under subsection (4) of this section has been made within the period of two months next following the publication of a notice under subsection (2) of this section, the Minister shall take no further action in the matter until that application has been heard and determined by the Court and upon that hearing and determination—
- (i) if the application is dismissed the Minister may by notice published in the *Gazette* attribute, in relation to the sale specified in the notice under subsection (2) of this section, the price specified in the notice as the price he intended to attribute in relation to the sale;
- and
- (ii) if the application is upheld, the Minister shall by notice published in the *Gazette* attribute, in relation to the sale specified in the notice under subsection (2) of this section, the price proposed to be attributed as varied by the Court.

(6) In determining an application under subsection (4) of this section the Court—

- (a) shall, with such modifications as are necessary, apply the principles that it would apply if the application were an application for compensation in respect of the acquisition, under the Land Acquisition Act, 1969-1972, of the land in question on the day on which the sale took place, but in the application of those principles no regard shall be paid to the effect that the enactment of this Act had or may have had on the value of the land in question;
- (b) shall assume that the price attributed pursuant to subsection (1) of this section in relation to the sale of any land was the price paid in relation to that sale;

and

- (c) shall disregard any change in the value of the land in question that occurred after the sale of that land in relation to which the price is to be attributed.

(7) In this section 'the Court' means the Court as defined for the purposes of the Land Acquisition Act, 1969-1972."

No. 6. Page 7, after clause 10—Insert new clause as follows:

"10a. *Enactment of s. 8a of principal Act*—The following section is enacted and inserted in the principal Act immediately after section 8 thereof:

8a. *The Committee*—(1) For the purposes of section 8 of this Act, there shall be a Committee constituted of—

- (a) the Valuer-General, who shall be chairman;
- (b) one member, who shall be a person nominated by the Minister;

and

- (c) one member who shall be a licensed valuer, as defined in the Land Valuers Licensing Act, 1969, nominated by the Commonwealth Institute of Valuers Incorporated South Australian Division (in this section referred to as "the Institute").

(2) Whenever a nomination is required from the Institute for the appointment of a member of the Committee, the Minister may, by written notice addressed to the Institute served personally or by post upon it, request it to make the nomination within twenty-one clear days of the date of the notice or such longer period as is specified in the notice and if no nomination is made in accordance with that request, the Governor may appoint a licensed valuer, as defined in the Land Valuers Licensing Act, 1969, nominated by the Minister to be a member of the Committee in lieu of the nominee of the Institute and the licensed valuer so appointed shall for all purposes be deemed to have been duly appointed upon the nomination of the Institute.

(3) Whenever a vacancy occurs in the office of a member of the Committee referred to in paragraph (b) or (c) of subsection (1) of this section, the Minister or, as the case requires, the Institute may nominate a person

to be a member of the Committee in lieu of the member in respect of whom the vacancy occurred."

*Amendments Nos. 1 and 2:*

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

That the Legislative Council's amendments Nos. 1 and 2 be agreed to.

Before going through the various amendments in detail I think I should explain to members that two major amendments were moved in another place. One amendment, moved by the Hon. Mr. Burdett, provided that, in relation to the attribution of price, the Minister should, instead of consulting merely with the Valuer-General, make his attribution of a fair price after consulting with a committee composed of the Valuer-General, a Government nominee, and an independent valuer nominated by the Commonwealth Institute of Valuers Incorporated South Australian Division. This gives added advice to the Minister in the attribution of a fair price, and it gives a reasonable, independent valuation, apart from the Valuer-General. There is no difficulty about it in administration, and the Government therefore believes that that amendment should be accepted.

The second amendment, moved by the Hon. Mr. Cameron, proposed an appeal provision in relation to the attribution of a price payable before any appeal in relation to the actual acquisition. If there are appeal provisions in relation to the attribution of price, it would import all the difficulties of administration I outlined when we debated this legislation. It would mean that people in the Monarto area would have impossibly held up final decisions in relation to the acquisition of their land and the price to be paid for it.

Under the provisions of the Act as they stand, they have fair provisions in relation to appeals to the court as to acquisition and the price to be paid on acquisition. The attribution of price was agreed to in the original measure before the House to ensure that the price to be paid within Monarto should not be unreasonably enhanced by the existence of the proposals for Monarto. In consequence, the Government proposes that the Committee do not agree to this series of amendments. Amendments Nos. 1 and 2 are consequential on the committee proposal of another place, namely, the committee to advise the Minister on the proper attribution of costs.

Mr. WARDLE: Has the Premier discussed the whole schedule of amendments?

The Hon. D. A. Dunstan: No, only amendments Nos. 1 and 2.

Motion carried.

*Amendment No. 3:*

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

That the Legislative Council's amendment No. 3 be amended by striking out new subclause (aa).

Subclause (aa) is consequential on the appeal proposal in relation to the attribution of cost. There should be a separate appeal from persons at large as to an attribution of costs at some stage of proceedings in relation to property within an area. I point out the administrative impossibility of this proposal and the fact that it will impossibly hold up finality for landowners in the Monarto area. There is no basis for it, and any objection that might have been raised to the matter has been dealt with in the appeal provision to which we have already agreed, in principle, in the previous two amendments. Therefore, we should reject the proposal for a separate appeal provision in relation to the attribution of cost. The other amendment is consequent on the committee proposal, and that should remain.

Motion carried.

*Amendments Nos. 4 and 5:*

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

That the Legislative Council's amendments Nos. 4 and 5 be disagreed to.

Amendment No. 4 is consequential on the appeal proposal and amendment No. 5 is the substance of the appeal proposal I have already outlined. The appeal proposal is in relation to the attribution of price in the Monarto area, and we have already disposed of the consequential amendments in relation to that principle.

Mr. WARDLE. I am not so sure that any great use will be made of this provision. I do not know whether the Premier (unless I did not hear him clearly when introducing the Bill) gave his opinion on whether he believed that much use would be made of this provision. It would not appear to me that the values which have been attributed from outside the designated area indicate that there is much likelihood of this provision being used to any great extent. I am unfamiliar with the set-up of the court or of the appeals that it will hear. I had hoped that the Premier would give a little more information on how long (whether years or months) he would expect cases to be held up if they went to appeal.

The Hon. D. A. DUNSTAN: The attribution of costs by the Minister could be appealed against under this proposal at large. The people who would be likely to bring the appeals are the very people who have made a business of dealing with compensation proposals in the area. The honourable member is no doubt aware that, at meetings of landholders held in the area to explain the proposals about acquisition for Monarto, a group of valuers descended on them almost like a plague of locusts. These people have been promoting a lobby to make money on commission out of the land acquisition proposals, as advisers to the local people. It is these people who have raised these questions, and it would be likely to bring a process of professional appeals on the attribution of costs. It is not the attribution of a cost in the area which is the final gravamen of the matter. If the committee which has now been agreed to advises the Minister, we can take it that the Minister will act on the advice of that committee and that there will be a fair attribution of costs to ensure that people are not taking advantage at the public expense of the fact that Monarto is there. However, they will get a fair price for the land they sell, taking into account the kind of land it is, as compared to other similar land outside the Monarto area.

The professional group involved, which has been campaigning about this matter because an appeal could be at large, will be the very people who could tie up this matter in court, because of the commercial advantage to them out of the commission they can make on these sales. I do not think that this would serve the landowners in the area very well. I think that the Bill, without this appeal provision, will give fairness and justice to landowners in the area and certainty as to the costs in a limited time. But appeals about attribution could relate to a number of attributed costs and, in consequence, acquisition would be held up on any appeal as to the attribution of costs. Any attribution of costs will affect land in the area, and that could be for, say, two years.

Mr. WARDLE: Am I correct in assuming that, before an attributable price is decided on, the committee will have the chance to express to the Valuer-General its opinion as to what the value should be before granting the appeal?

The Hon. D. A. DUNSTAN: That is correct  
Motion carried.

*Amendment No. 6:*

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

That the Legislative Councils amendment No. 6 be agreed to.

This establishes the committee to advise the Minister.

Mr. WARDLE: Can the Premier say from which professional group will come the member who is to be nominated by the Minister, and what is his name?

The Hon. D. A. DUNSTAN: No, but it will be someone experienced in valuation who is not employed in the Valuer-General's Department.

Mr. WARDLE: What will be the mechanics of the notification of the attributable value? Will the Valuer-General write to the Minister and then the Minister communicate with the Land Board? Will the attributable value be recorded in writing in one of the three departments to which I have referred?

The Hon. D. A. DUNSTAN: The Minister will consult with the Valuer-General and other members of the committee. The question of attribution of costs will be initiated and the Minister will be informed. The Minister will then inform the Land Board (or, in due course, the Monarto commission) as to the attribution and that will be in writing from the Minister to the appropriate authority.

Mr. WARDLE: Will details of attributable values be available to those who represent people selling land?

The Hon. D. A. DUNSTAN: Yes.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 4 and 5 was adopted:

Because the amendments would cause undue delay in settling compensation for acquisition under the principal Act.

**MONARTO DEVELOPMENT COMMISSION BILL**

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 6 (clause 13)—After line 22 insert new subclauses (4) and (5) as follows:

(4) Any person who is a resident of the city of Monarto and who is or may be affected by any act or decision of the Commission under this Act, may make such representations in relation to that act or decision to the Minister as are appropriate.

(5) The Minister shall consider any representation made to him pursuant to subsection (4) of this section and shall advise the person who made those representations of the result of that consideration but nothing in this subsection or in subsection (4) of this section shall affect the validity or efficacy of the act or decision of the Commission to which the representation relates.

No. 2. Page 12, lines 28 to 31 (clause 32)—Leave out subclause (2) and insert new subclause (2) as follows:

(2) If a dispute arises between the Commission and the District Council of Mobilong in relation to any matter referred to in subsection (1) of this section the matter in dispute shall be referred to an arbitrator—

(a) agreed on between the parties;

or

(b) in default of such agreement, appointed by the Governor,

and that arbitrator shall hear and determine that dispute and the decision thereon of the arbitrator shall be final and binding on the Commission, the District Council and every person or body affected thereby and shall not be liable to be called in question in any court on any ground whatsoever.

No. 3. Page 14, lines 25 to 29 (clause 38)—Leave out the clause.

No. 4. Page 14, line 31 (clause 39)—Leave out "proclamation" and insert "regulation".

No. 5. Page 14, line 38 (clause 39)—Leave out "proclamation" and insert "regulation".

No. 6. Page 15, line 1 (clause 39)—Leave out "proclamation" and insert "regulation".

No. 7. Page 15, line 2 (clause 39)—Leave out "proclamation" and insert "regulation".



No. 8. Page 15, lines 5 to 9 (clause 39)—Leave out all words in these lines.

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

I move:

That the Legislative Council's amendments be agreed to. Amendment No. 1 does no more than set out in broad terms what is clearly the right of every person in this State: that is, to make representations to a Minister of the Crown. It does impose an obligation on the Minister to advise the person who made the representations of the result of the Minister's consideration of them. There will be no difficulty in administration, and the amendment poses no other difficulty.

Amendment No. 2 removes the obligation on the Minister to approve any agreement, as to their respective rights and obligations, between the commission and the District Council of Mobilong after the designated site is excised from the area of the council. It also provides that any dispute between the council and the commission shall be resolved by an independent arbitrator. This poses no difficulty and, as it satisfies a requirement in the area, it should be agreed to.

Amendment No. 3 proposes the omission of the clause that provided that the Monarto works would not be public works within the meaning of the Public Works Standing Committee Act. The effect of this amendment is that any works proposed by the commission that exceed \$300 000 will be subject to an inquiry by the Public Works Committee. Although this amendment is not entirely in accordance with the flexibility that we intended for the Monarto commission, which is a separate statutory corporation of a kind that elsewhere in the State is not subject to an investigation by the committee, nevertheless it does not seem to us to pose any great administrative difficulty, therefore we do not oppose it.

The effect of amendments Nos. 4 to 8 (inclusive) is to provide that the power to dispense with other laws that may impede the successful development of the city of Monarto shall be exercised by regulation rather than by proclamation as is at present provided. We see no difficulty in this, and there is probably some advantage in Parliament's oversight of regulations. I am certain that the commission will be able to justify all its proposals in this regard, and the amendments should therefore be agreed to.

Mr. WARDLE: I am pleased that the Premier has seen fit to agree to the amendments.

Motion carried.

#### MOTOR FUEL DISTRIBUTION BILL

In Committee.

(Continued from October 4. Page 1085.)

Clause 53—"Definition 'industrial pump'."

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

After "53" to insert "(1)"; and after "occupier" second occurring to insert "but does not include such a pump used principally or mainly in connection with—

(a) the business of primary production as defined for the purposes of the Land Tax Act, 1936-1972;

or

(b) any activity for the time being declared under subsection (2) of this section to be an activity for the purposes of this subsection.

(2) The Minister may, by notice published in the *Gazette*, declare any activity to be an activity for the purposes of subsection (1) of this section and may by notice published in a like manner amend or revoke any such declaration."

Previously, the Committee had adjourned after objections had been raised as to the size of storage that could be provided for primary producers and, consequently, there

have been consultations with the industry. Regarding clauses 53 to 55, diesel fuel is not currently included in the definition of "motor fuel" but it could be prescribed as such by a regulation. Having been consulted on this Bill, the oil industry did not consider that bulk storages on farms would be included as industrial pumps. It would be acceptable, to put the matter beyond doubt, to exclude industrial pumps installed on properties used for primary production. That is what the Government intends to do by these amendments.

The usage figure of 6 800 l a month was selected to justify a new industrial pump, as this figure has been voluntarily agreed upon by the oil companies for some years. Similarly, the definition of a "bulk tank", as one having a capacity of not less than 1 800 l, perpetuates a present voluntary definition. The situation that the member for Goyder fears regarding industrial and commercial premises has therefore existed since 1970, and the Bill merely confirms what is the present practice. The situation on farms may be different, as the oil industry does not regard such installations as coming within the definition of "industrial pump". In these circumstances, it would be best to leave the quantities as stipulated, because that is the present practice, and to exempt primary production, thus placing beyond doubt the maintenance of the *status quo*.

Mr. GUNN: I thank the Premier for moving these amendments, which cover many of the areas which were canvassed when this matter was last discussed and about which I was concerned.

Amendments carried; clause as amended passed.

Remaining clauses (54 to 64) and title passed.

Bill read a third time and passed.

#### SOUTH AUSTRALIAN MUSEUM BILL

Adjourned debate on second reading.

(Continued from September 27. Page 998.)

Dr. EASTICK (Leader of the Opposition): In supporting the Bill, I accept the need for a completely new Act rather than attempting to redraft the Act, and in this regard I agree with what the Minister said in his second reading explanation. He said that the Act was passed in 1939 and that this Bill is most timely and appropriate, a statement with which I agree. The Bill brings into focus a new attitude regarding various aspects of the value of the museum in the community, and I hope that, in furtherance of the environmental research and education (a term that the Minister used in his second reading explanation), the educational aspects will lead to our having a permanent museum together with a herpetarium. On September 25, the Minister replied to a question asked by the member for Tea Tree Gully regarding the nocturnal house associated with a herpetarium. The honourable member said that the interest shown by many people, particularly children, in the wild life show opened by the Minister at the Wayville showgrounds illustrated a real and continuing need to make available to schools and other interested parties a working model of this nature.

Having also attended that exhibition, I congratulate the people who put together the exhibits. They showed much initiative and, in their spare time, amassed a group of exhibits which were obtained from all over Australia and which were presented in a way that was indeed easy to follow. This exhibition, which was certainly most educational, was conducted for a period of only a week. Will an arrangement regarding the museum be entered into as a joint venture between, say, the Minister of Environment and Conservation, who is responsible for the museum, and the Minister of Education, in the conduct of his portfolio?

If such an arrangement is made, it will be of advantage to the State, having regard to the cost involved, if such an exhibition is used permanently and if it receives Government assistance. I assure the Minister that such an arrangement will certainly receive the support of Opposition members.

The Minister referred once more to the important educational responsibilities of the board and its staff. I stress this aspect, and ask what degree of liaison the Minister expects between the board and the Education Department now that the Ministerial control of the two departments has been divorced. When the Minister of Education was responsible for the museum, it was a fairly simple inter-departmental arrangement. With the changed circumstances, I should like to know whether there will be a new section of the museum associated basically with education or whether it is intended to second from the Education Department a person to work closely with the staff of the museum so that the maximum educational benefit will be gained.

The seconding of staff has been satisfactorily carried out in the past with regard to the Adelaide Zoo and the Botanic Garden. The Minister is now responsible for the Botanic Garden and, I understand, for the zoo. It may well be that, in considering the seconding of educational officers to maximize the benefits of this move particularly with regard to school groups, the Minister has already looked at the matter. I totally support the concept of the educational benefits that can accrue from the proposals of the Minister. I ask him to comment on this matter in due course. In his second reading explanation, the Minister said:

Clause 13 sets out the functions of the board. The board is to undertake the care and management of the museum and of all lands and premises vested in or placed under the control of the board. The board is empowered to carry out or promote research into matters of scientific or historical interest in this State. The board is empowered to accumulate and care for objects and specimens of scientific or historical interest and to accumulate and classify data in respect of any such matters. The board is empowered to disseminate information of scientific or historical interest and to perform other functions of scientific, educational or historical significance that may be assigned to the board by the Minister.

The Minister thus has an opportunity to take fairly positive action in directing the course that the board should follow. Although I recognize that this will be done only after consultation with his advisers, I ask him to assure the House that, under this provision, there will not develop an empire that will duplicate empires that already exist in other departments or Government bodies, including those that do not come within his control. In its herbarium, the Botanic Garden has a vast collection that is recognized throughout the world. It would be disastrous to find the activities of that organization duplicated, in the scientific, biological, or any other sense, in the museum. I do not make these comments as a criticism of this measure: I simply ask the Minister to indicate the direction that this organization will follow in future. Due regard must be given to obtaining the maximum benefit from the expenditure involved so that we do not have unnecessary empire building or duplication of various scientific activities.

Dr. TONKIN (Bragg): I, too, support the Bill. It is pleasing to see that the museum is to be formally transferred from the control of the Minister of Education to the control of the Minister of Environment and Conservation. This is a department and a museum of which South Australia can be proud. The staff has maintained a

standard of excellence over the years, and I am sure we can look forward to even higher standards.

The Leader has dealt in detail with the importance of the educational aspect of the museum but, with the change of emphasis that has arisen in recent times, and with a greater emphasis on ecology, it is only appropriate that the Minister should have control of the museum. We tend to forget that museums may relate to many things. They are collections of objects or displays exhibited because of their special interest, and they may cover many subjects or they may be specific museums. For instance, in Vienna there are museums which cover musical instruments and collections of armour. We have our own National War Memorial museum in Canberra, while in Corning, New York, there is a glass museum. There are various styles of museums and I think ours is classified as a science museum. There are museums of anthropology, industry, history, and even anatomy. Once again, the display in Canberra is in world class.

This museum of ours, maintaining the high standard that it does, has covered the general field. I agree that the emphasis must now shift, but I imagine it is impossible, from the financial aspect, to consider the suggestion I am about to make. It is a pity that we cannot have in Adelaide an entirely new museum, a natural history museum, or what might be termed perhaps an ecological museum. Undoubtedly this could grow from the present museum but I would hate to see some of the aspects that have been so well covered by the present museum lost because we changed the emphasis to conservation and environment and to ecology. I suggest that, at the same time, we should seriously consider establishing an ecological museum, either as a development of our existing museum, or preferably as an entirely new development. We would be breaking new ground, and such an institution could play a most significant part in moulding the future of the city and of the country.

There is a tremendous potential contribution to be made regarding the problems of ecology, and the place for this contribution to be made is within the community. It is only with a deep concern (a concern that is now being fostered in schools so that even the youngest student begins to understand the meaning of the word "ecology"), and a deep understanding of the principles involved, that we have any hope of solving the world's ecological problems.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I thank Opposition members for their support of this measure. The Leader of the Opposition referred to the need for continued liaison between the Education Department and the Museum Board. I can assure him that this liaison will continue. He may be aware that the education officer of the museum is a person seconded from the Education Department. The object of that, of course, was to ensure that the officer responsible for this form of liaison with the schools had an intimate knowledge of the workings of the school system. The requirements of the students who use the museum, from the point of view both of its ecological interest and its educational facilities can be provided through the museum.

The other point, that there will be some duplication of activity through the extended functions of the board, raised by the Leader of the Opposition, can best be explained by saying that one of the objects of the changed emphasis under clause 13 is to avoid duplication of effort, to ensure that we do not within the general Department of Environment and Conservation establish scientific people who would in fact be undertaking the same sort of activity that

could be undertaken by the museum. The matter of duplication and the building up of an empire within the museum is quite the reverse of what we are attempting to achieve by ensuring that the facilities available at the museum are fully used to avoid duplication and the build-up of interests in another field, such as the field of environment and conservation. That may well answer the point raised by the member for Bragg, who suggested we should be using the museum at this level.

Dr. Eastick: What will be done about the herpetarium?

The Hon. G. R. BROOMHILL: Discussions are still taking place on what the Leader referred to as the successful public function held at Wayville recently. It was thought that the proceeds from that function, which occupied much of the time of the people involved who would find it difficult to spare the time to do this sort of thing again in the future, could be used to provide some permanent display of materials such as those on display on that occasion. At the moment we are discussing with the organizers of that function the best way to use those proceeds towards the establishment of a permanent display of that nature.

Dr. Tonkin: What about the idea of a new museum?

The Hon. G. R. BROOMHILL: The improvement of the existing facilities is being considered and the possibility of creating a new museum is obviously something we shall investigate soon.

Bill read a second time.

In Committee.

Clauses 1 to 12 passed.

Clause 13—"Functions of the board."

Dr. EASTICK (Leader of the Opposition): Subclause (1) (g) gives the Minister extremely wide powers, and I expect that he would act only after consultation with the board and other advisers. Subclause (3) (c) is rather wider than the present provision, and I ask the Minister why it was necessary to extend the provisions to this extent.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): The reason for extending that somewhat was that from time to time groups associated with the museum may wish to provide some form of display and it is necessary for the board to have the power. A function is contemplated during this year, but I cannot recall the particulars of it. When I checked the likelihood of the board's requiring the power, I was told that an institu-

tion was holding a function in Adelaide later this year and required the approval of the board to lend to it some material. Without the new provision, the board would not have the power, under proper terms and conditions, to make such a loan.

Mr. HALL: There is need to develop a plan that will remove uncertainties about the future of the museum, and I hope that the board will enable the present doubts to be removed. I understand that the morale of some museum staff is at a very low ebb because of unknowns that concern them. One of the board's functions will be to watch the educational aspect carefully. It is one thing to promote research into the items listed in the provision, but it is another and an equally desirable function to propagate that knowledge in the community. At present the museum has a fledgling education function and students are instructed in the functions and work in premises of extremely low standard. I am staggered to think that an institution such as that, with exhibits of untold value and of priceless educational worth, is not appreciated as much as it should be, because of the lack of facilities, premises and staff.

The Government, in conjunction with the board, must promptly formulate a new plan for the development of the museum. I have been told that the old armoury building, part of the present premises, must be retained; probably everyone would agree with that. Whether it should be retained on that site is a matter for others to decide. I have also been told that the Premier intends to make another restaurant of it, but that would be a pity. The Government is already involved in a number of restaurants, and it has plans for others. Consequently, the Government would be well advised to regard the armoury building as being unsuitable for use as a restaurant. The board will have to produce quickly a plan for the future of the museum so that it can expect co-operation from the staff. It is essential that the morale of the staff be lifted. I congratulate members of the staff on their work, and I hope the Government will quickly mend its ways and turn from the path it previously chose (one of neglect of the museum) to that of promoting the museum and making it adequate to cope with future needs.

Progress reported; Committee to sit again.

#### ADJOURNMENT

At 5.53 p.m. the House adjourned until Tuesday, November 6, at 2 p.m.