

HOUSE OF ASSEMBLY

Thursday, June 12, 1975

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

PETITION: FLINDERS HIGHWAY

Mr. GUNN presented a petition signed by 308 residents of South Australia praying that the House take immediate action to supply the necessary funds for the completion of the Flinders Highway between Talia and Streaky Bay.

Petition received.

PETITION: SUCCESSION DUTY

Mr. SLATER presented a petition signed by 2 062 residents of South Australia praying that the House support the abolition of succession duty on that part of an estate passing to a surviving spouse.

Petition received.

QUESTIONS

PETRO-CHEMICAL PLANT

Dr. EASTICK: Will the Premier outline to the House the current situation in respect of the Redcliff project? More specifically, will he say whether the Commonwealth Government has yet given clear guidance on feed stock prices, liquid petroleum gas conversion, and assistance with the State Government's infrastructure costs?

The Hon. D. A. DUNSTAN: I cannot, off the top of my head, give a run-down on the total situation in relation to Redcliff at the moment. As to the latter part of the Leader's question, I am not aware of any suggestion that it is the Commonwealth Government's duty or obligation, or that it is in any position, to give some undertaking or to make a decision about feed stock prices, because feed stock prices are a matter between the producers on the gas field and the Commonwealth Government and the consortium. I just do not know how the Leader understands this particular project, but I can only—

Dr. Eastick: Are you ducking the question?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —say that that part of his question seems to me to be somewhat strange. In relation to costs of infrastructure and the price for the conversion of liquid petroleum gas, I point out that it is not possible to obtain a price for the conversion of liquid petroleum gas until feed stock prices have been settled between the producers and the consortium, and they have not been settled. Regarding the infrastructure, the consortium has indicated that it intends to redesign the project, but no project redesign has yet been submitted by it. In these circumstances, it is not possible to tell the Commonwealth Government what the total nature of the infrastructure required will be. Therefore, the answer to the honourable member's question can only be that it is not possible even to pose these questions at the moment. Until we have a proposal for redesign from the consortium, these questions at the moment cannot arise. We have continuing consultation with the consortium. We have urged it to proceed with its position in the matter and, as soon as we are able to reach the stage where the consortium has a new and firm proposition that will enable it to proceed with environmental impact studies of the kind required, we can take the matter further.

Mr. CUMBE: Can the Premier inform me whether it is a fact that, because of the failure of the Redcliff project to proceed at this stage, l.p.g. is being flared, or is likely to be flared shortly, at the producing field, thus wasting a natural and valuable fuel? If this is the case, does the Premier believe that this would not be in the best interests of the nation, particularly of this State?

The Hon. D. A. DUNSTAN: I have no report on that matter, but I will obtain one for the honourable member.

PORT ADELAIDE POLICE STATION

Mr. OLSON: Can the Attorney-General, representing the Chief Secretary, say when a new police station will be built at Port Adelaide? At present, extensive alterations are being carried out to the exterior of the building in St. Vincent Street. As the Public Works Committee has approved new accommodation, can the Attorney say what priority has been allotted to providing this replacement building?

The Hon. L. J. KING: I will obtain the information for the honourable member.

CONSUMER AFFAIRS OFFICES

Mr. KENEALLY: Will the Attorney-General authorise an investigation into the extent of consumer problems in the northern Spencer Gulf area with a view to setting up at Port Pirie, Whyalla or Port Augusta, or, indeed, in each of these cities, a branch office of the Prices and Consumer Affairs Branch with its own investigating officers? Next to housing problems, consumer-type problems are those most frequently received in my office and I suspect that the number of those received represents only the tip of the iceberg. Officers from the branch on their visits to the northern parts of the State use my office as a base while in Port Augusta, and while in Whyalla I understand that they use the office of the member for Whyalla who, I am sure, will agree with me when I say that we are naturally delighted that they use our offices. However, I believe that an investigation initiated by the Attorney-General would show that there is a need for an office, with its own officers, to be established in the northern Spencer Gulf area.

The Hon. L. J. KING: I do not feel any doubt that there is a need for offices of the Prices and Consumer Affairs Branch in the cities referred to by the honourable member and, indeed, in other country areas in South Australia, and I doubt whether it is necessary to hold a survey to determine that. Indeed, the experience of the department to which the honourable member has referred is in itself sufficient to establish that. The difficulty in this, as in so many other matters, is to determine how to use to maximum advantage for the people of this State the limited budget available to the department. Although the Government tries to make available in connection with consumer affairs the maximum amount of funds that can be made available, we are all conscious of the fact that the funds available in State Budgets are limited. I have a most acute existing problem with regard to staffing the Prices and Consumer Affairs Branch in Adelaide. The volume of work that officers are having to do is increasing rapidly, as members of the public become more and more conscious of the rights conferred on them by legislation that has been enacted by this Parliament in the past five years. It has become more and more difficult to cope with the volume of inquiries and complaints and the work consequent on those inquiries and complaints. The whole question of our ability to move into the country is determined by the funds available. I can only assure the honourable member that

I am very conscious of the need of his area and of other country areas, and I will do all in my power to see that we establish branch offices as soon as practicable. Whether it will be practicable in the forthcoming financial year is something I cannot indicate at present.

UNDERGROUND WATERS

Mr. RODDA: Can the Minister of Works say what progress has been made on studies of the Padthaway Basin pursuant to the Underground Waters Preservation Act? I understand these studies have continued for some time in this area, and in the Padthaway and Keppoch areas vineyards have been established producing a product of undoubted quality, and success has also attended the vegetable growing projects in the area. This success not only is bound up with the quality of the soil in the Keppoch Valley but also depends very much on the proper use of water. This matter has been considered for some time and I know the department has had the co-operation of landholders in the area. I shall be pleased if the Minister can say what progress has been made with regard to these studies on the control and use of water in this area.

The Hon. J. D. CORCORAN: I have a report for the honourable member because, some time ago, he asked me about this matter and, at that stage, I had referred certain specialists' reports to the Underground Waters Advisory Committee for its recommendations. I quote from the report following that committee's examination of those investigations, as follows:

The Underground Waters Advisory Committee has given consideration to the information and recommendations contained in the report Padthaway Area, Water and Salt Balances. The advisory committee has noted that the report suggests that there should be a reduction in the total amount of underground water withdrawn in this area. The committee is of the opinion that the extent to which these suggestions are adopted and the methods by which they are implemented need further careful examination. It is also of the opinion that no recommendation should be made on this question without prior discussions with the water users of the area. Taking this view into account and being advised that the recent amendment of the Underground Waters Preservation Act now permits the issue of notices of restriction without also requiring the installation of meters on the wells, the committee considers that the first step in formal control of the use of underground water in the area should be the issue of notices under the Act restricting use to the level proposed in the October, 1973, announcement by the Minister. The committee therefore carried the following motion after carefully considering whether or not the initial period should be for a 12 or 24 month period:

That the advisory committee recommend that wells in the designated Padthaway area (hundred of Glen Roy, Parsons and Marcollat) be restricted by the issue of notices under section 17 (b) of the Act, for the 12-month period, July 1, 1975, to June 30, 1976, directing that the total amount of irrigation water withdrawn from those wells be restricted to the same amount which was required to irrigate the particular crops irrigated during the 1972-73 season, as revealed by the land use survey conducted in October, 1973, but taking into account any approved variation in the area figures, provided however that permission may be given to vary the area and types of crops irrigated, after consideration by the advisory committee.

I am pleased to tell the honourable member that I have approved that recommendation, and the action outlined in it will no doubt take place soon.

MIL LEL SCHOOL

Mr. BURDON: Can the Minister of Works, representing the Minister of Education, say what progress is being made concerning additional facilities at the Mil Lel school? For some considerable time representations have been made on behalf of the Mil Lel school committee requesting

additional classroom accommodation and improved toilet facilities at this school, which is in my district. As the present facilities are inadequate, considerable concern is being caused to all connected with the school. I should like the Minister to take up the matter to see whether some progress can be made towards solving the present problems.

The Hon. J. D. CORCORAN: I shall be happy to take up the matter with my colleague on his return. I will ask for a report and bring it down for the honourable member.

M.V. TROUBRIDGE

Mr. CHAPMAN: Why did the Minister of Transport tell me, in reply to a question on February 26, 1975, and on at least one other previous occasion when I queried the cost of the m.v. *Troubridge* operation, that the Government subsidy or loss to that operation amounted to about \$500 000, when in fact neither of the relevant reports of the Commissioner of Highways reflects such a sum individually or collectively? The Minister is aware that, over a long period, I have set out to gather information about this Government-owned transport link. On behalf of the vessel's clients, I am anxious to collate that information. In an effort to seek information, I called on the Minister for as much material as possible. To be fair, I point out that, following the first year of ownership of this vessel by the Government, he co-operated by furnishing me with the first annual report, and I believe he did so as quickly as possible after it was available. However, in an effort to get the report covering the second year of State Government operation of the *Troubridge*, I found that the Minister, despite persistent requests, was unable to furnish me with the report of the Commissioner of Highways, in which these matters are incorporated. In fact, this went on until May 28, 1975, when the Minister wrote to me stating, among other things:

I have made inquiries in relation to this and find that no report was compiled for the year ending June 30, 1974. I have now made arrangements with the Assistant Commissioner to compile a two-year report of the activities to June 30, 1975, as it would seem quite pointless at this stage to ask them to produce a report which is almost 12 months out of date.

That was appreciated, but in fact the Commissioner (I take it in line with his ordinary duties) did produce a report in 1973-74, that report being made available to the Parliamentary Library, and no doubt to other places, on about January 20, 1975. I am sure members will appreciate just how disturbing it is to find that, following my requests, I was not only denied ready access to information but also, in the meantime, fed improper figures in relation to the operation to the extent that, if the operation losses to the Government for 1972-73 and 1973-74 were seeded together, they would not collectively amount to the \$500 000 loss or subsidy, as the Minister puts it.

The SPEAKER: The honourable member had better close off his explanation.

Mr. CHAPMAN: Yes, I will, but I have just one other small point of explanation. If in either of the two years a figure covering depreciation on the Government's capital cost were seeded to the respective annual losses, even then the total would not amount to the \$500 000 as suggested or implied to the House by the Minister on the occasions to which I have referred.

The Hon. G. T. VIRGO: The information that I gave the honourable member on the dates to which he referred was the information I sought, and it was given in good faith. In the light of the rather serious allegations the honourable

member has made I will certainly discuss the accuracy of that figure, because the honourable member has challenged me.

Mr. Dean Brown: Why is it that you are always wrong?

The SPEAKER: Order! The honourable member for Davenport knows what will happen if he interjects.

The Hon. G. T. VIRGO: I am grateful to the member for Alexandra for quoting from the letter I wrote to him in response to his telephone call seeking the information. I was informed that no report had been produced.

Mr. Chapman: You promised the report to me in your reply to me.

The SPEAKER: Order!

The Hon. G. T. VIRGO: What I promised in my letter of a week or two ago was that the collation of the material would be undertaken as a two-year project. (In other words, the two of them would be done together), and that when that information was available I would provide the honourable member with a copy, which I intend to do. I do not know what more the honourable member is looking for. If there is anything to bring back I will most certainly let him know.

TEA TREE GULLY TRAFFIC SIGNALS

Mrs. BYRNE: Will the Minister of Transport consider giving to the installation of traffic lights at the corner of North-East Road and Hancock Road, Tea Tree Gully, a high priority? The Minister will be aware that I have raised this subject over a number of years. The intersection has been made safer and traffic lights have been approved, but that work has not been given a high priority. I point out to the Minister that frequent representations are made to me concerning the need for traffic lights in this area. I therefore suggest that statistics do not necessarily reveal the potential danger of this intersection, which is adjacent to a well-patronised shopping centre and which, because the intersection is known by local residents to be dangerous, many of them try to avoid using it.

The Hon. G. T. VIRGO: I will refer the matter to the department and get a reply.

COUNTRY WATER RATING

Mr. VENNING: Can the Premier say what progress has been made on the preparation of amendments to legislation regarding country water rating? Last session the Premier said that, because of the high valuation of properties in country areas, he was taking action to offset inflated water rating valuations. As it is some time since the Premier said anything about this matter, I wonder whether he can say what progress has been made.

The Hon. D. A. DUNSTAN: I can report much progress, and the Minister of Works will make a statement shortly about the matter.

HOTEL FOOD

Mr. PAYNE: Will the Attorney-General ask the Minister of Health whether the Health Department has any plans to introduce new regulations in South Australia that could affect the serving and display of hotel food? I think I can illustrate the reason for the question and explain it if I have your permission, Sir, to quote an extract from the *Hotel Gazette of South Australia* of May, 1975. Part of the extract states:

New health regulations which come into effect in Victoria on July 1 will mean the virtual disappearance of salad tables in many hotels, and smorgasbords in function rooms. This is because the regulations require that any potentially

hazardous food on display for consumption on the premises be served hot enough, or cold enough (as the case may be) to prevent the growth of food poisoning organisms. The regulations are wide ranging, covering all food service establishments, as well as the serving of beer, the preparation, packing, and transport of food, and matters of personal hygiene.

I conclude by saying that that is not the entire extract, and the report also states:

Raw food for consumption must be in a separate compartment to raw food for cooking—for example steaks for the griller—and separate utensils must be used.

I think all members can see that regulations of this kind could have a considerable effect on the hotel trade if they were introduced.

The Hon. L. J. KING: I will obtain a reply for the honourable member.

DRUGS

Dr. TONKIN: Will the Attorney-General ask the Minister of Health what action the Government is taking to contain the rapidly escalating problems of drug dependence in South Australia? I point out that there are several disturbing features in our community at present. One is the increasing incidence of crime relating to the breaking and entering of pharmacies and doctors' surgeries. The second is the increasing number of reports appearing in the press of people who are drug dependants and the increasing number of reports of incidents relating to the use of drugs in South Australia. The last feature relates to reports now beginning to appear of people who are drug dependants being used by other people in the commission of crime. The problem of drug dependence is, I believe, reaching a stage that is causing considerable alarm. It is rapidly reaching epidemic proportions and is following, all too accurately, the trends which have been shown overseas. This is happening despite the programme of drug education and the other measures undertaken by the Government up to the present time. For that reason, it is thought in the community that further action is urgently necessary.

The Hon. L. J. KING: I will obtain a reply from my colleague.

SURGICAL OPERATIONS

Mr. SIMMONS: Will the Attorney-General obtain from the Minister of Health an estimate of the time reasonably required by a competent surgeon to perform a normal appendectomy from the beginning of the operation, scrub-up (I think that is the term), to the completion of the operation?

The Hon. L. J. KING: I will obtain the information from my colleague if it is available.

PALESTINE LIBERATION ORGANISATION

Mr. MILLHOUSE: Will the Premier say what is the Government's attitude towards the presence in Australia of members or representatives of the Palestine Liberation Organisation, particularly in regard to a visit to or presence in South Australia? Last Tuesday it was reported that three State Premiers (those of New South Wales, Victoria and Queensland) had expressed opposition to P.L.O. presence in Australia, and the Premier of New South Wales (Mr. Lewis) had expressed the opinion that troubles that occurred outside the consulate of one of the Levantine countries was caused by the visit to this country of Mr. Gamal El-Sourani. It is reported in this morning's newspaper that the same gentleman has said that the P.L.O. would have full diplomatic status in Australia soon. I realise fully the deep divisions which the visit of this man and the projected visits of other members of that

organisation have caused in this country, and I realise the dilemma into which apparently the Commonwealth Government has fallen on the issue. I recall the Premier's well expressed Zionist views of the past, and I ask this question to give him an opportunity to confirm those views or express an opinion in line with the opinions of his colleagues in the Eastern States, or to express whatever altered opinions he may now hold.

The Hon. D. A. DUNSTAN: I was the first Premier in Australia to say that I would not receive the Palestine Liberation Organisation representatives or give them any facilities. That position obtains at present. I have not altered my position in any way. In this matter I do not come in behind the Premiers of the Eastern States. I was the first to say it, and I have not altered my opinion. I have reiterated this from time to time when asked to do so. In fact, recently there was a press report that evidently evaded the honourable member's attention.

BUS DISPUTE

Mr. DUNCAN: Can the Minister of Transport give the House any information about the dispute involving drivers at the Municipal Tramways Trust bus depot at Elizabeth? As the House will be aware, during the past few days there has been a strike involving drivers at the Elizabeth bus depot of the trust, and this has had a considerable effect on the citizens of Elizabeth, who are constituents in my district.

The Hon. G. T. VIRGO: The matter was before the Commonwealth Conciliation Commissioner yesterday and, as a result of that hearing, a meeting of the union was held this morning. That meeting resolved that all striking drivers would resume duty as from the first bus tomorrow morning, subject to the normal assurances that are required, namely, that all drivers who had been suspended be reinstated without loss of status or seniority. An additional provision was to require the trust to review the rosters to see whether it was possible to reduce, or certainly to minimise, the amount of cleaning in which drivers were required to engage. This arrangement is more than acceptable, and I think it is a good thing that the buses will be back operating tomorrow. The rosters can and certainly will be reviewed, but whether the cleaning will be eliminated completely is extremely doubtful because of the nature of the operation. However, once the trust has a regional depot, such as we are providing in other places, where there is a bigger group of people, the trust can, of course, revert to the normal operations.

BERRI IRRIGATION

Mr. ARNOLD: Will the Minister of Works ask the Minister of Irrigation what action has been taken to overcome the inadequacies of the present irrigation drainage system in the Berri irrigation area adjacent to Berri Fruit Juices Co-operative Limited? The drainage system in that area is by way of a large concrete open channel, and the quantity of drainage water to be removed from that area is such that, at the height of the irrigation season, this channel often overflows and drainage water pours into adjacent fruitgrowing properties, resulting in much damage to the properties. I ask the Minister to find out what action is being taken and whether sufficient progress will be made before the forthcoming irrigation season.

The Hon. J. D. CORCORAN: I will obtain a report from my colleague and bring it down for the honourable member as soon as possible.

STATE FINANCES

Mr. EVANS: Will the Premier say whether he has received a communication from the Prime Minister rejecting one of the main proposals made by the States for a new financial formula? The proposal that I believe has been rejected is for reimbursement to the States in direct relation to increases in wages and salaries. I understand that it has been announced by other State Premiers this afternoon that the Prime Minister has contacted each of them and announced that he has rejected one of the major proposals in the case put by the States. No doubt this will prove of particular interest to the Premier, since he told the House last Tuesday that he was the major architect in the States' case. Can the Premier give any detail of the Prime Minister's statement and say how he believes that this may affect the climate of the forthcoming Premiers' Conference?

The Hon. D. A. DUNSTAN: I have had no communication from the Prime Minister other than a request that our officers meet with his officers today in Sydney, and the officers are meeting currently. The only communication relating to the Premiers' Conference that I have had from the Prime Minister was a lengthy one relating to planning for joint operations in regions and the co-ordination of Commonwealth and State services, but the communication does not relate to the submission on the financial reimbursement matters. At this stage, I have had no communication from the Prime Minister on that report.

Mr. Evans: He let the other States know first.

The Hon. D. A. DUNSTAN: The honourable member apparently presumes that. I have had no communication from the other States to confirm anything the honourable member has said this afternoon.

EMPLOYMENT SCHEME

Mr. NANKIVELL: Can the Premier say whether it is correct that all current Regional Employment Development projects are being referred to his department for the allocation of priority and, if this is so, can he say what criteria are used as the basis for establishing the priority of each project?

The Hon. D. A. DUNSTAN: If they are being referred to my department I am not aware of it, but I will inquire. It is certainly not at my direction.

S.A. BARYTES PROPRIETARY LIMITED

Mr. DEAN BROWN: I wanted to address my question to the Attorney-General but, as he has left the Chamber, I will address it to the Premier. Will the Attorney-General immediately table the Government report on its investigation into S.A. Barytes Proprietary Limited? On November 28, 1973 (and no wonder the Premier is frowning, because that is about 18 months ago), I asked for an investigation of this company by the Government, and the Attorney-General promised to make such inquiries and to bring down a report. However, no report has yet been tabled. Last Thursday, the Supreme Court made a ruling on the validity of a share call by this company, and found that it was invalid.

The SPEAKER: Order! I call the attention of the honourable member to a question that appears on the Notice Paper, question No. 22. An oral question cannot supersede the question appearing on the Notice Paper.

TON-MILE TAX

Mr. GUNN: Can the Minister of Transport say whether the Government intends to abolish the ton-mile tax? I have been informed by several carriers who from time to

time have discussed this matter with the Minister that they believed that he had indicated that the Government intended to consider this matter. I also draw the Minister's attention to the election promise of the Walsh Government made in 1965, whereby it promised to abolish the ton-mile tax on Eyre Peninsula, but the promise turned out to be nothing more than an election gimmick.

The Hon. G. T. VIRGO: Dealing with the last part of the question first, it was not an election gimmick: it would have been unconstitutional to do so.

Mr. Gunn: Which you knew.

The Hon. G. T. VIRGO: As the late Frank Walsh made the statement, I do not intend to debate it with the honourable member. The answer to the second part of the question is well known to the honourable member. I have told him before, but I will repeat it now. Road maintenance contribution has been subject to a very careful study by a committee, which is still investigating this question, as is the Government. No decisions on it have been made, nor have I at any stage told the honourable member or any of these alleged carriers that the Government will abolish it. I have expressed a view on what I thought ought to happen, but no decision has been reached.

Mr. Gunn: You're telling an untruth now.

The Hon. G. T. VIRGO: No decision has ever been made on it, nor have I given an assurance that the tax would be abolished.

FISHERIES DEPARTMENT

Mr. BLACKER: Can the Premier say whether the Government intends to maintain the Fisheries Department as a department with portfolio and Ministerial status? The fishing industry has lobbied for some years to have the Government appoint a Minister of Fisheries, thereby improving the status and respectability of the fishing industry. The Report of the Committee of Inquiry into the Public Service, the Corbett report, suggests that the number of Government departments be reduced and that the Fisheries Department be co-opted into another department. I raise this question at the request of representatives of the fishing industry who have expressed concern at the possible loss of status of their industry.

The Hon. D. A. DUNSTAN: The question of a reorganisation of departments is my responsibility, as I am the Minister responsible for the Public Service Board. True, the Corbett report recommends the absorption of the Ministry of Fisheries as a division of the Environment and Conservation Department.

Mr. Gunn: Can you help the fishing industry?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Well, that is what the report recommended. I have pointed out to honourable members that the report is not simply accepted by the Government but is subject to an evaluation by a committee and to representations by all interested parties in the matters contained in the report. No action has been taken by the Government that would carry out the recommendations of the Corbett report with relation to the Fisheries Department. In fact, only this week it was announced that the department would be under the Ministerial responsibility of one of the new Ministers as Minister of Fisheries.

TEACHER RECRUITMENT

Mr. GOLDSWORTHY: Will the Premier approach the Commonwealth Minister for Labor and Immigration to see whether the decision to refuse visas to overseas teachers can be reviewed so that this State can engage in any recruiting programme considered necessary? I think that the decision was made by Mr. Cameron shortly before he was unceremoniously kicked downstairs. Some of the other State Premiers have complained about this bureaucratic action. I have received a letter from the Whyalla High School and, although I do not normally intrude into the affairs of other members' districts, it is addressed to me, no doubt as shadow Minister of Education, and states:

The Whyalla High School Council and the Whyalla High School Parents and Friends Association are concerned because of the shortage of teachers at our school, particularly geography teachers. Three groups of geography and social studies students do not, at this stage of the year, have an assigned teacher. The Principal informs us that there are not enough geography teachers in the school to cover these classes, one of which is year 11 level.

I do not intend to read the remainder of the letter, but I believe that there are shortages in certain specialist fields, even in South Australia, so I ask the Premier whether he will approach the appropriate Commonwealth Minister, whoever he may be for the time being, as I think the New South Wales Premier has done, to see whether the matter may be left open. Obviously, if there is a surplus of teachers in any one State, no Education Department will embark on a recruiting campaign overseas. As a selective recruiting campaign is obviously desirable, I ask the Premier whether he is willing to make that approach.

The Hon. D. A. DUNSTAN: I have had no report from the Minister of Education that there is any difficulty at present facing the department about recruitment. However, I will discuss the matter with him and obtain a reply for the honourable member.

WORKMEN'S COMPENSATION

Mr. BOUNDY: Will the Premier indicate his Government's willingness, or otherwise, to undertake a review of the Workmen's Compensation Act in general and in particular to allow premium rebates to be granted for previous safety records? This morning's *Advertiser* contained a report that stated, in part, that nearly \$20 000 000 had been paid out in compensation to South Australian workers to the end of June, 1974, and that that pay-out represented an almost 10 per cent increase in pay-out under this measure, even before the full effect of the new rates has been felt in the community. Small businesses in particular are concerned that, since the introduction of the new Workmen's Compensation Act, premiums have escalated at an alarming rate. In fact, the South Australian Chamber of Commerce has written an appeal letter to the Premier that states, in part—

The SPEAKER: Order! The honourable member is not going to read the full letter?

Mr. BOUNDY: No, I will refer only briefly to it. A part admits the effects of inflation, and then states:

It must nevertheless be realised that the workers' compensation costs to industry in South Australia increased by 3.99 times in two years. The severity of the cost can be illustrated by the statement that more than one in eight of the weekly payments made to workmen in the building industry is a payment for the mythical "Mr. Workman's Compensation".

I know of an instance of a hotel licensee whose safety record is such that he has had no claim regarding workmen's compensation for the previous 10 years. He now pays \$1 800 annually in premiums, and considers this

impost unjust in the extreme, particularly if his safety record continues as it has been in the past. It is accepted that there is a set scale of rates for different branches of industry. However, it is considered that a case exists for a type of no-claim bonus when adequate safety measures have been adopted and if a continuing safety record is proved.

The Hon. D. A. DUNSTAN: We are not really able to enforce no-claim bonuses on insurance companies in the private sector. True, most of them are withdrawing from workmen's compensation insurance.

Mr. Venning: You won't take them, though!

The Hon. D. A. DUNSTAN: We will take on any insurable risks. However, I will discuss the question of no-claim bonuses with the Chairman of the State Government Insurance Commission.

LAW STUDENTS

Mr. BECKER: Has the Attorney-General details of the intended change to the arrangements for students studying law at the University of Adelaide and the effect of these changes on the future of the students after graduating? I have been approached by a third-year law student who is concerned because he understands that about 40 fourth-year students are having difficulty in obtaining articles. Naturally, the third-year students (and there are about 130 of them) are also worried about their future in relation to the study of law. I understand that many solicitors in the city have long waiting lists of students wishing to take articles with them, and that the wage for an articled clerk is \$70.40 for the first six months and \$79.20 thereafter. I understand the profession is experiencing difficulty in this matter, that a proposal has been made to start a legal workshop through the Institute of Technology, and that about 30 students will be able to undertake this course next year for about 8½ months. The Flinders University will be unable to commence law studies until about 1977 and, because of this and because only one in every three applicants is accepted for law studies at present, can the Attorney-General say what the situation is, why it has occurred, and whether the intended changes will benefit those studying law and the profession generally?

The Hon. L. J. KING: There are two distinct although no doubt related questions involved in what the honourable member has asked. The first relates to the academic legal education of students, namely, that undertaken at present by the Law School at the University of Adelaide and by an articled clerks course conducted under the auspices of the Law Society. The problem that has arisen with regard to legal education at the University of Adelaide is that the upsurge of interest in legal studies in recent years has far outstripped the capacity of the Law School to accommodate students and, consequently, a quota has been imposed that has resulted in the rejection of more students each year. Various approaches have been made in order to solve the problem, and at present there is every prospect of a Law School being established at Flinders University to commence probably in 1977. I cannot say that that is a final and definite decision, but indications are hopeful.

To bridge the gap between now and the commencement of the Law School at Flinders University, the Law Society has established an articled clerks course to provide the chance of legal studies to students who are unable to obtain entry to the Law School at the Adelaide University but who are willing to enter into a period of five years articles and be trained as articled clerks doing a part-time course conducted under the auspices of the Law Society. I think this course had 30 students last year and has the same number now. The expectation is that when the

Flinders University law course begins it will be possible for all those who have reached the required standard for admission to Law School to gain the legal education they desire, and that it will not be necessary for the Law Society to continue its articled clerks course. Only time will prove whether that expectation is well founded.

The other matter referred to by the honourable member relates to the practical training of students that at present is undertaken by means of articles of clerkship. True, it is more and more difficult for students to obtain articles, and there is a real problem in that regard. Their Honours the judges and the Law Society have been giving this matter consideration, and I have been involved in the discussions. The present position is that the South Australian Institute of Technology has undertaken to establish next year what will be in the nature of a pilot course in the practical training of law students. It is expected, although the judges have not made a final decision, that Rules of Court will be altered to provide that the successful completion of that course will be an alternative to articles, so that those students unable to obtain articles or who prefer to do the practical training course will qualify for admission in that alternative way. I expect that the amended rules will provide (although the judges will decide this) that admission to practice, whether it follows articles or the completion of the practical training course, will be a conditional admission, probably 12 months, the condition being that the practitioner will not practise on his own account during that time—in other words, that he will have 12 months as an employee of a practitioner to gain experience before being entitled to practise as a principal on his own account. As there are other matters under discussion, it is not clear what the future holds; it will depend very much, I think, on the success of the course.

I believe it is fair to say, as an assurance to students who are worried in the way described by the honourable member, that my experience in these discussions is that everyone (the judges, the Law Society, and certainly myself) agrees that no-one should be denied the right to enter the legal profession simply because it is not possible to obtain articles. In other words, if it proves impossible to place students in articles, some alternative method of giving them practical training has to be found. It may be that, even if it were possible to place everyone in articles, it would still be desirable at least to have an alternative method for those who regard that as a better method of preparing themselves for legal practice. I think that the honourable member (and those who have spoken to him) can be assured that all those concerned in the matter are determined that no-one will be unable to obtain entry to the profession because the places for articled clerks are fewer than necessary to cater for all those who need to obtain practical training.

HALLETT COVE

Mr. MATHWIN: Will the Minister for the Environment make available the study report on Hallett Cove compiled by a Canberra group headed by Dr. Peter Rudman? The Minister will be well aware why this environmental impact study was called. I understand that the terms of reference included the requirement that consideration be given to the limited financial resources available. In addition, I understand that the report states that a much tighter development control is needed and that the community must at all times be involved at the earliest opportunity.

The Hon. G. R. BROOMHILL: I shall be pleased to let the honourable member have a look at this report. I regret to say that at this time only one copy of the report

has been made available to me. I have pointed out to the Australian Government that this is causing difficulties, in view of the number of people who want to look at the report. Expecting that some members might want to look at it, I brought the report with me. I shall be happy to lend it to the honourable member for a short time so that he can examine it. The honourable member specifically referred to one of the terms of reference of the study group. True, the group was asked to consider the resources available for the purchase of land generally within this State. However, there is nothing unusual about that. The terms of reference were framed broadly to enable the widest possible consideration to be given by the study group that was appointed. I point out that the study group suggested that, in one or two respects, the Planning and Development Act could well be looked at in the light of what has been learned at Hallett Cove. I agree that these matters require attention. In fact, they were already being considered; they can be dealt with when amendments to the Planning and Development Act are dealt with, as proposed, later this year. I shall be pleased to lend the study report to the honourable member, but I ask him whether he will examine it as quickly as he can and return it to me, as I may receive other requests to see it, not only from members but also from people outside. As I have only one copy of the report, the position is rather difficult.

GOLDEN SHOULDERED PARROT

Mr. RUSSACK: Can the Minister for the Environment explain the logic behind the unbending attitude of the National Parks and Wildlife Service in requiring aviculturists to dispose of the golden shouldered parrot? As this species is on the rare bird list, will the Minister explain how this action will ensure its survival? Is this action the forerunner of the banning of other species? The golden shouldered parrot is an indigenous species of Queensland. According to statistics, in 1973 there were only 100 pairs of this bird left in Queensland. A constituent, Mr. Ron Rodda of Greensplains, Yorke Peninsula, having approached me, I personally visited his aviary, and I consider he keeps birds under ideal conditions. They receive expert care in spacious aviaries, and their supervision leaves nothing to be desired. I am informed by aviculturists and others with technical knowledge in this field that they cannot understand how this action by the department will contribute to the conservation of the golden shouldered parrot, but consider that approval to keep the birds would have the desired effect of preserving the species.

The Hon. G. R. BROOMHILL: This matter was debated at some length when the National Parks and Wildlife Act was amended about 12 or 18 months ago. In the time at my disposal now, I would not be able to give a complete reply to the honourable member, although I assure him I will do this later. I am a little surprised that the honourable member has been able to quote experts in this field who support the suggestions he has put forward, because I noticed in a letter to the Editor of a newspaper during the last day or two that the aviculturists society pointed out that the action of the Government was correct in the interests of preserving the species. I refer the honourable member now to the contents of that letter, as I think that to some extent they answer his question. However, I will provide him with more detailed reasons later.

At 3.1 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (REGULATIONS)

The Hon. G. R. BROOMHILL (Minister for Planning and Development) obtained leave and introduced a Bill for an Act to amend the Planning and Development Act, 1966-1975. Read a first time.

The Hon. G. R. BROOMHILL: I move:

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

This Bill relates to planning regulations whose validity has been thrown into doubt by the decision of Mr. Justice Wells in the Myer Queenstown case. It was decided in that case that any significant discrepancy between planning regulations and the recommendation of the authority or council on which they are based would be sufficient to invalidate the whole of the regulations. In fact, for some time the policy of the State Planning Office has been to amend regulations that are recommended by councils in order to bring them into substantial conformity with the most recent models. If, as appears to be the case, these editorial amendments are sufficient to throw the validity of the regulations into doubt, there must be many planning regulations, in addition to those promulgated for the Port Adelaide area, whose validity could be questioned. Mr. Justice Wells further decided that interim development control under Part V of the principal Act cannot subsist concurrently with planning regulations.

He held that if, at the time the Government purported to make planning regulations, interim development control was in force the regulations would be suspended until the expiry of interim development control. In fact, planning authorities have, until the present, acted upon the assumption that interim development control can subsist concurrently with planning regulations. There is therefore an urgent necessity to validate what has occurred in the past. Clause 2 of the Bill therefore provides that, where the Governor has, before the commencement of the new amending Act, made or purported to make planning regulations, the regulations shall not be regarded as invalid by reason only of a difference or discrepancy between those regulations and a recommendation of the authority or a council, and no suspension in the operation of the regulations shall be deemed to have taken place by virtue of Part V or Part VA of the principal Act. The regulations are to be deemed capable of operating in relation to the same land concurrently with interim development control. This is a retrospective amendment, and accordingly a new subsection is inserted preserving the interest of Myers in the judgment given in Action No. 1017 of 1975 in the Supreme Court.

Mr. EVANS secured the adjournment of the debate.

RAILWAYS (TRANSFER AGREEMENT) BILL

In Committee.

(Continued from June 11. Page 3349.)

Clauses 2 and 3 passed.

Clause 4—"Approval and carrying out of the Agreement."

Mr. MILLHOUSE: As I see this Bill it is either one way or the other; there is no opportunity for amendment. It embodies an agreement that has been made between the

State and the Commonwealth, so either we accept the agreement as it stands or we reject it. I consider there is little point in proposing any amendments to the Bill or the agreement itself. Subclause (1) is crucial. I do not approve of the agreement. I have given some of the reasons for believing that it is undesirable and that its terms, furthermore, are undesirable. Therefore, I cannot possibly support the clause. I take it that the appropriate time to debate the contents of the agreement is when we consider the schedule, because the agreement is contained in it. However, I register my strong protest at this clause, and I oppose it.

Mr. COUMBE: The clause is certainly wide and encompasses the sanctioning not only of the Bill but also the schedule that covers the agreement. It is broad enough to enable a number of questions to be asked, even though they can still be asked in relation to the schedule. The commencement date is July 1, but the declared date is left in limbo. I surmise that, with the haste with which this Bill was prepared, several matters still have to be finalised. It is absolutely vital that the Premier should, if he knows what is the position, tell us what the intervening period is likely to be. We should surely have some knowledge of it, because the Minister of Transport said that he had been involved in solid discussions about it. That the Premier paid homage to the officers engaged on this matter is quite right. A number of legal matters and conditions of employment are still to be sorted out. Matters involving equipment and the cutting up of various sections of the assets of the railway system have to be settled, too. Can the Premier therefore say what period is likely to be involved?

The Hon. D. A. DUNSTAN (Premier and Treasurer): The officers believe that the declared date might be declared within 12 months.

The Committee divided on the clause:

Ayes (21)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Harrison, Jennings, Keneally, King, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (18)—Messrs. Allen, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Goldsworthy, Gunn, Mathwin, Millhouse, Rodda, Russack, Tonkin, and Venning.

Pairs—Ayes—Messrs. Hopgood, Hudson, and McRae.

Noes—Messrs. McAnaney, Nankivell, and Wardle.

Majority of 3 for the Ayes.

Clause thus passed.

Clause 5—"Vesting of land."

Mr. GUNN: As certain railway property is to be vested in the Commonwealth, is it intended that some of the park lands that are now occupied by the railways will also be vested in the Commonwealth?

The Hon. G. T. Virgo: That's in the metropolitan area. You haven't read the agreement.

Mr. GUNN: I have.

The Hon. D. A. DUNSTAN: Is the honourable member referring to park lands in country areas?

Mr. Gunn: No, the park lands around Adelaide.

The Hon. D. A. DUNSTAN: I suggest the honourable member read the agreement, because the answer is "No".

Dr. EASTICK (Leader of the Opposition): What is the constitutional situation regarding the passage of a Bill in this State that vests certain interstate land in the Commonwealth? It has been pointed out that land in New South Wales and

also in Victoria near Serviceton comes within the ambit of the agreement. Clause 5 provides:

Any land in the State to which the commission is entitled on the commencement date under the agreement shall by force of this section vest in the commission on that date. Therefore, a measure being considered in this State seeks to give the Commonwealth Government authority over sovereign land that is the responsibility of both New South Wales and Victoria.

The Hon. D. A. DUNSTAN: Not by this provision. The Leader has just read it, and it refers to land "in the State".

Dr. Eastick: It says "to which the commission is entitled".

The Hon. D. A. DUNSTAN: It has to be in this State, and in that case it is not referring to land within the agreement which is the property of the South Australian Railways Commissioner in the two neighbouring States. Under the agreement we are required to try to provide ownership of that land to the Commonwealth Government. That will have to be done in accordance with the law of the States concerned.

Mr. RODDA: I ask what is the situation regarding the section of railway line about 16 kilometres long that runs from a point in the District of Mount Gambier to the Victorian border. I understand that that line is used principally by the Victorian Railways.

The Hon. D. A. DUNSTAN: The remainder of the country and interstate services of the South Australian Railways has been transferred to the Commonwealth Government.

Mr. Rodda: That is South Australian Railways?

The Hon. D. A. DUNSTAN: Yes.

Clause passed.

Clause 6—"Vesting of property other than land."

Mr. VENNING: The silos constructed on railway property throughout the State have been built through a toll on the primary producers of this State. The Government has not contributed to the construction of silos in South Australia. I ask what protection has been given to the rights of the people concerned with these silos and what will happen regarding the delivery of grain to them. At present, a grower may deliver to any two silos that he desires. I ask whether that aspect has been taken care of and whether *status quo* has been preserved.

The Hon. D. A. DUNSTAN: Yes, the *status quo* in relation to silos is not altered.

Clause passed.

Clauses 7 to 14 passed.

Clause 15—"Additional powers of the Trustees of the South Australian Superannuation Fund Investment Trust."

Mr. MATHWIN: Part of section 84 of the Commonwealth Constitution provides:

Such pension or retiring allowance shall be paid to him by the Commonwealth; but the State shall pay to the Commonwealth a part thereof, to be calculated on the proportion which his term of service with the State bears to his whole term of service, and for the purpose of the calculation his salary shall be taken to be that paid to him by the State at the time of the transfer.

Any officer who is, at the establishment of the Commonwealth, in the Public Service of a State, and who is, by consent of the Governor of the State with the advice of the Executive Council thereof, transferred to the Public Service of the Commonwealth, shall have the same rights as if he had been an officer of a department transferred to the Commonwealth and were retained in the service of the Commonwealth.

I take it that the Government has agreed to pay the superannuation of these people on their transfer to the Commonwealth Government, and I ask how much this will cost the Government and whether it will be deducted. It seems apparent to me from the Commonwealth Constitution that the State will be in debt to the Commonwealth Government for a large amount on the transfer of these employees.

The Hon. D. A. DUNSTAN: This clause is in aid of the financial provisions of the agreement covering the employees' contributions to superannuation at this date. It is to enable portability of pensions and to transfer to the Commonwealth Government an appropriate amount of the stock held by the South Australian Superannuation Fund representing the employees' contributions to date. It does not represent any liability by the State in relation to pensions, and we are not assuming a debt in relation to pensions. It is simply to provide for the carry over to the Commonwealth Government of the appropriate amounts held in investment on the part of the Superannuation Board in respect of employees' contributions to superannuation outstanding to them now.

Clause passed.

Clause 16—"Regulations."

Mr. CUMBE: I realise that in some cases regulations must be fairly broad, but I do not think we could get anything broader than is provided under this clause. It enables the Governor of South Australia to make certain regulations and the Commonwealth Act gives the Governor-General regulation-making powers. Almost anything can be done under the clause. Taken in conjunction with the law, it gives wide powers to the Government to do all sorts of things. Whilst admitting that there must be some regulation-making power, I believe that this clause is far too wide.

Mr. GUNN: I have grave doubts about the possible effects of this regulation-making power. Surely the Premier can say why he and the Government consider that powers as wide as these are necessary.

The Hon. D. A. DUNSTAN: Over 100 years or more the laws of South Australia in Acts, by-laws and regulations which in some way impinge on the railway undertaking have grown to myriad proportions. It is simply not humanly possible to specify every one of those things at the moment, nor may it be necessary to do so. The officers have worked extremely hard to try to get at the major things that have to be dealt with in the change-over that is predicated by this agreement. In order to be able to carry out the transfer, we cannot be held up by a lengthy process of getting rid of some minor by-law somewhere which may, in fact, no longer be relevant but which would impede the operation of the transfer. That is why the regulation-making power is as wide as it is. There is no other way of practicably doing it. However, I point out that the regulation-making power is subject to the scrutiny of this Parliament. It is proper for us, therefore, to know that, in whatever action the Government is involved by regulation under this Bill, it will have to be justified and be subject to motions of disallowance in this House.

Mr. CUMBE: Let us suppose that the Minister in charge of this legislation for South Australia wanted to make a variation, but the Commonwealth did not want to do that in connection with non-metropolitan railways. What would be the position? One party might want it, and the

other party might not want it. Could one party, to the detriment of the other, remove a by-law without the consent of the other?

The Hon. D. A. DUNSTAN: I do not see how a party could.

Clause passed.

Schedule.

Dr. EASTICK: Clause 2 (3) of the agreement provides:

The parties will take all practicable steps to obtain any necessary consents of the States of New South Wales and Victoria to enable this agreement to be implemented.

It has been publicly stated by the Premiers of those two States that they will have no part of this form of centralism. They have said that they will not accept in any circumstances Commonwealth intrusion into the railway system. It is therefore obvious that it is not possible to fulfil the requirements of the agreement, and that is reason enough, apart from all the other considerations, why this is an improper agreement and why the passage of this Bill should be resisted. During the earlier debate on this Bill I told the Minister of Transport that there were ramifications in respect of costs and charges. He said that there were no forward charges likely to apply. I acknowledge that the documents to which I referred were tabled in this House last Tuesday; they related to action taken in Executive Council on May 8. They related to considerable changes in the charging system for a whole series of services that were different from those that applied when the first public announcement was made about this agreement. I was incorrect in suggesting that they were charges yet to be brought in, because they were effective as from May 8, subject to disallowance in this Parliament. I am not foreshadowing a motion for disallowance, but I point out that considerable alterations to charges have occurred since the matter originated.

The Hon. D. A. DUNSTAN: If, in fact, consents were not forthcoming to the transfer between the South Australian Railways Commissioner and the National Railways Commission of lands held in Victoria and New South Wales, there is a simple remedy for that: the State of South Australia will retain those lands and act as agent for the Commonwealth and allow the Commonwealth to act as licensee upon them.

Mr. WARDLE: Has the Premier discussed with the Commonwealth the payment of rates? At Tailem Bend, the State Government has been paying to the District Council of Meningie \$14 000 a year in rates for railway dwellings and this forms a vital part of the council's budget. There is nothing like a council having in its assessment book an entry that the State Government is committed to a rate.

The Hon. D. A. DUNSTAN: As I understand the Commonwealth's position on this matter, it will continue its general policy. The honourable member will be aware that elsewhere where dwellinghouses are related to an undertaking, an *ex gratia* payment is made in lieu of rate revenue to the local council. There is no reason to suppose that in this matter the Commonwealth will act any differently from the way it has acted in other matters.

Mr. MILLHOUSE: No-one knows what will happen, and there is no way in which the Commonwealth is bound to do anything, either at Tailem Bend to help the local council or anywhere else where there may be property. That is one of the fundamental reasons why I object to this Bill and why I think all Opposition members object to it, too. We are surrendering altogether control in the area of what has been called non-metropolitan

railways. One can only guess at the pressure that must have been put on the State Government to do this, particularly on the Minister, who is not noticeable for his rejection of power and influence when he has the opportunity to acquire it. Yet, here he is being made willing, and publicly he expresses willingness, to give up a good proportion of the power and influence of one of the Ministries he holds. We all know that that must go very much against his grain, as it would go against the grain of most people, because most of us, if we get power, like to hang on to it, and the Minister is certainly not the least prominent among us for that. Clause 2 (3) provides:

The parties will take all practicable steps to obtain any necessary consents of the States of New South Wales and Victoria to enable this agreement to be implemented. The Premier replied to a question on this matter a moment ago, but again it underlined that he does not know whether New South Wales and Victoria will co-operate. Clause 3 provides:

Nothing in this agreement shall prevent the construction, extension, administration, maintenance and operation by the State or a State authority of a passenger railway system within an urban area outside the metropolitan area. I cannot see that "urban area" is defined in the legislation. I suppose, although it is by no means certain to me, that that is meant to mean Mount Gambier, Whyalla, or what we like to call country cities where some time in the future some passenger railway service may be established. I can only see enormous difficulties in the State's going into what will then be alien railway territory to set up what would be purely and simply a passenger rail service. I wonder why such a provision has been included in the agreement. So far as I know, we have had no reference to or elucidation of it whatever. I refer now to clause 5 of the agreement. The question of Tailem Bend has been raised again, and quite properly by the member for the district. I raised it last night during the second reading debate and it has had some publicity in the press today. What I had said in this respect stands. I have sidelined the name "Connor" by clause 5 (1) (a) (iii), pursuant to which all minerals are to be transferred. It provides:

All minerals in the land referred to in subparagraphs (i) and (ii) of this paragraph in so far as the minerals are part of land of the Crown in right of the State or part of land vested in the State authorities for an estate in fee simple . . .

Of course, "minerals" is a wide term, although ballast material is no doubt contemplated there.

The Hon. D. A. Dunstan: Do you want the State Mining Act to apply to the Commonwealth Railways?

Mr. MILLHOUSE: Why should it not apply? I can see no reason why the State Act should not apply, except that the Commonwealth Government does not want it to and, of course, for the Premier that is now decisive. I refer now to the opportunities that exist for dispute between the two parties. One can only guess at the difficulties experienced in the negotiations that have led to leaving the agreement in this form, where neither side will know just what its rights may be. I refer to clause 6 of the agreement, which imposes an obligation on State authorities to comply with any directions of the commission during the interim period. Perhaps more significantly I refer to clause 7, which again leaves everything up to the commission and shows how completely we have lost control. Clause 7 provides:

The non-metropolitan railways shall be operated, on and after the commencement date, in accordance with standards in all respects at least equal to those obtaining at the date of this agreement—

how they will ever be established or proved, I do not know—

and the commission will pursue a programme of improvements which it considers to be economically desirable to ensure standards of service and facilities at least equivalent, in general, to those at any time current in respect of the remainder of the Australian National Railways and the railways of States other than South Australia.

That has no legal sanction whatever. That clause is mere window dressing, and the agreement would not be one jot altered if that clause had been left out. It is a funny thing, and yet it is something to which the Labor Party, publicly anyway, subscribes (I suspect that individual members do not subscribe to this), that apparently it is considered that any officer of the Commonwealth can do things very much better than those of us who operate in the State sphere only. That is the assumption behind all this.

Mr. Evans: Even if they're the same people.

Mr. MILLHOUSE: That is correct. Once things have gone to the Commonwealth, it is considered that standards will rise, that there will be efficiency, and that everything will be so much better than it is now. I do not see that. I well recollect the Attorney-General, who was then Minister of Aboriginal Affairs, saying much the same thing when South Australia abdicated its role in that area and handed over control of Aboriginal affairs to the control of the Commonwealth Government. It was thought that everything was going to be so much better when the Commonwealth did it, that the artificial State boundaries would go, and that everyone would be happy. Of course, that has not happened and, if anything, there are more problems; there is more misery and more controversy in Aboriginal affairs now than there has ever been. While this comparison is not an exact one, there is no reason whatever to think that, merely because the railways or any other activity is handed over to the Commonwealth Government, things will be better. All it will mean is that we will no longer be able effectively to influence what happens. I admit that it is hard enough now to control and influence what happens with the railways, but it will be one step harder in future.

I had an experience this morning which is close enough to this matter to bear repeating. Someone came to me with a problem regarding the Commonwealth Employees Compensation Act, which is the equivalent for Commonwealth public servants of the Workmen's Compensation Act in this State. The solicitor who saw me this morning wanted to get hold of a medical report on his client. Had it involved proceedings under the Workmen's Compensation Act in this State, it would have been a simple matter and the report would have been received within a week or so. However, the Commonwealth public servant in charge of this matter told the solicitor that he would have to apply to Canberra before the report could be released. Having been asked how long this would take, the solicitor was told that it would be three or four weeks before permission could be obtained to release the medical report. Exactly the same sort of thing will happen in the railways sphere as well and in any other sphere in which control is centralised in a city that is a long way away. Canberra is far enough away for those who have the power to be entirely insulated from those over whom they have that power; that is one of the vices of this Bill, and clause 7 shows this precisely. It is left entirely up to the commission, despite all the words that the Parliamentary Counsel has been able to work out (and I reiterate my admiration of Mr. Daugherty) to dress up this clause.

I refer now to clause 8, which is couched in precisely the same sort of language: it is all left to the discretion of the commission. Clause 9 is the same, except that it contains a reference to the prior agreement of the State Minister. One can imagine the pressures that will be put on him. Clause 10 provides for the appointment of a part-time commissioner from South Australia to be appointed for two consecutive terms, each of five years. It will not take long for 10 years to pass. One is reminded of the Braddon clause in the Commonwealth Constitution. The States were to get customs duty for the first 10 years of Federation. That is not a long time in history, and its effect was soon completely forgotten. This means virtually nothing either, as 10 years will soon pass. Clause 11 (7) gives the commission the right of first refusal to purchase land vested in the State or State authorities for the purpose of non-metropolitan railways and services not currently being used for railways purposes. Subclause (7) states, in part:

... on the same terms and conditions as those on which it was acquired by the State or a State authority or instrumentality whichever was the earlier acquisition. It may be a piece of land that has been owned for 20, 30 or 40 years. The Commonwealth will get it for no more than the State got it at that time. Perhaps that is not of much significance: it is merely ludicrous. Much has been said by country members on this side about clause 13 and about passenger road and freight services, and so on. What they have said and the fears they have expressed on this clause are absolutely justified. There is no doubt whatever that the Commonwealth will be able to do what it likes and what Mr. Whitlam has said in those lectures, which have been—

The CHAIRMAN: Order! The honourable member's time has expired. The honourable member for Torrens.

Mr. COUMBE: A difficulty has arisen in this matter because of the time limit applying. I wanted to ask a series of questions *seriatim* rather than in the form of a second reading speech. Am I precluded, Mr. Chairman, from speaking more than three times on this clause?

The CHAIRMAN: Yes, on this clause.

Mr. COUMBE: I will deal first with the interpretation clauses of the schedule, the first of which concerns arbitration. This whole agreement is subject in many areas to the question of arbitration, where matters of conflict, interpretation, and administration are referred to arbitration. How the arbitrator shall be set up and what his duties will be are set out. Fears were expressed last night about the impact of the Interstate Commission Bill, if and when it is passed by the Commonwealth Parliament, on the matter of arbitration. The point was made that, if the Bill were passed and set up under the Commonwealth Constitution, all the arbitration provisions under this Bill could be destroyed and be of no effect whatever. If the Premier is conversant with that section of the Constitution that it is intended to change in the Commonwealth Parliament, he would be aware of the wide-ranging effect of that Bill. This point was not replied to by the Minister of Transport when he spoke yesterday. There is much doubt whether these arbitration clauses, to which the Premier has referred as being such safeguards, will be effective if the Interstate Commission really comes into being. From the legal advice I have obtained it is clear that the Interstate Commission Bill will be far-reaching, not only in relation to this matter but also with regard to much other legislation.

Clause 8 clearly sets out what the position will be in respect of freighters and the users of the railways in South Australia. We have been told that certain conditions will

be maintained, but I again ask about South Australia's future opportunity to take the initiative in non-metropolitan railways to initiate, for the purpose of fostering industry, differential-advantageous freight rates. The Minister said that this was provided for, but I carefully examined the agreement and I could not find where this was done.

The Minister could be well-meaning, but this is a vital matter affecting the future of our State. I could find nowhere provisions for this, other than the provision for maintaining the current levels of assistance, and they are a little tenuous. How can we initiate new incentives if we so desire? This point is vital to our future. We must be careful about this legislation. We know what happened in the Northern Territory, when the relevant legislation was not looked at carefully enough. That railway line, which was promised, has still not been completed.

Mr. Nankivell: It's easier to write in a concession than to obtain a hand-out for industry afterwards.

Mr. COUMBE: True. I want this matter clarified. There should be a provision in the agreement relating to the prior agreement of the State Minister concerning the closure of railway lines. Does the provision mean, in respect of the regulatory powers, that before any railway line can be closed in South Australia the matter must be referred to the Transport Control Board and then to the Public Works Committee? This is not stated. At present before any railway line can be closed in South Australia, apart from the preliminary investigation, reference still must go to the Public Works Committee of this Parliament. Does it mean that this committee is now by-passed? The point I am highlighting was thrust aside by the Premier a moment ago when I referred to regulations and other aspects of the agreement. Our own Public Works Committee is now emasculated. The wording in respect of the services associated with the non-metropolitan railways, in clause 13 (3), is as follows:

The commission will, as a matter of policy, act in conformity with the relevant State legislation affecting the operation of the passenger road services . . .

Here it is stated that the commission will act "as a matter of policy". We are dealing with an agreement, which should lay down in black and white what is or is not going to happen. Here is something that will affect passenger road services in South Australia, and there could easily be a conflict between State laws and the Australian laws. Certainly, in this case the Australian law will prevail. The Hon. Mr. Jones may be the Australian Government Minister for Transport now, but next week it might be someone else. There might be a change in Government, or another Cabinet reshuffle. Where does the matter of policy then come in? Any Government can have a change of policy within its own term of office, and this frequently occurs. We are getting these airy-fairy things in some of the sections which are so vital to South Australia.

I turn now to clause 17, which deals with the reduction of employment. The Australian Minister may wish to down-grade or to reduce the amount of work being done at the Islington railway workshops. Many of my constituents work there, and I am concerned about them. I am sure it will not be long before the railway workshops at Peterborough go out, if not wholly then very largely, in favour of Port Augusta. The Australian Minister must get the prior agreement of the State Minister, but we could have the two Ministers having another row like they did in Darwin some time ago. I want some clarification of these matters, because I can foresee that Peterborough will go, and it is possible that the work at

Islington could be reduced. I am concerned about the railway workshops, particularly those at Islington, which will look after both services to a large extent.

The other clauses are nebulous, and although there are one or two mistakes in them I do not wish to go further into that, but I come now to a most important aspect. What effect will this agreement have on the road users of South Australia? I do not mean only those services associated with the rail system, the feeder system, whether passenger or freight, nor do I mean only the commercial road hauliers. I also mean the road users, perhaps the farmer who wants to carry his own goods or produce. What effect will this agreement have in relation to the open-road policy enunciated and followed closely by my Party? We do not want that policy to go. I express considerable doubt that the passing of this legislation may have some detrimental effect.

I have mentioned a few specific items on which I require information, and I believe this Committee is entitled to have that information. Before this legislation is passed (and I have made clear that I am opposed to it) we must make sure that we understand what we are doing. I am not sure that some members opposite understand the full implication of the clauses in the Bill. I am especially concerned about how the South Australian Transport Authority will operate under some of these provisions.

The Hon. D. A. DUNSTAN: First, I should deal with the matter the honourable member raised of sections 99 and 102 of the Commonwealth Constitution. There has been some talk about the operations of the Interstate Commission. It is true that the Interstate Commission is provided for by the Commonwealth Constitution. It was allowed to lapse, but it can be reconstituted, and it is proposed to do that. If it is in operation, its powers do not relate only to railways operated by the Commonwealth but also to railways operated by a State. Whether in fact the State is operating the railways or the Commonwealth is operating them, the Interstate Commission's powers will occur. The actual transfer in this case to the Commonwealth of the railways under an agreement is therefore actually irrelevant to the question of the operation of the Interstate Commission.

What is relevant, however, is the question of section 99 of the Constitution, which provides that the Commonwealth shall not, by law or regulation of trade, commerce, or revenue, give preference to one State or any part thereof over another State or any part thereof. The Commonwealth can run its own railways in an area and do so in contrast to the railways run by the States in other areas. There is nothing inhibiting in section 99 about that; in fact, that already occurs. If the honourable member reads the agreement he sees that in fact section 99 does not operate in respect of it, because the beneficial freight rates in South Australia, in contrast to the freight rates of the other States, are preserved under the agreement; that is, the relativity between the preferential freight rates in South Australia to the generality of freight rates elsewhere is to be retained.

That can still operate under this agreement, and nothing in section 99 stops it. We might eventually be in some trouble (but we would be that trouble anyway) if the Commonwealth were to run all the railways in Australia. While it does not, this section can operate. What is more, it gives us protection against another area in which we are facing problems on this score right now. This agreement takes us out of the Grants Commission, but while

we are in the Grants Commission we are under constant fire and the threat of deductions from our grants because we run preferential freight rates.

Mr. Coumbe: Successive Governments have resisted that.

The Hon. D. A. DUNSTAN: We have got away with it on a couple of occasions, but I can tell the honourable member that the Grants Commission has been homing in. In our existing situation we do not have a protection in relation to preferential freight rates. In fact, this agreement gives us a better protection in relation to those preferential freight rates than the existing position does. That is the situation we face, and in fact the agreement is doing a better job for us in respect of retaining the differential freight rates in favour of South Australian users than any other course of action could.

Mr. Coumbe: Would the Premier clarify the question of arbitration?

The Hon. D. A. DUNSTAN: Under the agreement, we are not to be discriminated against concerning freight rates and, if we are already operating preferential rates, the relativity is to be maintained. In relation to arbitration, there may be some argument as to the result of an overall freight change. When rates are changed, the differentiation between freight rates within the schedule may also change, and the overall result of a change has to be considered. That has happened in many railway arrangements. We had to negotiate with the trade unions concerning over-award and service pay and we told them they would not be worse off than the Commonwealth, but the rates we paid were different from the Commonwealth rates, because we arrived at what was concluded to be an overall beneficial result. We may well have to take matters to arbitration if there is a dispute.

Dr. Eastick: What will be the end result of arbitration?

The Hon. D. A. DUNSTAN: The arbitrator could make an award in our favour.

Dr. Eastick: What if he doesn't?

The Hon. D. A. DUNSTAN: If he did not we would have to accept the judgment. There is no other way of dealing with an agreement of this kind, but the arbitrator will have to be an appointment satisfactory to us. There must be an umpire's decision to be accepted sometimes, and we cannot say that we can determine what the future will be. We cannot hand over a business undertaking and say how it should be operated, despite the fact that we do not have to look after the economics of it. An arbitral clause of this kind has been bitterly resisted by Liberal Governments in regard to Commonwealth railways undertakings in South Australia, and this is the first time that such an arrangement has been made.

The Hon. G. T. Virgo: We tried to have this included in the Marree line but Peter Nixon refused.

The Hon. D. A. DUNSTAN: He would not have a bar of it. When Mr. Nixon saw the agreement in the Commonwealth Parliament he said that the advantages were all with the South Australian Minister and that the Commonwealth had been conned by us to arrive at this agreement.

Mr. Coumbe: The arbitrator will not work under any law dealing with arbitration: he will have wide powers. I want to be perfectly clear, and hear from the Premier, that the Interstate Commission will not affect any other matters, either.

The Hon. D. A. DUNSTAN: I cannot forecast what the Interstate Commission will do, but what it will do will occur regardless of whether the railways in South Australia

are operated by us or the Commonwealth. It has that power under section 102, and that is not affected by this agreement. There is nothing we can do about that.

Mr. Gunn: We don't want an Interstate Commission.

The Hon. D. A. DUNSTAN: That is another argument.

Mr. Coumbe: What about the railway workshops?

The Hon. D. A. DUNSTAN: This matter was discussed in detail with the Commonwealth Ministers. South Australia will become the centre of the National Railways Commission's undertaking, and the Commonwealth Ministers foresee that it will be possible for the commission to have a large rolling stock facility here to provide for the railways, the Tasmanian railways and for the developing Commonwealth system. In addition, the Commonwealth will look at incorporating the possibility of developing transit vehicles for those forms of rapid transit in urban situations for which it is now subsidising the States and urging the States to develop. Therefore, the Commonwealth foresees that the workshops in South Australia will not decrease their activities but will enlarge, and this is confidently expected. We made it clear that, in no circumstances, could we contemplate phasing out Islington or Peterborough, because they were workshops essential to the undertaking and that, socially, they were necessary parts of our total employment diversity. That was acknowledged by the Commonwealth, which agreed to consult us before it took any action in relation to the workshops, and it gave us the undertaking that it would need our consent or an order of the arbitrator. If arbitration is necessary, both social and economic factors must be considered, not just the economic factors of the undertaking.

Mr. EVANS: I predict that Peterborough will disappear as a workshop of any significance. Peterborough residents can be assured that the operations of the workshop will be moved into an area with more population. I cannot understand why the urban line should finish at Belair: why not Bridgewater? Many residents in these areas are without any forms of transport, and for the Commonwealth Government to state that it will promise to look after them means nothing. Apart from telephone and other communications, I have received several letters from people in the area. When this proposition was first announced I made it public that it was intended that the urban railway service was to finish at Belair, but there was no real guarantee that it would continue to Bridgewater.

The people from whom I have received inquiries include railway workers who live in the area, and they and other people are not overjoyed with the proposition. I hope we are wasting our time debating this matter but, should it arise, I ask the Premier what sort of real guarantee he can give the people of Long Gully, Upper Sturt, Mount Lofty, Heathfield, Madurta, Aldgate, Jibilla, and Bridgewater that there will be an urban rail service for them operating at the same frequency at least as now. From 6 o'clock each evening there is no bus transport to the Stirling area, the only commuter service to the area being a train that leaves after 6 p.m.

Lads who come to Adelaide to study, whether it be as apprentices or to attend institutes, colleges or universities, cannot get to the city unless they have their own transport. I know the number of these lads is not great, but they need a service, and the only service that is available to them is the train. I therefore ask the Premier what real guarantee he can give that there will be at least a comparable and adequate service. In fact, they really need a better service because trains run only at 9.33 p.m. and

11.33 p.m. I raise the matter seriously and appreciate the support given by the member for Mitcham who certainly has a sound knowledge of the service from experience he has gained in using the service and from being associated with many people who use it.

The Hon. D. A. DUNSTAN: Regarding the service between Belair and Bridgewater, the information I have is that it is not a heavily demanded service.

Mr. Millhouse: That's poor consolation for the people who use it.

The Hon. D. A. DUNSTAN: In those circumstances it is not possible for me to give a guarantee about the future of the service.

Mr. Millhouse: Or about any service.

Mr. Gunn: You've abandoned it!

The Hon. D. A. DUNSTAN: There is no provision at present in the agreement that we will simply end any metropolitan service at Belair.

Mr. Evans: Is there any provision that you will continue it?

The Hon. D. A. DUNSTAN: We can continue it under the agreement because we have the right to go over Commonwealth railways just as they have the right to go over ours.

Mr. Gunn: What a sell-out!

The Hon. D. A. DUNSTAN: At this stage there has been no proposal made to the Government that we should cease the service to Bridgewater.

Mr. Evans: Is there any proposal to continue it?

The Hon. D. A. DUNSTAN: It is unnecessary to make a decision to continue it, because the question of its cessation has not come up: the agreement does not provide for its cessation.

Dr. Eastick: But it provides a mechanism whereby it can be effected.

The Hon. D. A. DUNSTAN: What we have said is that the metropolitan-owned system will go to Belair. That is what we propose as an eventually completely divided system. If it is necessary for us to continue a State-run service to Bridgewater from Belair we will continue it. There is no reason why it should not continue.

Mr. Evans: What decides the necessity?

The Hon. D. A. DUNSTAN: The same situation that has operated previously in the way in which we have looked at railways. I point out to members opposite that we have continued these services long beyond the time when members opposite said we should have stopped them.

Mr. GUNN: My fears have certainly not been allayed by what the Premier has said. I believe the people of Belair will get the same treatment that other users of country rail freight services will get under this Bill. Let us look at Part II 8 (1) in conjunction with section 99 of the Constitution. It provides:

The Commonwealth shall not, by any law or regulation of trade, commerce, or revenue, give preference to one State or any part thereof over another State or any part thereof.

It becomes obvious that country freight rates will be increased. I would like an assurance that country freight services will not be increased to the same rate that applies in New South Wales. I am sure the people of South Australia are not aware of what the Government is committing them to. It would be a complete injustice to South Australians if this Government was to give away the

people's rights by agreeing to this measure. Clause 8, along with other measures in the schedule, will be used to destroy road transport in South Australia. The member for Stuart last evening said that the railways will set up their own freight line: I wonder what sort of feeling that will place in the minds and hearts of country carriers in South Australia who are already facing difficulties but are nevertheless providing an excellent service. It is obvious that the measures contained in the schedule, especially when one looks at Part II 8 in conjunction with section 99 of the Commonwealth Constitution, will be used to destroy them, but I hope my fears can be allayed.

Mr. MILLHOUSE: I want to refer to the point raised by the member for Fisher about terminating the Hills metropolitan line at Belair to which the Premier tried to reply. What was significant about the Premier's reply was that he gave no reason at all why Belair has been picked instead of Bridgewater as the terminus—putting back the clock about 50 years. Why is the terminus to be at Belair and not at Bridgewater as it is at present? The first terminus on that line was at Mitcham until the turn of the century or thereabouts, when it was pushed further back, because of increasing population and passenger traffic; to Eden Hills, then to Belair and finally to Bridgewater. The terminus moved out progressively as the metropolitan area of Adelaide grew. For many years Bridgewater has been the logical spot for the terminus, but the Premier did not say why it was being cut back to Belair, so I invite him to give us the reason and not to sidestep the point that was made by the member for Fisher and me. The other point was that he could not give any undertaking. In the nature of things, he cannot give any undertaking about that line and what services will be maintained on it, because we are giving that power to the Commonwealth Government.

In the same way, neither the Premier nor the Minister can give any undertaking to the member for Eyre about freight rates. If they tried to do so, it would not be worth their breath, because they cannot bind the Commonwealth Government on freight rates now or in future. The complete answer to the Premier's statement that we would be able to run our rolling stock over lines to be taken over by the Commonwealth Government is contained in clause 12 of the agreement, the very thing that he is now relying on and trying to defend. It provides:

The commission and the State authorities shall have the right to run their rolling stock over the railways of each other subject to reasonable terms and conditions, to be agreed between them, including a term or condition relating to apportionment of costs, and failing agreement the matter shall be determined by arbitration.

If agreement cannot be reached, we may well say that the matter must go to arbitration and that is how the clause is worded, but there is no provision in the agreement for anything to happen if the State Government and the Commonwealth Government cannot agree on an arbitrator. There would be a complete deadlock. It is common for agreements of this kind to provide that, if parties to an agreement cannot agree on an arbitrator, some other body will nominate an arbitrator or there will be a panel of three, one appointed by each party and an independent Chairman. There is no such provision in this agreement and it would be perfectly feasible to have a deadlock. If one party wanted to delay the other party, there need be no agreement on an arbitrator and there could be interminable delay.

While the Premier was speaking, I looked at the speeches made in the Commonwealth Parliament. The Premier has said today and earlier (and I think the Minister was

willing to say the same thing) that Mr. Nixon said in that House that South Australia was taking the Commonwealth Government for a ride. He may have said it on some occasion, but I have looked through his second reading speech and the very short Committee stage proceedings in the Commonwealth Parliament and I—

The Hon. G. T. Virgo: Look at page 3134, if you're capable of reading. There are two references.

Mr. MILLHOUSE: What is the date on which Mr. Nixon said it? I am looking at the debate on the Bill, which was on March 2, 1975, when Mr. Nixon led for the Opposition. I am reading the debate on the Australian National Railways Bill.

The Hon. G. T. Virgo: This is the Railways' (South Australia) Bill. Are you sure you're reading from Commonwealth *Hansard*?

Mr. MILLHOUSE: Yes. I have made a mistake on that, but certainly in the debate on the Bill to which I have referred there is no suggestion that South Australia is taking the Commonwealth Government for a ride. When I have made a mistake, I am willing to admit it. I was dealing with clause 13 of the agreement when my time expired when the Bill was last debated, and said that members who had expressed fears about the road freight services and passenger services were perfectly correct. Clause 13 (4) of the agreement provides:

If in addition to the passenger road services Australia or the commission require a new passenger road service for which the approval of the Transport Authority of the State would be required by any person proposing to operate a similar service, then Australia or the commission will apply to the Transport Authority for approval to operate the service, and if any such application is refused the matter may be referred by Australia or the commission for determination by arbitration.

Clause 13 (3) is stronger. It provides:

The commission will, as a matter of policy, act in conformity with the relevant State legislation affecting the operation of the passenger road services, except where there is a conflict between the law of Australia and the law of the State, in which case the provisions of the law of Australia shall prevail.

I refer now to the \$10 000 000 that we are to get. I do not know whether the Premier or anyone else stated what the estimated value of the railway undertaking in South Australia was. The value cannot be worked out, but I am sure that it is more than the \$10 000 000 or the \$124 000 000 debt that we now have. Yet, within 48 hours we are expected to agree to the figure of \$10 000 000 in addition to the taking over of the railway debt. That is unreal, and I cannot imagine a business agreeing to those terms.

Mr. Venning: This is different.

Mr. MILLHOUSE: This is different, because it is the policy of the Australian Labor Party, and the gentlemen opposite, whether they like it or not, must accept it. We are giving away the Mile End freight terminal, Islington, the good yards, the Dry Creek marshalling yards, and the Port Adelaide sidings—all vital to the activities even of the metropolitan services.

Mr. Evans: What chance is there of the Islington workshops continuing?

Mr. MILLHOUSE: In the long run, nil. We have had much airy-fairy talk from the Premier about South Australia being the hub of the national railway system, but there is not one scintilla of evidence about that. There is nothing that the Premier can say that can possibly bind the Commonwealth Government to do it. Even if

his Federal colleagues are genuine, they cannot bind their successors. We have no guarantee at all: it is not even mentioned, yet the Premier expects us to take his word for it. I, for one, am not prepared to do that.

The Hon. D. A. DUNSTAN: The honourable member has suggested that somehow there is something strange about the arrangement for carrying passenger services over the Commonwealth's line between Belair and Bridgewater. The division of the services, so that part is run by the State Transport Authority, has meant that the lines which are most used for metropolitan passenger services and which can be divided are those transferred to the State Transport Authority. However, that authority necessarily will continue to run portions of its services over the Australian National Railways lines, just as the Australian National Railways will continue to run part of its services over the State Transport Authority lines; that will be inevitable. In fact, we will still be running passenger services from Adelaide to the Mile End yard and from Port Dock to Dry Creek, although that will be an Australian National Railways line.

Mr. Millhouse: Why was Belair, not Bridgewater, picked for the metropolitan terminus?

The Hon. D. A. DUNSTAN: It was picked because that was where the separation of the lines could be most satisfactorily effected, on the advice given to us.

Mr. DEAN BROWN: How many railway houses are being transferred under this agreement? Are any such houses currently occupied by non-railway employees? There is quite a possibility that some of them are occupied by such people. If that is the case, will it be possible for the residents to remain in the houses? I seek an assurance from the Premier that in no way will the future development of the Adelaide railway station by our State Government be hindered by the Commonwealth Government, whether for parking facilities or anything else.

The Hon. D. A. DUNSTAN: We are retaining the Adelaide railway station site. I cannot state how many houses will be transferred because it must be decided how many are required for country and interstate railway operations. At this stage of proceedings we do not have that matter accurately defined. The position of non-railway residents should be satisfactory. If the houses are, in fact, occupied by non-railway employees it is most unlikely that those houses are required for the operation. I point out that what is being transferred to the Commonwealth Government is an undertaking that has been running at a deficit that has been escalating more rapidly than have the deficits in any other area of State operations and at a far greater rate than the rate of inflation. The significant thing is that the rate of increase in railway deficits in South Australia bears a rather satisfactory relationship to the rate of escalation of deficits in New South Wales. Not only are we transferring what is, in effect, a business undertaking costing the State more and more but also we are transferring it in circumstances where that escalation in cost is going to the Commonwealth without our having to compensate the Commonwealth for any future escalation. What is more, deducted from the offset is \$25 000 000 a year in perpetuity.

Mr. Millhouse: How much will that be worth in 10 years time?

The Hon. D. A. DUNSTAN: It will be a darn sight more than any figure the honourable member could ever dream up for the value of our railway assets in South Australia.

Mr. DEAN BROWN: It is not a standard business practice to sell up assets to cover current liabilities; that is, in effect, what the State Government is trying to do. The Premier has talked about the rate of escalation of the deficits; that simply means that the rate of income is insufficient to keep up with the current running costs. That is no justification for selling an asset. It is a very poor business tactic to sell assets just because current liabilities and current income do not match each other. If that procedure is adopted generally, other assets of this State will be quickly sold off. If these pseudo-business principles are being adopted by the Premier, I ask him to reassess his shabby business thinking.

Mr. BECKER: The only information we have been given about the financial set-up is that we are to receive \$10 000 000 immediately and that appropriate and satisfactory arrangements have been made to secure other grants. The Premier has referred to the Grants Commission and to the adjustments in the selling of a section of the railways. I am trying to ascertain exactly what the benefit will be to the State Treasury in the 1975-76 financial year. We are to get the \$10 000 000 immediately and early in the next financial year we should get \$16 400 000, as arrangements have been made with regard to previous years' adjustments from the Grants Commission. Then we will get the additional \$25 000 000, which is built into the basic grants. Then we get some benefit, and that is the figure I query. Because we will not have the \$32 000 000 recurring deficit, it would be fair to say that the State will benefit by \$32 000 000 and also \$25 000 000, plus another \$16 000 000. It escalates on. If we are to accept the agreement, the taxpayer should know exactly what the benefit will be in monetary terms. The man in the street knows that the non-metropolitan services are running at a \$32 000 000 deficit, which he probably equates per capita to the State's taxpayers. He will want to know what other financial benefits we will get, what the Government will do with that money, and whether it will reduce taxes.

The Hon. D. A. DUNSTAN: In relation specifically to the railways transfer, we are transferring the assets and liabilities to the Commonwealth Government. Normally where there is a transfer to the Commonwealth of an undertaking that is costing the State a certain sum, the Commonwealth offsets that sum from the State's grants. The offsets principle has been made clear by successive Commonwealth Governments.

Mr. Millhouse: There's nothing binding about that, though.

The Hon. D. A. DUNSTAN: No, as I will show the honourable member in this case. The sum of \$32 000 000 is the railways deficit. Instead of having deducted from our grants from the Commonwealth that \$32 000 000, we will get a payment this year of \$10 000 000 and in subsequent years we will have an offset of only \$7 000 000 (that is, \$32 000 000 less \$25 000 000). That \$25 000 000 will be credited to the base of our financial assistance formula, so that the \$25 000 000 will escalate in accordance with the formula.

Mr. Nankivell: That's the growth if the formula increases.

Dr. Eastick: If the formula is a figure greater than one.

The Hon. D. A. DUNSTAN: If the formula is greater than one—

Dr. Eastick: With the present showing, it's not likely to be for much longer.

The Hon. D. A. DUNSTAN: Whatever occurs federally there will be an escalation factor in the grants.

Mr. Gunn: What about your telex today?

The Hon. D. A. DUNSTAN: I said what I have said. I mean it, and it will happen. There is an escalation factor in the grants now. If the Commonwealth merely said, "We will continue with the existing formula," we would still be better off under this. To write that money into the base of the formula is a significant advantage to the State. That is one part of the arrangement. Because we would have whatever benefit we got out of that arrangement deducted from our State grants from the Grants Commission (if we were still under it), we would have to be bought out of the Grants Commission. The deal we have on being bought out of the Grants Commission is that we get a \$10 000 000 completion grant in respect of this year payable immediately without having to prove it before the Grants Commission.

Mr. Coumbe: You aren't joking, are you?

The Hon. D. A. DUNSTAN: Let me suggest to the honourable member that there was very good reason for the Treasury officers to be as elated as they were that we got this measure agreed to by the Commonwealth.

Mr. Coumbe: You're not suggesting that this is a bribe?

The Hon. D. A. DUNSTAN: The generosity of the terms of our being bought out of the Grants Commission is completely without precedent: it did not happen when we bought out of the Grants Commission under Sir Thomas Playford, and it did not happen with Western Australia or Tasmania. We got a \$10 000 000 completion grant this year, and we get the \$6 400 000 which had previously been awarded but which was being kept on ice as against any time when we were below the deficit standard. We then get our completion grant for last financial year, assessed in September, and we get whatever amount that is.

Dr. Eastick: But we would, in any case.

The Hon. D. A. DUNSTAN: True, but in future years we will get \$25 000 000 in place of the money we would have got from the Grants Commission, again built into the base of the formula and escalating. In those circumstances, the smile on the face of the South Australian Treasury officers when I concluded that agreement, at which they were amazed, was very broad indeed.

Mr. Coumbe: It sounds like you have an eager buyer.

Mr. Millhouse: They're so keen to get their hooks on it.

The Hon. D. A. DUNSTAN: The member for Mitcham has suggested that I am a very poor negotiator.

Mr. Coumbe: Having an eager buyer makes a lot of difference.

The Hon. D. A. DUNSTAN: All I can say is that the Prime Minister was not falling all over himself about this deal, but it so happens that I talked to many Government people before I got the agreement.

Mr. Coumbe: Are you sure he didn't get the lot?

Mr. Millhouse: I think that might have something to do with it.

The Hon. D. A. DUNSTAN: Whether or not he was keen, what we have got is the best price that anyone could have dreamed about.

Mr. GOLDSWORTHY: The Premier may have convinced some people that there are short-term financial benefits in this deal. He may even convince others that there are long-term benefits, but that job he will find somewhat harder. The idea of dismembering the South Australian Railways, with the country railways going to the Commonwealth and the metropolitan railways staying under State control, is a crazy notion. Secondly, the idea

of considering South Australia and Tasmania in isolation from the other States of the Commonwealth, if indeed the Commonwealth Government has a genuine desire to assist the State railways, is equally crazy. Thirdly, if the Commonwealth Government desires genuinely to assist the State railway systems and not simply to gain control of them, there are other alternatives that would be far more logical and acceptable than this stupid, illogical dismemberment of our railway system.

Mr. EVANS: I hope the Premier will be able to say how the costing and accounting will be done for the two separate operations. In the second reading debate, I raised the matter of the 10 000 South Australian Railways employees being transferred to the Australian National Railways. It may not be as high as that, but the Premier can give the exact figure. When they are passed over, the Australian National Railways will send an account in relation to those employees who carry out any activity for the State transport authority in relation to the urban transport service. About 300 employees will be associated with the Adelaide railway station alone, and they will be working partly for the Australian National Railways and partly for the South Australian Railways. These people will be in a grey area, and will not work full-time for either organisation.

For accounting purposes, it is important that the State transport authority and the Australian National Railways have an accurate costing of their operations if we are to get any assessment at all of their efficiency. Will the Premier say how this accounting process can be done efficiently, economically and sensibly without adding significantly to the cost of the overall operation? An initial benefit of \$25 000 000 has been referred to. Maybe there will be an initial benefit that we will obtain for selling one of our significant commodities or businesses, but I should like the Premier to consider the overall running costs. Any increase that is created in this field alone will continue to escalate: it will not decrease, and no-one can deny that an added cost will be involved. Of course, the person who pays that debt is the user of the transport, the taxpayer. He must pay the money that is given to the State Government by the Commonwealth Government, as the latter is not divorced from the people. The Commonwealth Government obtains its money from the people or borrows it from someone overseas, and the people pay for it in the long term. We should not look at the Commonwealth Government as a source from which we can take money and forget about it. Will the Premier say whether the costs involved are going to be related to individual employees and the time for which they work for each authority, or is a rough stab in the dark going to be made? How are these costs to be applied?

Mr. RUSSACK: In the interpretation clause of the agreement, "railways" is defined as including "all land, railway lines, bridges, culverts, wharves" and so on. In this respect, I think of the railway line running along the wharf at Wallaroo. Will the Premier say what the situation is relating to this matter?

Mr. BECKER: In his second reading explanation, the Premier has said clause 19 refers to the taking over by the Commonwealth Government of the Loan moneys applicable to non-metropolitan services. He said:

Of the total of \$140 000 000 involved, \$124 000 000 is public debt as specified in the sixth schedule, and about \$16 000 000 is the other debt incurred under rail standardisation and associated arrangements.

As the total borrowing for the South Australian Railways is about \$140 000 000, and we are transferring \$124 000 000 as well as \$16 000 000 for rail standardisation, I assume that the railways will be left with a capital debt of \$16 000 000. Is it correct, therefore, that the interest bill will be reduced from \$17 400 000 to about \$800 000?

The Hon. D. A. DUNSTAN: I have not checked those figures, but it would be something of that nature.

Mr. VENNING: Will the Premier say what is the situation regarding the silos which have been built on railway property and which are owned by South Australian Co-operative Bulk Handling Limited in this State?

The CHAIRMAN: Order! I understood that that question was asked and an answer given earlier.

Mr. Venning: No.

The Hon. D. A. Dunstan: You asked if the *status quo* would be preserved, and I said it would.

Mr. EVANS: The most important part of running a business is the costing and accounting for work done. Will the Premier say how the costing of these two sections will be worked out?

The Hon. D. A. DUNSTAN: There are numbers of grey areas in the accounting about which there have been constant consultations. I am told by the accountants and the auditor that a satisfactory system of accounting can be achieved.

Mr. Evans: Surely we should be told. Can't you tell us how it is to be done?

The Hon. D. A. DUNSTAN: No, I cannot.

Mr. RUSSACK: As a railway line runs along the Wallaroo wharf, will the responsibility for that wharf go to the Commonwealth Government, or will it remain with the State?

The Hon. D. A. DUNSTAN: The wharf at Wallaroo is the property of the Marine and Harbors Department. The wharfs referred to in the agreement are wharfs owned by the South Australian Railways Commissioner.

Mr. Millhouse: It doesn't say so. You look at the definition.

The Hon. D. A. DUNSTAN: All that is being transferred, if the honourable member looks at the rest of the agreement, is railway property. I suggest that he, too, read the agreement. If it is not railway property, it is not transferred. What would be transferred to the Commonwealth is the licence to have their line on the Marine and Harbors Department's wharf.

Mr. NANKIVELL: There were earlier suggestions that the Commonwealth Government was interested in providing finance to electrify the urban railway scheme. Is there still an arrangement or have there been discussions between the State Government and the Commonwealth Government to provide funds for this, or will the funding for the upgrading of the urban lines be the total responsibility of the States in the future?

The Hon. D. A. DUNSTAN: The same situation obtains now as previously obtained. The Commonwealth Government has assisted in the upgrading of urban services. It has made offers to the States as to co-operation in this matter and has provided us with funds for the development of the Christie Downs railway. The provision of moneys for the upgrading of urban transit systems is an entirely separate operation. It still obtains and it is not interfered with by this agreement.

The Committee divided on the schedule:

Ayes (21)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Harrison, Jennings, Keneally, King, Langley, McKee, Olson, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (17)—Messrs. Allen, Arnold, Becker, Boundy, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Goldsworthy, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin, and Venning.

Pairs—Ayes—Messrs. Hoggood, Hudson, and McRae.

Noes—Messrs. Blacker, Gunn, and McAnaney.

Majority of 4 for the Ayes.

Schedule thus passed.

Title passed.

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

That this Bill be now read a third time.

Dr. EASTICK (Leader of the Opposition): Superficially this Bill provides a financial bonanza for South Australia but, in fact, it is a totally poor financial deal for South Australia, notwithstanding the statements made by the Premier in this House only a short time ago. My colleagues and I cannot accept the type of assertion and the type of confidence that the Premier attempts to instill in us. It is clear that this Bill has been arranged for two purposes, and two purposes only. First, it is a sell-out of this State's resources and facilities to help this Government get out of the financial mess into which it has led South Australia and, secondly, the opportunity is clearly being given to the Commonwealth Government to implement its centralist policy.

The provisions in this Bill have been exhibited time and time again this afternoon as permitting that type of situation. I will have no part of it nor will any of my colleagues; in fact, all my colleagues have previously indicated that they will have no part of it. The facade of contentment that appears on the face of the Premier and his Ministers is one that is put on for the occasion; indeed, it is similar to the facade of contentment on the face of the Premier this afternoon when he tried to suggest that the financial deal we will get for South Australia next week will be advantageous to this State.

The SPEAKER: Order! We are dealing with the third reading of the Bill.

Dr. EASTICK: There is no clear certainty that what is expected to happen in relation to this measure will happen. Many constitutional and other difficulties have been highlighted, and the answers given have not been conclusive. The effect this will have on the State and the lack of certainty about the measure are too great to allow its passage. Even if there was some certainty, I could not accept a sell-out of the railway system in this manner. It will not be supported, and I again extend to the Premier the opportunity given to him last night. Let him test this with the people of South Australia and he will find very clearly that they will not accept it, either.

Mr. COUMBE (Torrens): I also express my opposition at this stage. If anyone had been in doubt earlier, after hearing the questions and answers in Committee his mind would have been made up, because very clearly a number of grey areas (the words of the Premier himself) came to the fore. In many cases the Premier, as Minister in charge of the Bill, was not able to give a clear indication and a precise answer. Our opposition has been reinforced

at the third reading stage because of the puerile and imprecise way in which the Premier answered the probing questions of members of the Opposition.

Mr. MILLHOUSE (Mitcham): I, too, oppose the third reading of the Bill. There is little more one can say about it, and this debate is strictly within the confines of the Bill as it came out of Committee. I do not want to say very much or to trespass, but there is one point I refer to in the Bill itself. The member for Gouger twice asked the Premier for clarification of the definition of "railways" in the agreement, as to whether it meant that the wharf at Wallaroo over which a railway line is built would be transferred, pursuant to this agreement, to the Commonwealth. I have looked carefully at the definition and I direct the attention of members to it, because I believe that the member for Gouger is right in his fear that the wharf will automatically be transferred under this agreement. The definition is on page 5 of the Bill and states:

"railways"—

this is something I had missed until the member for Wallaroo raised it—

The SPEAKER: Order! There is no member for Wallaroo.

Mr. MILLHOUSE: I mean the member for Gouger. I am having a bad day today. I made one outright mistake and then the Chairman of Committees beat me to the call when I was chasing across the Chamber, and now I am giving a wrong name. It is a bad, bad day for me. However, everyone else is apparently rejoicing in it.

Mr. Venning: Oh, no!

Mr. MILLHOUSE: I am comforted. I have some friends, after all.

The SPEAKER: Order! There is nothing about friendship in the Bill.

Mr. MILLHOUSE: Never were truer words said in jest.

The SPEAKER: Back to the Bill!

Mr. MILLHOUSE: Back to the Bill, and back to the definition of "railways". The definition states:

"railways" includes all land, railway lines, bridges, culverts, wharves, buildings, structures—

and it goes on with a long list and comes down, in the third to last line of the definition, to this:

—plant, equipment, tools, and other works, matters and things used, associated, or connected with or appurtenant to the railway system vested in the S.A.R. Commissioner;

The answer to the question asked by the member for Gouger hinges on the construction to be put upon that last clause in the definition. I believe that the words "vested in the S.A.R. Commissioner" govern the words immediately preceding them, that is, "the railway system", and that they do not govern the other things preceding them from "land" down to "matters and things". It is only if one puts a strained construction on it and says that "vested in the S.A.R. Commissioner" governs all the things that are enumerated there that one could possibly accept the assertion of the Premier. What it means, I believe, is that all those things, including the wharves, which are "used, associated, or connected with or appurtenant to the railways system", are transferred under this agreement. I do not believe that that is intended, but I believe that is the strict interpretation, so that the wharves at Wallaroo and the grain silos—

The SPEAKER: Order!

219

Mr. MILLHOUSE: —very likely under this will be transferred. I do not believe that that was intended, but I think that may well be the effect of it.

The Hon. D. A. Dunstan: Nonsense!

Mr. MILLHOUSE: Why?

The Hon. D. A. Dunstan: Read clause 5.

Mr. MILLHOUSE: I have read clause 5.

The Hon. D. A. Dunstan: The transfer does not take place in the interpretation clause.

Mr. MILLHOUSE: I know that.

The Hon. D. A. Dunstan: Clause 5 says what is transferred.

Mr. MILLHOUSE: That is right, and that is the railways. Right? And that is in the definition of "railways".

The Hon. D. A. Dunstan: It does not say that at all.

Mr. MILLHOUSE: Yes, it does. However, I am not going to argue the matter any further.

The Hon. J. D. Corcoran: Because you—

Mr. MILLHOUSE: The Premier and the Deputy Premier pay me a compliment by trying to rejoice in contradicting me, but I believe that I am right, because the definition of "railways" is wide enough to cover a wharf over which a line is built and rolling stock runs. I cannot say there is no doubt; one can never say that, but there is little doubt that that is the correct interpretation of the definition. I merely make that point. I have already been several times over my objections to this measure. My final point is that it is ironic indeed that, at a time when the South Australian members of the Australian Labor Party do not even want Mr. Whitlam to come to their jolly annual convention—

The SPEAKER: Order! Any further infringement of Standing Orders and the member for Mitcham will suffer the consequences.

Mr. MILLHOUSE: —they are nevertheless willing to give to the same gentleman our railway system.

Mr. GOLDSWORTHY (Kavel): I have not played any major part in this debate, because I was not here during the second reading stage of the Bill, but I want to place on record my attitude to this legislation. The long-term financial implications of this Bill are far from clear. I would concede that the Premier has negotiated some short-term financial benefit for the State but the long-term advantages are far from clear. Secondly, it is a completely crazy concept in any terms of logic to dismember the railways of South Australia. I cannot conceive of any possible increase in efficiency that could occur as a result of this division of the South Australian Railways. Perhaps some problems are transferred to the Commonwealth, but I cannot see any overall advantage or increase in efficiency as a result of this proposition. Thirdly, it is an equally crazy concept that the Commonwealth will control the country rail services of South Australia and the rail services of Tasmania but not the rail services of the other States of Australia. I suggest it is highly unlikely that the Commonwealth Government will have an opportunity to take over the railways of the other States, for the simple reason—

The SPEAKER: Order! We are debating the third reading of the Bill. The honourable member for Kavel.

Mr. GOLDSWORTHY: The Bill is concerned with the jurisdiction of the Commonwealth Government.

The SPEAKER: As far as South Australia is concerned. The honourable member for Kavel.

Mr. GOLDSWORTHY: So that the Australian Government will in fact control a limited part of the State railways in this country. I believe this is where it will begin and end, because that Government will be short-lived. This will lead to a piecemeal national situation that I believe will obtain indefinitely. On the third ground it seems completely illogical, whether considered from a State or national point of view. The Australian Government will not see the day when the system will be extended further. If this is a genuine desire of the Australian Government to assist the State rail services, including the South Australian Railways, there would be other more logical ways of doing it: for example, I refer to debt charges. If we are to consider South Australia only, it would be more logical to take the lot, although we would still oppose that. The legislation has been introduced as a short-term financial and political expedient, and on these grounds it should be rejected.

Mr. GUNN (Eyre): Having listened closely to the replies of the Premier during the Committee stage, I believe it is a very sad occasion for those who believe in the decentralisation of power. How can anyone call himself a democrat and say he believes in the rights of people, and yet subscribe to such a measure? If this Bill is passed there will be an open invitation for the Commonwealth Government to destroy the road transport system of this State.

The SPEAKER: Order! Back to the Bill.

Mr. GUNN: Powers contained in the schedule will allow the Commonwealth authorities to destroy road transport on Eyre Peninsula. What the Premier has done is similar to a farmer selling part of his farm in order to pay his overdraft interest rates, because it is only of short-term benefit. Nowhere has the Premier shown to members or anyone else the long-term benefits to Australia and South Australia, if one considers properly all the issues involved. Those benefits are the concern of Opposition members, and I would not take action that would be detrimental to the overall benefit of the people of this country whom we should protect and whose overall welfare we should consider.

The House divided on the third reading:

Ayes (20)—Messrs. Broomhill, Max Brown, Burdon, Corcoran, Crimes, Duncan, Dunstan (teller), Groth, Harrison, Jennings, Keneally, King, Langley, McKee, Olson, Payne, Slater, Virgo, Wells, and Wright.

Noes (17)—Messrs. Arnold, Becker, Boundy, Dean Brown, Chapman, Coumbe, Eastick (teller), Evans, Goldsworthy, Gunn, Millhouse, Nankivell, Rodda, Rus-sack, Tonkin, Venning, and Wardle.

Pairs—Ayes—Mrs. Byrne, Messrs. Hopgood, Hudson, and McRae. Noes—Messrs. Allen, Blacker, Mathwin, and McAnaney.

Majority of 3 for the Ayes.

Third reading thus carried.

Bill passed.

FOOD AND DRUGS ACT AMENDMENT BILL

Second reading.

The Hon. L. J. KING (Attorney-General): I move:

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

This short Bill provides for amendments to the principal Act consequential on certain of the amendments proposed by the Health Act Amendment Bill, 1975. It provides that the audit and accounting procedures of county boards under the principal Act be brought into line with the requirements of the Local Government Act as is proposed by the Health Act Amendment Bill, 1975, with respect to county boards under the Health Act, 1935-1975.

Clauses 1 and 2 are formal. Clause 2 provides that the Act shall come into operation on a day to be fixed by proclamation. Clause 3 amends section 15 of the principal Act by providing that a county board elect one rather than two auditors; the accounts of a county board be audited in the month of December in each year; and the abstract of receipts and expenditure need not be published in the *Government Gazette*.

Dr. TONKIN secured the adjournment of the debate.

ADJOURNMENT

At 5.45 p.m. the House adjourned until Tuesday, June 17, at 2 p.m.