LEGISLATIVE COUNCIL

Tuesday, October 26, 1965.

The PRESIDENT (Hon. L. H. Densley) took the Chair at 2.15 p.m. and read prayers.

ASSENT TO BILLS.

His Excellency the Governor, by message, intimated the Governor's Deputy's assent to the following Bills:

Appropriation (No. 2),
Port Pirie Racecourse Land Revestment,
Referendum (State Lotteries),
Associations Incorporation Act Amendment,
Noxious Trades Act Amendment.

DEATH OF HON. SIR FRANK PERRY.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Council express its deep regret at the death of the Hon. Sir Frank Tennyson Perry, M.B.E., former member for Central No. 2 District in the Legislative Council, and place on record its appreciation of his public services and that, as a mark of respect to the memory of the deceased honourable member, the sitting of the Council be suspended until the ringing of the bells.

In moving the motion, I should like to refer to the remarkable record of public service given by the late Sir Frank Perry to Parliament, local government, educational institutions and, last but not least, to the development of secondary industry in this State.

Sir Frank Perry served in both Houses of this Parliament. He was a member of the House of Assembly for East Torrens from 1933 to 1938 and a member of this Council from 1947 until his lamented death last week. Sir Frank was held in the highest esteem by all with whom he associated, both in this Parliament and elsewhere in Australia. His long and distinguished association with the Parliament was marked by his valuable contributions to the debates of both Houses, and his profound knowledge of industrial matters was of inestimable value to the Parliament.

His deep interest in educational institutions is well known. Sir Frank served both the University of Adelaide and the Commonwealth Scientific and Industrial Research Organization with distinction. His leadership in industry and his valuable knowledge of the metal industries were used to great advantage during the Second World War and his efforts were recognized when he was made a Member of the Order of the British Empire in 1951 and a Knight Bachelor in 1955.

Sir Frank made a significant contribution to the development of secondary industry in South Australia. We mourn the passing of such a distinguished gentleman and colleague and tender our heartfelt sympathy to Lady Perry and members of the family.

The Hon. Sir LYELL McEWIN (Leader of the Opposition): I second the motion and regret the circumstances that have made it necessary for such a motion to be submited to this Council. Sir Frank Perry was a distinguished Australian citizen. I first knew him in the 1933-1938 Parliament, which was the last Parliament before single electorates were introduced, when he was one of the representatives for the multiple district of East Torrens. He was a qualified engineer and was Chairman of Perry Engineering Co. Ltd. from its inception as a private company and later as a public company until his death.

His qualities were recognized by the Commonwealth Government during the Second World War, when he was appointed Chairman of the Ammunition Industry Advisory Committee, and he was on several other boards and commissions associated with the defence of our country. For these services, he was appointed a Member of the Order of the British Empire. Later, of course, his services were further recognized and he was given the honour of Knight Bachelor, as has been mentioned by the Chief Secretary.

Sir Frank entered the Legislative Council in 1947 and to the time of his death had completed over 18 years' service in this Chamber. His knowledge of industrial matters was a distinct benefit to this Council. Besides all these qualities and the duties that he carried out, as the Chief Secretary has mentioned, he had prior to that taken a considerable interest in civic matters and local government as a councillor and alderman in the municipality of St. Peters and was mayor at one time. So, he had an exceedingly busy and distinguished career. His integrity, personality, tolerance and generosity earned him the respect and affection of all members of Parliament and all those who were associated with him in any way outside Parliament. We shall miss him greatly, and on behalf of the Liberal and Country Party members in this Chamber I express sympathy to Lady Perry and members of the family in their bereavement.

The Hon. Sir ARTHUR RYMILL (Central No. 2): As the immediate colleague of Sir Frank Perry, I think it would be not inappropriate for me to add my tribute to those already made. Frank Perry was a mighty man, both physically and mentally. Over the years we have been fortunate to have had many great personalities in this Chamber. If it were not

for Standing Orders, I could refer with a look over my left shoulder to one among them, but Frank Perry ranks well with the greatest of them.

I am grateful for the experience that he passed on to me over 10 years of comradeship. He taught me many things about many subjects, and I only hope that I shall be able to give some continuity, albeit in a lesser way, to an expression of his outlook, but, of course, I am a commercial man and he was an industrialist. I think I am right in saying that he was the only industrialist on this side of the Chamber. I believe this is where—with all his great qualities that have been referred to, namely, his integrity, his staunchness, his generosity, his drive and his wisdom—this is where we may miss him most. I had a great personal affection for him, and I shall miss him very deeply. I join in the expressions of sympathy to Lady Perry and her family.

The Hon. JESSIE COOPER (Central No. 2): I am very proud to have been associated with the Hon. Sir Frank Perry during the past seven years. I do not wish to reiterate the remarks made by other honourable members about his outstanding achievements throughout his life, but I should like to add a few words from my personal experience. Sir Frank was a man of vision who had great faith in the future of his country. As a colleague, he was loyal and wise; he was strong in character and mind; and he was steadfast and courageous in all his actions. To me, he was the personification of Chaucer's perfect gentle knight. In his end, he was a shining example to us all.

The PRESIDENT: In putting this motion, I should like to add my tribute to the late Sir Frank Perry. Sir Frank was beloved by all of us, and I think by everybody with whom he came in contact. First, he was an industrialist, and I think everybody appreciates what industrialization has done for South Australia. Sir Frank was a leader in that industrialization of the State. He was a member of Parliament for many years, both in the other place and in this Chamber, and he always carried out his duties faithfully. He was a member of the University Council and Finance Committee, and was looked up to there as a leader because of his knowledge of finance and the administration of university affairs. I am sure we all sincerely regret his passing, but we can say that he has passed on in the knowledge of a job very well done. We extend to Lady Perry and the family our sincere sympathy.

Motion carried by members standing in their places in silence.

(*Sitting suspended from* 2.30 *to* 3 *p.m.*)

QUESTIONS

QUEEN ELIZABETH HOSPITAL.

The Hon. Sir LYELL McEWIN: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. Sir LYELL McEWIN: My question is to the Minister of Health and relates to a matter that I raised previously concerning additional beds for the Queen Elizabeth Hospital. On October 5, in reply to my question, the Minister said:

It has been suggested that another complete building be constructed within a certain part of the hospital, but personally I do not favour this. The last thing that happened was that a suggestion was made that possibly it would pay all concerned to contact the architects who built the original building and discuss the matter with them.

I do not know whether that reply was meant to convey that the matter was being considered by the Government. I know that I am not allowed to express an opinion at this time, but I ask the Minister whether any further steps have been taken so that the way may be made clear for the additions that are urgently required?

The Hon. A. J. SHARD: I do not desire to express any opinion now, but I will take up the matter with the Public Buildings Department to ascertain the position and inform the Leader of the Opposition as soon as possible.

ROSEWORTHY RAIL CROSSING.

The Hon. M. B. DAWKINS: On October 5 I addressed a question to the Minister of Transport with reference to the railway crossing on the Main North Road immediately north of Roseworthy. Has he a reply?

The Hon. A. F. KNEEBONE: Yes. Circumstances affecting road and rail traffic at the level crossing at 31 miles 40 chains, Morgan line, are reviewed from time to time, the last occasion being in August of this year. The crossing is not included in the list for which priority of automatic warning devices is high. It will continue to be kept under notice.

GRASSHOPPERS.

The Hon. R. A. GEDDES: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. A. GEDDES: The original report regarding grasshoppers made during the last few weeks gave the impression that the

outbreak was confined to the Hawker area. From more recent reports received it would appear that the grasshoppers, which are now in the flying stage, are spread over a large portion of the district council areas of Carrieton, Quorn, Dawson and Peterborough, with a heavy infestation in the hundred of Erskine. Will the Minister representing the Minister of Agriculture ask him to consider having a survey made of the breeding grounds of grasshoppers in those areas where they are most likely to affect directly the pastoral, grazing and agricultural pursuits of the State, with a view in future years to being able to spray the young hoppers as they hatch before they get to the flying stage?

The Hon. S. C. BEVAN: I shall refer the matter to my colleague the Minister of Agriculture and obtain a report.

MOONTA FORESHORE.

The Hon. C. D. ROWE: Last Tuesday I asked the Minister of Transport, representing the Minister of Marine, a question about repairs to the foreshore at Moonta Bay. I may be a little early in asking for a reply and, if so, I apologize to the Minister. However, I am being pressed on this matter by my constituents for a reply.

The Hon. A. F. KNEEBONE: I am sorry to inform the honourable member that I have not the answer today but I will speak to my colleague and get an answer as soon as possible as the matter is urgent.

ANGLE VALE BRIDGE.

The Hon. M. B. DAWKINS: Has the Minister of Roads a reply to my question of October 14 about the construction of a proposed new bridge at Angle Vale?

The Hon. S. C. BEVAN: Yes. In reply to the honourable member's question, I now report that the contractors have commenced work, mainly on the casting of foundation piles, which has been carried out in the contractors' yard. The piles require 28 days for curing before they can be driven. Some on-site work has been carried out, mainly alterations to public utilities. Main work on the site was to be commenced on or about October 25.

WAR SERVICE RENTALS.

The Hon. R. C. DeGARIS: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. C. DeGARIS: For some time negotiations have been in progress about the final rentals for war service settlers in what is known as Zone 5. This whole question is complex as it concerns the question not only of final rentals but also of drainage betterment. Will the Minister representing the Minister of Lands obtain a report from his colleague on the present position of these negotiations?

The Hon. S. C. BEVAN: I will refer the question to the Minister of Lands for report.

RAILWAY CROSSINGS.

The Hon. L. R. HART: Has the Minister of Transport a reply to a question I asked on October 5 about warning devices at railway crossings?

The Hon. A. F. KNEEBONE: I have an answer in the following terms: The purpose of the warning bell in conjunction with flashing light signals at level crossings in built-up areas is for the protection of pedestrians, whose path over the railway requires that they move out of the area where the beam from the flashing light can be seen. It is considered the bell is an essential part of the system. Experiments have been conducted with a view to eliminating the use of a bell, either entirely or in conjunction with automatic gates, for a portion of the warning period. In every case complaints have been received from members of the public that the equipment has failed. In view of the reliance placed upon established equipment, it is considered that warning bells should continue to be employed in conjunction with flashing lights.

WILLIAMSTOWN AREA RESERVOIRS.

The Hon. M. B. DAWKINS: Has the Minister representing the Minister of Works a reply to my question of October 19 about the storages of the three reservoirs in the Williamstown area?

The Hon. A. F. KNEEBONE: Yes. The following table sets out the water storage position in the South Para, Warren and Barossa reservoirs at the end of the last period, 8.30 a.m. on Monday, October 25:

Reservoir	Capacity (Million gallons)	Storage (Million gallons)
Barossa	993	883.5
South Para	11,300	6,701.2
Warren	1,401	680.5

CLOUD SEEDING.

The Hon. R. A. GEDDES: Will the Minister representing the Minister of Works request his colleague to ask the Commonwealth Scientific and Industrial Research Organization to conduct further experiments on the seeding of clouds over Adelaide's catchment areas in the hope of inducing rain to supplement the

already low supplies of water in the reservoirs supplying the city?

The Hon. A. F. KNEEBONE: I shall convey the honourable member's question to my colleague and bring back a reply as soon as I can.

TEACHER ACCOMMODATION.

The Hon. R. C. DeGARIS: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. C. DeGARIS: In some larger country centres great difficulty is experienced in finding suitable accommodation for single school teachers. Because of the shortage of houses in some of these areas, the problem is becoming increasingly acute. In view of this, will the Minister representing the Minister of Education say whether the department will consider the erection of suitable hostels in the major country centres?

The Hon. A. F. KNEEBONE: I shall convey the honourable member's question to my colleague and obtain a reply as soon as possible.

ROAD TRAFFIC ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 2198.)

The Hon. R. A. GEDDES (Northern): In supporting the second reading of this Bill, I wish to comment briefly on some of the suggestions made by the Minister in his second reading explanation. Regarding clause 4, which strikes out certain words from section 21 of the principal Act, the Minister said that children who cross roads going to or from schools away from main roads are adequately covered by the sign "children". I do not criticize this clause, but I wonder whether we should not have some regulation to force motorists to slow down when approaching or passing these signs, because, if children are trained to cross roads at certain places between signs, the motorists should be made aware of this even though the school may not be in the immediate vicinity.

Clause 9 deals with vehicles belonging to fire fighting organizations registered under the Bush Fires Act; it eases restrictions on them so that they can get to a fire quickly. This clause will enable them to be treated as if they were vehicles belonging to the fire brigade. A problem that I can see is that these organizations do not necessarily have fire engines; the regulations under the Bush Fires Act do not specify the need for a fire engine, in any case. However, many people belonging to a fire fighting organization registered under the Bush Fires Act could make use of this amendment, and I do not know that they should be able to do so. Section 87 of that Act refers to a vehicle driven by or in the charge of a fire control officer, and provides that such vehicle may be driven at any speed that is reasonable in the circumstances for the purpose of transporting persons to places where they intend to perform fire fighting duties. I am a member of an organization (I am not a fire control officer), and I do not think it is right that I should have the authority to go through stop signs and do the other things that a vehicle of the Fire Brigade Board can do under section 40 of the Road Traffic Act.

The Hon. Sir Norman Jude: Don't you think it is wise to get the equipment there as quickly as possible?

The Hon. R. A. GEDDES: I do not agree with this provision. The average farmer would have a fire truck. Will all units be exempt?

The Hon. Sir Norman Jude: Yes.

The Hon. R. A. GEDDES: If that is so, I am far from satisfied. Clause 10 relates to the duty of a person to stop and report in the case of an accident. I am amazed that this sort of thing should be included in legislation. Perhaps it would be wise for motor cars, as far as possible, to be equipped with first-aid kits. One is found in the average home. Because kits are not often carried in motor cars help cannot always be given, but if they were carried people who have to be told that they must stop and help an injured person (and it is shocking to think that people could neglect such a duty) would be able to help. I have no criticism of clause 11 but I can see problems for the motorists, especially if the provision is enforced with any degree of severity. The other day when driving in a Mini Minor behind a Tramways Trust bus I saw how difficult it is to gauge the position at a blocked intersection. I found it difficult to gauge just when the traffic flow was sufficient to enable me to get across the intersection. Clause 14 deals with giving way to the vehicle on the right. Not only is the provision to apply when a vehicle is approaching an intersection, but the inclusion of the words "or in" means that a motorist must give way both when approaching an intersection and when he is actually in the intersection. I can see the need for such a provision but I cannot see how a driver can give due regard to a vehicle on his right when he is in the intersection. Section 63 (3) states:

It shall be a defence to a charge for an offence against subsection (1) to prove that the

defendant was not aware and could not by the exercise of reasonable care have become aware of the approach of the other vehicle.

I think that this section will be used frequently to get the motorist out of trouble. I can imagine a large intersection where a motorist has the clearance to go through because no vehicles are in front of him and because the traffic on the left has stopped, but what would be the position if a vehicle appeared on the right when the motorist was halfway through the intersection? In order to give way to this vehicle the motorist would have to either turn left or stop. This sort of thing could cause confusion to the motorist when he is actually in the intersection. Clause 15 deals with signalling devices switched off after the turn has been completed. I should like a distance of 50ft. to be allowed before an offence is committed as a result of a device failing to cancel the signal. I know that these signalling devices are left on at times, but perhaps that distance could be permitted before the motorist commits an offence. During rainy periods at night it is difficult to know whether a white signalling device on the front of a vehicle is working. The position is much easier when there is an amber-coloured light. Perhaps manufacturers could be persuaded to install amber-coloured lights. I think it would provide an additional safeguard.

I have trouble in detecting hand signals on trucks. Mostly such a signal is a few inches outside the range of the rear vision mirror and it is difficult to know whether it is operating. I do not know the figure for accidents associated with trucks moving from one lane to another or around a corner, but I think it must be high, particularly on the road between Gawler and Adelaide where there is a fair speed range. The rear vision mirror confuses the motorist, because he does not know whether the hand signal on the truck in front is operating. Clause 21 (1) reads:

A person shall not walk along a carriageway of a road if there is a footpath on that road.

Other honourable members have referred to this problem, and I support their thinking. A wider definition of "footpath" would be a fairer way of trying to compel people to use footpaths. I do not criticize this amendment. I agree with the Hon. Mrs. Cooper when she says that the South Australian pedestrian is one of the worst in Australia, but I remember many country towns with no formed footpaths. I remember, too, many new housing areas in the State, including those in Adelaide, possibly with sealed roads but no footpaths readily available to walk on. I have in mind particularly mothers with children in pushers, and the like. Many words can be suggested regarding footpaths, but I suggest "serviceable".

The Hon. S. C. Bevan: The Bill provides a definition of "footpath".

The Hon. R. A. GEDDES: The definition is:

"footpath" includes every footway, lane or other place intended for the use of pedestrians and not for the use of vehicles.

Such a footpath is all very well but, if a pedestrian cannot readily use a footway and he gets hit by a car and in a subsequent action the defence claims that he should have been on a footpath, the situation is not easy for him. If a footpath is muddy or has grass growing on it six or seven inches high or is full of gravel so that a woman cannot push a pusher along it, surely there should be an easing of the definition of "footpath" and of the meaning of clause 21 where it states "a person shall not walk along a carriageway of a road if there is a footpath"?

Clause 25 presents some problems. Subclause (2) states:

The following vehicles may be driven on a road between half an hour before sunrise and half an hour after sunset—(*a*) an agricultural machine more than 8ft. wide;

To my knowledge, this privilege of being allowed to drive an agricultural machine more than 8ft. wide between half an hour before sunrise and half an hour after sunset is not in the principal Act, and I see no reason why it should be in this Bill. Modern farm machinery travelling on a sealed road bordered with white posts usually covers more than half the road. If a farmer were travelling half an hour before sunrise in the middle of winter and coming over the brow of a blind hill were suddenly confronted with a motorist with his lights dipped, as the Act states, and at a speed of 60 m.p.h., he could find it most embarrassing. I see no reason why we should allow this section of the community the privilege that he need have no lights, flag or warning device on the extensions of his equipment. It could be a rainy evening or morning; yet we allow him to travel on the roads to the detriment of the safety of others. Subclause (3) states:

Where a vehicle carrying a load as described in paragraph (*b*) . . . is driven on a road within the times referred to in that subsection the side extremities of the load shall be clearly indicated by pieces of red material not less than eighteen inches square.

Maybe I cannot read this very well, but it seems that between half an hour before sunrise and

half an hour after sunset a truck carrying a load more than 8ft. wide consisting of agricultural machines or new motor bodies must have on it a red flag—and only then, not during the rest of the day.

The Hon. S. C. Bevan: Your interpretation is rather haywire, isn't it?

The Hon. R. A. GEDDES: I qualified my remarks by saying "Maybe I cannot read this very well". The test is "the times referred to in that subsection" (that is, between half an hour before sunrise and half an hour after sunset) "the side extremities of the load shall be clearly indicated by pieces of red material . . . ."

The Hon. S. C. Bevan: The Bill provides that it shall be driven in daylight hours and not in night hours. That is the whole point, and you are missing it.

The Hon. R. A. GEDDES: I have the point that they must travel in daylight hours, but they are allowed to travel between half an hour before sunrise and half an hour after sunset in the prescribed daylight hours. It is only within those times—I get the Minister's point.

The Hon. S. C. Bevan: Very good!

The Hon. R. A. GEDDES: Clause 27 has been ably covered by other honourable members and I do not wish to belabour the Council with unnecessary repetition of the problem of 5,000 lb. weight on any single tyre. There were many instances of the problems of carriers even before this limit of 5,000 lb. on a single tyre came into being. This applies particularly to stock carriers, who have no ready method of assessing the loads they put on and who, having got their loads on, have to cope with the movement of stock from one portion of the truck or tray to another, which can produce a temporary excess of weight on one wheel or axle at various stages of a journey. It is already creating much trouble for many stock carriers throughout the State. Another problem is that section 156 allows an inspector to instruct the driver of an overloaded vehicle where to unload his stock, which could be to the detriment of and an embarrassment to the owner of the stock. It could cause considerable economic loss. This amendment, as outlined in clause 27, together with the heavy penalties for overweight on an owner or carrier when such owner or carrier has no practical means of ascertaining whether or not his vehicle is overloaded makes it a doubly difficult problem to handle. Furthermore, the words "unless otherwise approved by the board" cast a doubt in regard to discrimination. Will the authority given to the board be vested virtually in one man, the secretary, who will be able to say "Yes" or "No" to the hundreds of applications that I imagine he will receive for permission for the additional weight to be carried on the single tyre? I am concerned that this may lead to discrimination.

If any exemptions are granted, surely road damage will continue. I consider that, if the Government is emphatic that 5,000 lb. a tyre is to be the law, we ought to have that and not the words, "unless otherwise approved by the board". There is the difficulty regarding the number of vehicles that will have to be exempted immediately, such as mobile cranes, rubber-tyred earth movers, heavy low loaders, buses licensed by the Transport Control Board, buses operated by the Municipal Tramways Trust, fork lift trucks that operate from factory yards or on the water front or on State highways, most four-wheel-drive heavy-duty vehicles and timber straddle lift carriers.

A check of front axle unladen weights of three popular forward control tipping trucks, all costing £5,000 or more, revealed unladen weights of 3 tons 6cwt., 3 tons 1cwt., and 3 tons 12cwt. Many trucks operating in South Australia have an unladen front axle weight in excess of 3 tons. I do not consider that the Government desires to restrict the loads of trucks carrying gravel or wheat and thereby increase transportation costs in cases where the vehicles are designed to do the particular work. If that assumption is correct, then the list of exemptions that will have to be granted by the board in order to keep these vehicles on the road will be lengthy. Would it not be far wiser to raise the 5,000 lb. limit and have one common denominator for the front axle loading?

Clause 29, interestingly enough, strikes out the word "white" in connection with trucks that have a long load projecting beyond the tray. In the past, it has been necessary for the truck driver to have white material hanging from the end of the load, as a warning to oncoming motorists. The Minister said in his second reading explanation:

Long projecting loads are a serious hazard and it is most desirable that the projecting portion be adequately marked.

Red material is considered necessary in the case of wide loads, which are dealt with in clause 25 but, in future, it will not be necessary to have a piece of white material attached to long projecting loads. I question the wisdom of deleting the necessity for the provision of white

material, because extreme difficulty is experienced by persons approaching long projecting loads. I have noticed this particularly with Electricity Trust jinkers carrying stobie poles. Many of these jinkers are fairly low; they are about windscreen height on a modern motor car and, while I agree that there must be something to warn motorists that there is a projection behind the vehicle, "material or other device" is inadequate as a warning and seems to me to be a step in the wrong direction. I prefer the use of white material. Even though it does not stay white for long on a rainy day, the attempt to warn is there. I appreciate that the Minister is attempting to overcome the problem, but many of these clauses must be examined, and I question whether the provision regarding the use of white material should be deleted. I have pleasure in supporting the second reading.

The Hon. Sir LYELL McEWIN (Leader of the Opposition): This Bill has already been debated at considerable length. It is primarily a Committee Bill and the only notes I have made relate to queries regarding clauses and to information I desire to obtain in Committee. However, I shall mention one or two matters with which the Minister may care to deal before the Bill is considered in Committee. I have noted some of the comments made by other honourable members and there are some provisions that I do not think are clear.

First, clause 8 deals with speed zones that can be prescribed by regulation and amended by the Minister. I agree that it is good to have one authority dealing with speed zones, because if the position were otherwise there could be variations. An attempt has been made in the past to regularize the position, and I think it has been over-regularized. For instance, the speed limit on main highways through every town and village is 35 miles an hour. In some cases, that is an undue restriction on modern traffic. As an instance, I cite Roseworthy. I often travel the road that by-passes that town. On one side of the road there is nothing and on the other there is only a garage. Of course, a football match may be played on one day a week on a small piece of ground. However, one breaks the law if one does not reduce speed to 35 miles an hour on that section. I think that restriction of speeds in cases like that invites people to break the law, particularly if they are travelling some distance.

In the area to which I have referred, there is open space on one side of the road and visibility is good along the road that comes from the town. In addition, one assumes that those who are travelling in the town area will not expect those travelling longer distances to slow down. Clause 9 provides that fire fighting organizations shall have the same exemptions from the provisions of the Act in relation to their vehicles as the fire brigade and police have. I think the Minister said that this would apply to a farmer's vehicle that had fire fighting equipment on it. I do not know whether that is so, but if it is it will lead to confusion. Police and fire brigade vehicles have sirens, and everyone who hears a siren knows what he must do. I think the only vehicles that should be exempt are those operated by the Emergency Fire Fighting Services, as they have sirens fitted to them. Clause 12 provides that a certificate given by a Government analyst shall be prima facie evidence of the result of a blood test. I take it that a blood test will still be voluntary.

The Hon. A. J. Shard: That is so.

The Hon. Sir LYELL McEWIN: In those circumstances, if the defendant desires a test he will be able to have one taken. If the rule relating to right of way were observed, I suppose few accidents would occur. However, I have noticed repeatedly that, even though motorists may have right of way, they find it difficult to move into a main road. If they try to do so they are often abused by people who have to slow down slightly to give right of way. I do not know how this can be improved here. In travelling in taxis in Sydney, particularly those operated by owner-drivers, I have noticed that the drivers give way to people on their right who are trying to enter main roads. That is not so here, however, and it is no wonder that many people refer to the bad driving in our city. This is due only to lack of consideration.

I think the penalty of £50 provided by clause 14 for not ensuring that turning lights have ceased operating after a turn has been made is severe, although I know it is annoying to follow a car, particularly the English car that sometimes has the arm type of indicator, that has the signal still partly extended and illuminated for a long time after a turn is completed.

The Hon. Sir Arthur Rymill: It is the vehicle approaching that causes the danger.

The Hon. Sir LYELL McEWIN: Vehicles equipped with blinking lights have warning lights on the instrument panel that remain on if the signal does not cease to operate after completing a slight turn. This makes it easier for the driver to know that the signal

is still operating, but a penalty of £50 is heavy for something which, although it may slow down traffic, does not create a hazard.

I am confused about clause 21, as I do not know what is meant by "two-way carriageway", although I presume that "one-way carriageway" is a new way of referring to a one-way street. I have asked several people for their interpretation of this clause, and most have said that a two-way carriageway is a two-lane highway. However, it is impossible to walk to the right of the road and face traffic on a two-lane highway. These words are confusing, and surely Bills can be drafted so that laymen can understand them.

The Hon. C. D. Rowe: The difficulty is in distinguishing between a dual highway and a divided highway.

The Hon. S. C. Bevan: King William Street has a two-way carriageway and is a divided highway.

The Hon. Sir LYELL McEWIN: Those interjections show that everyone has a different interpretation.

The Hon. A. J. Shard: We are being kind to the lawyers!

The Hon. Sir LYELL McEWIN: I have been told that they are busy, so why should we have legislation that will make them busier? So much in this legislation provides for what the Minister must do that I feel sorry for him, as he is already overworked. I walked down Kintore Avenue the other day but could not walk on the footpath because of its narrowness. In a case like that where does the pedestrian walk—on the roadway? What is a pathway? In another suburb on one side of a road there is a paved footpath, but on the other side no-one would attempt to walk on the footpath because it is muddy in wet weather and dusty in dry weather. If anyone walked on the roadway there he would be prosecuted. Until councils do something about putting footpaths in good condition we should not compel people to walk on them.

I should like to get some information from the Minister regarding the hangover of loads on lorries. Somewhere, though I cannot find it, a reference is made to "a suitable device". When I travelled on the Continent I saw used at night an excellent device on trucks, particularly those with a tailboard. There were stripes in fluorescent paint that could be seen a quarter of a mile away. There was a clear reflection of the vehicle ahead and an indication that some danger was associated with that vehicle. One speaker mentioned that there is a hangover when electricity poles are carried on trucks. Of course, they are dangerous, but smaller articles are also dangerous. The other night I followed a utility with a 12ft. stepladder on it. The ladder was of a colour that could not be seen easily and at the end of it was a dirty piece of rag that did not show up very clearly. Considerable danger was associated with that vehicle. When we have situations like this every effort should be made to ensure the safety of other people. The overtaking of such a vehicle presents a danger for the following motorist. If there is nothing in the Act to cover this matter I suggest that we amend the Act to provide for it. Generally, I support the Bill, but there are several matters that need careful examination.

The Hon. G. J. GILFILLAN (Northern): I give general support to the Bill as introduced but there are one or two queries I shall raise in order to get explanations from the Minister. I do not want to waste the time of the Council so I shall concentrate on the clause which I question. Clause 4 deals with signs near schools and playgrounds. It deletes from section 21 (1) of the principal Act the words "or a portion of a road used by children going to or coming from a school". With those words deleted the section reads:

> The Commissioner of Highways or a council may erect at any suitable place on a road a sign for the purpose of warning drivers that they are approaching a portion of a road abutting on a school or playground.

I have had experience of the sort of situation that applies where a school is near a busy roadway. Although that roadway may not be adjacent to a school, children have to cross it, and there is always a great risk in their doing so. I think the wording of the section could be improved. We should not expect drivers to know whether children are going to or coming from a school. Surely other words could be found to give schoolchildren the desired protection. In fact, it would not be unreasonable to give all children protection. I suggest that the Minister look at this matter with a view to giving the required protection.

The Hon. Sir Norman Jude: What about the sign "aunt sally"?

The Hon. G. J. GILFILLAN: The sign "aunt sally" has been erected by councils in many places but it has no defined legal standing. Our main concern should be for the safety of children. Clause 7 inserts new section 31a, portion of which states:

(1) no carriageway shall be declared a one-way carriageway unless the board has consented to such carriageway being declared a one-way carriageway.

I believe there is some merit in a central authority, such as the Road Traffic Board, advising on these matters, but we observe throughout this and other legislation a continuing trend to take away authority from local government, which, after all, is in a better position than most people to appreciate local traffic conditions, which often vary during the seven days of the week. I have the same question about clause 19, which proposes to enact section 82a of the principal Act as follows:

Notwithstanding the proviso to subsection (1) of section 82 of this Act a council shall not by by-law, resolution, or otherwise, authorize a vehicle to stand at any angle on any road unless the council obtains the prior approval of the board therefor.

Local government should be fully qualified to act in respect of this clause.

The Hon. S. C. Bevan: But it does not do anything about it. There are many hazards to be dealt with.

The Hon. G. J. GILFILLAN: That could be so but, in my experience, local government is fully aware of the hazards within its own areas.

The Hon. Sir Norman Jude: Like the main street in Gawler.

The Hon. G. J. GILFILLAN: The main street in Gawler and, possibly, other main streets of a similar nature are, of course, the province of the council concerned. There is a by-pass around Gawler, as Sir Norman is well aware. The council has other considerations to take into account. In many country towns—

The Hon. S. C. Bevan: Do you think councils are sometimes subject to pressures?

The Hon. G. J. GILFILLAN: That could be so.

The Hon. R. C. DeGaris: Do you think that other forms of Government are subject to pressures?

The Hon. G. J. GILFILLAN: That could also be so. In other country towns to implement ranking satisfactorily would mean either a complete realignment of the kerb or the abolition of verandah posts. People shopping appreciate the shelter they get from verandahs. This could be handled by the local authority. Clause 11, which enacts section 45a of the principal Act, states:

Notwithstanding any other provision of this Act, a driver shall not enter upon or attempt to cross any intersection or junction if the intersection, or junction, or the carriageway which he desires to enter, is blocked by other vehicles. Penalty: Fifty pounds.

I can fully understand the reason for bringing forward this legislation. In the metropolitan area many intersections can become blocked by cars during busy periods. I have in mind one intersection in North Adelaide where there is a short distance between traffic lights. As far as I can see, this new section is particularly severe in its penalty, because there are many times when a driver has very little warning of what is happening in a traffic stream. He may be in the centre lane of three lanes of cars and all the traffic in front of him is moving slowly. Then it may stop, with little warning, and he has no opportunity to avoid stopping on the intersection; and it would be impracticable for him to reverse. I agree that, where a driver can see that the road ahead is filled with stationary traffic, it would be dangerous and inconvenient to other traffic for him to proceed onto the intersection and stop; but, in the case of moving traffic, perhaps some provision should be made to allow a driver to avoid this penalty, because we should not have a situation where a man driving with reasonable caution cannot comply with what is intended. Clause 14 is somewhat similar in its implication. It states:

Section 63 of the principal Act is amended—
(*a*) by inserting after the word "approaching", where it first occurs in subsection (1) thereof, the words "or in".

Section 63 refers to giving way to the vehicle on the right. As I read it, this section will now state:

The driver of a vehicle approaching or in an intersection or junction shall give right of way to any other vehicle approaching the intersection or junction from the right.

There are many instances where it may not be practicable or common-sense driving for a driver already on an intersection to stop for another car approaching it. Another part of the Act defines "intersection" as an area bounded by four corners.

The Hon. S. C. Bevan: You say "give way to a motorist approaching the intersection".

The Hon. G. J. GILFILLAN: The Act, as it reads, does not use the words "or in"; it reads:

The driver of a vehicle approaching an intersection or junction shall give right of way

to any other vehicle approaching the intersection or junction from the right.

The inclusion of these words "or in" means that a driver can be well into an intersection. Another driver approaching from the right at, say, 35 miles an hour covers a fair bit of ground in a short time and, if every driver in an intersection stopped for a driver on his right who was approaching the intersection, I could see absolute chaos in sorting out the traffic. This is another example where legislation should not be such as to put a driver at a disadvantage when he is driving with reasonable care and common sense. Clause 15, which enacts new section 74a of the principal Act, reads:

74a. A driver shall not permit a signalling device on his vehicle to remain in operation after the completion of the turn or divergence in respect of which the device was put in operation.

I agree with this provision: it should have been in force before. On one occasion in another capital city I was driving towards an intersection and it was only with some difficulty that I avoided an accident. I followed the car down the road, and its indicator light was still working three intersections later. This provision will make for safer driving. I should like some information from the Minister regarding clause 26, which amends section 144 of the principal Act. Clause 26 (*a*) inserts the words:

An owner or person in charge of a vehicle shall not cause or permit a vehicle to be driven and a person shall not drive

Clause 26 (*b*) deals with prosecution for an offence and adds the following words at the end of the first paragraph of section 144 of the principal Act:

In any prosecution for non-compliance with the requirements of sections 145 to 149, the owner, driver or person in charge of a vehicle shall be severally guilty of an offence.

I draw the attention of the Minister to the fact that in terms of paragraph (*a*) of the clause, if an offence is committed without a persons' knowledge, the person is excluded from liability, but there is no such qualification in paragraph (*b*).

The Hon. S. C. Bevan: Yes, there is.

The Hon. G. J. GILFILLAN: This is in relation to sections 145 to 149 of the principal Act. The first part applies to the same sections and does excuse a man where an offence is committed without his knowledge. I should like the Minister's assurance that the same will apply in relation to the provision of paragraph (*b*). Clause 27 has been discussed at some length by many honourable members and I should like to express my concern at the implications of this clause. I realize that an eight-ton limit on the front axle of a vehicle is, perhaps, rather high but to reduce it to about 4½ tons is an extremely big reduction and it will mean that many trucks on the road at the present time will have to carry much smaller pay loads. It will also apply to two-wheeled or four-wheeled trailers.

Many trailers on our roads carry loads in excess of 4½ tons per axle, and the Minister knows that the difference between the load carrying capacity of a single tyre and that of dual tyres is not great so far as it concerns the load-bearing capacity of the road. Certainly, the dual tyre does increase the load-bearing capacity of the vehicle but it does not greatly help the road, because the load is carried on the foundations of the road. It is spread over twice the number of tyres, but it does not double the load bearing capacity of the road.

That capacity depends to a large extent on the type of material of the road and the spacing of the wheels. The deeper the foundations are, the larger is the area over which the load is spread, more or less in the form of a pyramid in depth, and if another wheel is added adjacent to a wheel already carrying the load the effect on the capacity of the road is increased by only a small percentage. If the load-bearing capacity is to be increased, there should be a defined spacing of wheels, as is prescribed in the Act in relation to bogey axles. Such a provision enables the load to be spread over a greater area of road. I think this matter should be looked at from a more practical angle when considering tyre capacity.

We do not want to see our roads pounded out but, at the same time, we do not want to increase costs to road users unduly. This measure, in conjunction with legislation that has been foreshadowed, could add considerably to the cost of transport throughout the State, particularly so far as people outside the metropolitan area are concerned. They are the ones who bear the main burden of freight costs. I am not trying to start a debate on a metropolitan area versus the country area basis but everyone knows that the people outside the metropolitan area do pay freight both ways. They pay freight on the goods they buy as well as on the goods they sell, and this one particular amendment could impose a higher cost

factor on one section of the community. I support the Bill in general but shall question some clauses in the Committee stage.

The Hon. S. C. BEVAN (Minister of Roads): I should like to refer to some of the comments made by honourable members who have addressed themselves to this measure, which is purely and simply a Committee Bill. We have had a lengthy debate and I appreciate the remarks made by honourable members. It has been shown that honourable members in this place have given considerable attention to the Bill and its ramifications and the lengthy discussion we have had is conducive to good legislation. Many suggestions have been made regarding the clauses and at this stage I do not intend to answer all the criticism that has been levelled. In fact, it would be almost impossible for me to do that. The clauses will be dealt with in the Committee stage, but I desire to comment now on one or two matters.

Clauses 7 and 8 deal with the powers of the Road Traffic Board. Clause 8 (*a*) fixes speed limits in the various zones. We know that at present this is being done by legislation and much confusion and ignorance can arise, because, unless a person obtained every publication of the *Government Gazette*, he would not know what speed zones had been proclaimed in any particular area. We are getting more and more tourists here from other States, and we cannot expect them to be aware of regulations operating here, even though signs at the side of the road indicate at what speed they may travel. So that everyone will be aware of the existence of zones and of the speeds permitted, this matter will be dealt with by the Road Traffic Board and, in addition to the sign, painted across the carriageway will be the words "speed zone X miles an hour". A good example of a road where this is in operation now is the South Road; surely every motorist using that road must know the speed at which he can travel.

The Hon. G. J. Gilfillan: Can't that be done now by regulation?

The Hon. S. C. BEVAN: I suppose it can be.

The Hon. G. J. Gilfillan: It is done now.

The Hon. S. C. BEVAN: But if it is done by regulation many people are ignorant of the speed at which they can travel. It has been said that we are placing bureaucratic powers in the hands of the board and that one man—the secretary—will be the controlling authority, but nothing is further from the truth. The board, not the secretary, will deal with this matter. There is an amendment on honourable members' files that provides that either party will have the right of appeal. For instance, any objecting council will be able to meet the board and discuss its problem and, if an amicable agreement cannot be reached, the Minister can be appealed to.

The Hon. G. J. Gilfillan: But not Parliament.

The Hon. S. C. BEVAN: Does the honourable member want smooth traffic flow or safety? It has been proved to the board that the present provision does not meet requirements. Surely the Minister is responsible to Parliament? The present position is that regulations are laid on the table and are subject to disallowance, but the board wishes to change that. I do not agree that this will create bureaucracy. After all, the board is not all-powerful.

The Hon. R. C. DeGaris: But this is removing power from Parliament, isn't it?

The Hon. S. C. BEVAN: I am giving reasons why this has been asked for. As it was said here that this would be all right if there were a right of appeal, I prepared an amendment to deal with this. If honourable members opposite do not want it they can use their numbers to defeat it. However, it is wrong for them to do so, as we are legislating for the good of the State and this will assist towards safety on the roads. If the amendment that I will move does not meet the wishes of honourable members, nothing I can say now will influence them.

Clause 9 will not mean that any Tom, Dick or Harry who owns a farm vehicle will be exempted; it means that appliances registered under the Bush Fires Act and urgently called to a fire will be exempted in the same way as vehicles operated by the Fire Brigade or police are exempted.

The Hon. R. A. Geddes: Many of those vehicles are privately owned even though they are registered under the organization.

The Hon. S. C. BEVAN: The honourable member is reading into this clause that any vehicle going to a bush fire will be exempt, but that is not so. The only vehicles that will be exempt are those rendering a service under the Bush Fires Act. Farmers' motor cars will not be exempted.

The Hon. R. A. Geddes: A farmer's motor car with a wireless can be registered under the Act to go to a fire.

The Hon. S. C. BEVAN: As a fire fighting appliance?

The Hon. R. A. Geddes: As a motor car.

The Hon. S. C. BEVAN: It must be a fire fighting appliance.

The Hon. R. A. Geddes: I see your point there.

The Hon. S. C. BEVAN: Many comments have been made about clause 10. It is not intended that some inexperienced person will be able to cause more injury to an injured person than would have been the case if he had left him unaided. If honourable members wish, I will accept the wording used in the national code. The clause places an onus on a person involved in an accident in which another person is injured to stop and render assistance. It is now compulsory for the driver to stop and give his name and address, but he can then drive away without worrying about a person injured as a result of the accident; he does not even have to call an ambulance. This clause provides that he will have to render whatever assistance is reasonably necessary and practical. I am happy about using the words of the code, as there is very little difference between them and this clause. I come now to the question of penalties laid down for a motorist who blocks an intersection. Members may be under a misapprehension, and it is well that I read the amending clause, which states:

Notwithstanding any other provision of this Act, a driver shall not enter upon or attempt to cross any intersection or junction if the intersection, or junction, or the carriageway which he desires to enter, is blocked by other vehicles.

That means not that he is actually in the carriageway, but that he is proceeding across a carriageway that becomes blocked and it is necessary for him to stop. This clause is aimed at the motorist who, when approaching an intersection, can see that traffic ahead is blocked and he should not at that stage attempt to enter or cross that intersection. Such incidents can be seen any day of the week, even at the intersection of King William Street and North Terrace. There may be traffic stretched right across the intersection and other motorists back behind the line sometimes attempt to enter the intersection when it is already blocked. The lights probably have changed and congestion is caused by vehicles blocking the intersection and unable to proceed further because of traffic ahead of them. They are blocking also the carriageway of those for whom the lights have just changed. This amendment is merely to correct that situation and make it an offence if a motorist enters an intersection when it is obvious that he cannot proceed any further because of traffic congestion. The penalty of £50 is in line with other penalties under the Act, and surely a maximum penalty of that amount is not too much in view of the need for adequate deterrent.

Sir Lyell McEwin raised the question of blood tests, and it was also raised by other members. I point out that a blood test is voluntary: there is no compulsion at all. Honourable members said that this amendment might lead to compulsory blood tests, but nothing could be further from the truth as there is nothing in the Act about such tests being compulsory; nor is there anything in this Bill. Where a person submits to such a test the amendment makes a certificate of the test acceptable to the court. Rather remarkably, the first suggestion for this amendment came from a magistrate and I shall refer to the comments that he passed. The minute reads:

On May 19, 1964, the then Police Magistrate, Mr. R. J. Coombe, initiated this docket suggesting the need for a provision in the Road Traffic Act enabling a court to accept a certificate from a Government analyst as to the alcoholic content in a specimen of blood identified in the certificate. The learned magistrate was no doubt prompted to make this recommendation because of the frequent appearance of the Government analyst in court to testify as to the result of his analysis, which is usually accepted without challenge by the defence. A statutory provision declaring such evidence to be accepted prima facie by means of a certificate would achieve this result. To make this amendment to the Act generally acceptable, it would be necessary to include a saving provision to preserve the rights of a defendant. Accordingly, a proviso requiring the prosecutor to serve a copy of the certificate on the defendant not less than seven days before the certificate is tendered, with a qualification enabling the defendant at any time up to the date of hearing to serve notice on the prosecutor requiring the attendance of the witness in court, should be sufficient to ensure that no disadvantage is suffered by either party. The true benefit to be derived from this suggestion would be a saving of time for the court and the analyst, and in most instances the prevention of the cost of an extra witness fee to be paid by the defendant. An amendment in terms similar to the following should provide the desired relief and preserve the true spirit of justice.

Then follows the suggested amendment, which reads:

Section 47(6): In any proceedings for an offence under this section an apparently genuine document produced by the prosecution, purporting to be signed by the Government analyst and certifying the proportion of alcohol or any drug found in a specimen of blood identified by the certificate, shall be prima facie evidence of the matters so certified.

Provided that the foregoing provision shall not apply unless a copy of the certificate so produced has been served on the defendant not less than seven days before the date it is

so tendered, nor if the defendant has served notice on the complainant at any time before the hearing requiring the attendance at the hearing of the person by whom the certificate was signed.

The Hon. C. D. Rowe: Was the minute originated by the Police Magistrate?

The Hon. S. C. BEVAN: Yes. If such a provision is agreed to, it will simply mean that the court will be able to accept a certificate tendered by a Government analyst. As regards safeguards for any person charged, the fact that blood tests are voluntary and not compulsory is all that is necessary and I hope that my explanation will satisfy the objections raised in relation to this clause.

Clause 14 is usually referred to as the "right-hand turn" clause, and it deals with a motorist entering an intersection and intending to turn right. The purport of the amendment is not perhaps as honourable members would appear to believe, and their interpretation may not be correct. The position now is so bad that the assistance of police officers has been requested at an intersection already controlled by lights. That was done in an attempt to make motorists observe the law, something that they are not now doing at many intersections. For instance, a motorist may enter the intersection in order to turn right and there may be approaching traffic with the right of way at this intersection. The motorist attempting to make his right-hand turn may be in the intersection or about to enter it when the lights change, and, instead of waiting and allowing traffic with the lights in its favour to proceed, he makes his turn against the lights. In this event the motorist who actually has the right of way has to stand on his brakes in order to avoid a collision. As I have said, this practice became so prevalent at an intersection not very far from the city that the services of a police officer were necessary to force motorists to do the right thing. I was informed that once the police officer appeared motorists adhered to the correct procedure at the intersection.

The Hon. Sir Arthur Rymill: I do not see how this provision has any bearing at all on the situation that you mentioned.

The Hon. S. C. BEVAN: I assure the honourable member that it has. Accidents have occurred, but the argument is used that as the motorist turning right commences his turn he places himself on the right of the person entering the intersection from the opposite direction.

The Hon. Sir Arthur Rymill: But the Act covers this.

The Hon. S. C. BEVAN: A motorist has Buckley's chance of getting into the intersection if he is coming to it from the right. This provision is imperative, for it makes a motorist give way. At the moment the Act reads "approaching an intersection". This provision goes further than that.

The Hon. Sir Arthur Rymill: That is right, but you say that he has to give way to someone coming in the opposite direction.

The Hon. S. C. BEVAN: I was making out a case in respect of what is occurring at present even at controlled intersections where a motorist desires to make a right turn. He usurps the right of way and does so. It is a breach.

The Hon. Sir Norman Jude: But, if it is a breach, is it not covered in the Act?

The Hon. S. C. BEVAN: It is a breach if he makes a right turn against other traffic, especially on a diamond crossing. The motorist comes into the intersection, but that does not give him right of way over all oncoming traffic on his right; he has to give way.

The Hon. Sir Norman Jude: That is already covered in the Act.

The Hon. S. C. BEVAN: I am calling attention to what has gone on at light-controlled intersections, so we can imagine what happens at uncontrolled intersections. This clause clarifies the position, that he shall give way after he has entered the intersection. I cannot see that this clause will cause confusion. If a motorist has entered an intersection and a vehicle comes from his right so that an accident may occur, the onus is on him to stop.

The Hon. Sir Arthur Rymill: I do not see how that has any bearing on this at all.

The Hon. S. C. BEVAN: That does not mean that a motorist half a mile away has to stop and give way to him. Some people talk for talking's sake, because none of these things happen. The phraseology used is not new; it has been used in the present Act—"approaching an intersection".

The Hon. Sir Arthur Rymill: This has been well decided in a case called Drew *v.* Gleeson.

The Hon. Sir Norman Jude: The Minister is arguing something on which we are all agreed.

The Hon. S. C. BEVAN: The honourable members will find that objections have been raised. Clause 18 states:

Section 82 of the principal Act is amended by striking out the word "or" where it fourthly occurs in the proviso to subsection (1) thereof and inserting in lieu thereof the word "and".

Early in the debate Sir Arthur Rymill, when addressing himself to this question, said that

he hoped the Minister would be able to explain it as he could not follow it at all. I agree with him. Even if he looked for ever he would not find it, because it should read "thirdly occurs", not "fourthly". It is an error in the printing. In Committee, I intend to move that the clause be amended.

There has been much debate on clause 21, in the course of which some objections were raised. It has been asked, what is a two-way carriageway? What is a one-way carriageway? What constitutes a footpath? Sir Norman Jude raised the question about pedestrians in a one-way carriageway: how would they walk—with the traffic or against it? Are we to say that a pedestrian must walk only one way as well? If a street is one-way and the traffic is going one way, do pedestrians have to walk against or with the traffic? The clause states:

. . . shall if walking along a one-way carriageway walk in the opposite direction to that in which vehicular traffic is permitted to travel on that carriageway and on the right-hand side of such carriageway.

If we try to carry that into effect, it means that we are declaring it a one-way pedestrian thoroughfare as well. Having duly considered honourable members' comments on this subclause and appreciating what it would mean if agreed to, I intend to seek leave, in Committee, to strike out subclause (*c*) altogether, because it is impracticable to give effect to it.

Walking with, and not against, traffic on a roadway, especially at night, has been a dangerous practice for many years. Many people do not walk against the traffic, although the authorities have over and over again requested them to do so, to give the motorist a chance of seeing them. If a person is walking in the same direction as a vehicle and is wearing dark clothes, it is difficult to see him. Many serious accidents and deaths have occurred because people have walked on a road at night with the traffic, and motorists have had no chance of seeing them. Such accidents are still taking place. This provision compels pedestrians to walk on the right-hand side of the road and not on the left-hand side.

The Hon. Sir Norman Jude: Isn't that already in the Act?

The Hon. S. C. BEVAN: It is not, and that is why we want to insert it here.

The Hon. Sir Norman Jude: The Act states "as near as reasonably practicable to the right-hand side of the road".

The Hon. S. C. BEVAN: Unfortunately, there is no compulsion there, but there will be under this Bill.

The Hon. Sir Norman Jude: Section 88 (1) states:

A person walking along the carriageway of a road shall keep as near as reasonably practicable to the right side of the carriageway.

I should have thought that that would cover it.

The Hon. C. R. Story: When my bike broke down I had to do it.

The Hon. S. C. BEVAN: Where there is a footpath, people shall walk on it. Protests have been voiced about what constitutes a footpath and when it is not in a condition fit for people to walk on. The authorities are rather lenient in most instances. The police in this State are tolerant on road traffic matters. I refer to the particular circumstances of our road traffic. Footpaths are provided so that people can walk on them, although I have seen people walking on the road at night even though there was a concrete footpath. They preferred to walk on the road. If people develop a habit of walking on the carriageway, where will it finish?

If a footpath is in such a condition that people are not able to walk on it, then the council responsible should see that it is put into a proper condition. The Government, as such, has no authority over that matter. The Bill includes a definition of a "footpath" and, if people do not walk on the footpath, they will have to walk on their right-hand side of the road. I do not desire at this stage to deal with the most controversial clause in the Bill, clause 27, although I have much to substantiate the inclusion of the provision. The Hon. Mr. Story dealt with this clause at length and I suggest to the honourable member that the conditions in other States are not anywhere near on a par with those applying here. For instance, Victoria has a maximum load provision of 13 tons, as against the maximum of 16 tons in this State.

The Hon. R. C. DeGaris: That is not quite right. I think you will find that it is 16 tons with spread axles.

The Hon. S. C. BEVAN: We have a maximum load provision regarding vehicles. Honourable members will find that it relates to the axle and the maximum is provided in such a way that it is to be not in excess of a given weight. We find that the weight allowed in other States is less and, in relation to other countries, we find there is no comparison. One honourable member said, "Surely our roads are as good as those overseas." I wish they were, because then I would not be worrying about a weight of 4½ tons.

At present, many States in the United States of America are restricting axle weights and loading because of the severe damage being done to highways that are far superior to any that we have. However, I shall deal further with these matters in the Committee stages and am merely providing information for honourable members at present. I have already said that there will be some amendments. This is an important Bill and I appreciate the comments that have been made regarding its ramifications. However, I point out that the prime factor is safety and I am not concerned with the particular representations of any road transport organization. I know that all honourable members have received circulars, but I am not concerned with the points made on that aspect alone; I am also concerned with other aspects, such as safety and the costs of road making and road maintenance.

I am not concerned about the point of view of one side only, as expressed by an organization, that this amendment will cause a change of payloads and will do this or that. Perhaps these things have been altered in every other State, and in South Australia the rebuilding of highways is costing much money, because we have not sufficient highways with suitable foundations and of the type that will carry the weight that is being imposed on them at present.

The Hon. Sir Norman Jude: Having regard to the safety factor (with which I am in agreement), I hope the Minister will consider the matter of the exemption of passenger buses.

The Hon. S. C. BEVAN: I am attempting, to the best of my ability, to have complete regard to safety, along with other considerations, including the enormous amount of money we are compelled to spend on highways and roads today. We cannot continue to allow additional weights to come on the roads without our imposing some restriction until such time as we are able to provide highways that will carry the class of vehicle travelling on them.

We are not able to pull money out of a hat, like a rabbit. Honourable members have been making approaches to have roadworks carried out in their districts, and this recurs every day in the week. However, sufficient money is not available, and this aspect must be taken into consideration. We must consider not only the person who has a vehicle on the road, but also the State's funds. I am aware of the arguments that have been advanced and why they have been submitted. I have read all of these submissions and the argument contained in the circular sent to honourable members by the organization.

The Hon. Sir Arthur Rymill: I saw someone with a tape on the Hackham crossing yesterday.

The Hon. S. C. BEVAN: The Hackham crossing does not come into it at this stage, because one has to go around it, not through it. I have given the honourable member his answer regarding that crossing. However, in regard to the Bill before the House, we have to consider all aspects, not only the matters contained in a circular sent to members to pressurize them. I will not at any time take heed of pressure from the organizations concerned. We have to consider other matters and I am prepared to stand or fall by the amendments provided in the measure.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

The Hon. Sir ARTHUR RYMILL: I pointed out in the second reading debate that these two paragraphs were in the wrong order, as obviously "footpath" comes alphabetically before "traffic control device". The definition of "driver" appears on page 219 of the 1961 volume and the definition of "traffic control device" on page 221. It is a trifling matter, but I think it should be rectified.

The Hon. S. C. BEVAN (Minister of Roads): To enable me to deal with this matter, I ask that progress be reported.

Progress reported; Committee to sit again.

EDUCATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 14. Page 2156.)

The Hon. JESSIE COOPER (Central No. 2): We have come a long way in education in this State since I entered this Council and made my first speech on this subject in 1959. Our expenditure in education has more than doubled; many new schools, primary and secondary, have been built throughout the State; every inducement has been made for students to matriculate, and particularly to become trainee teachers; and, in the tertiary field, the second university has been established and will take its first students next year. This development follows the world pattern. The Vice-Chancellor of Sydney University (Emeritus Professor Stephen Roberts) said recently:

We are living through one of the great educational movements of modern times, and its

meaning is the deeper because it is so interlocked with intellectual, scientific and social developments that it is hard to say which is cause and which is effect. The educational movement is at once the stimulus, the chief instrument and an outcome of transforming the exciting changes in the whole life of society.

In South Australia the demand for higher education is not only the result of population growth; the fact is that more and more of each successive age group aims now at higher education. In fact, the actual figures of the proportion of the age group completing secondary education in the various Australian States in the period 1954-61 would, I think, be of interest to honourable members. In 1954, South Australia had the fourth highest (or the third lowest, if you like) number of people aged 17—9,528, compared with 46,779 in New South Wales. In 1954, 10.7 per cent of 17-year-olds in South Australia completed their secondary course, and this made South Australia second only to New South Wales, where the percentage was 12.1. It can be seen that even in 1954 the picture in South Australia was good. In 1961, South Australia had 14,962 people aged 17 years, and it was still the fourth highest, but the State had soared to top place with 23.4 per cent who completed their secondary education. The increase in South Australia was 12.7 per cent compared with 6.6 in New South Wales, 4.1 per cent in Victoria, 9.6 in Queensland, 5.3 per cent in Western Australia, and 3.2 per cent in Tasmania. These figures are really very exciting; they show a tremendous achievement and throw a lie in the teeth of those who claim that South Australian education has been inferior to that of other States during the regime of the past Government. Such an increase in the proportion of those who finished secondary courses means one thing—that more teachers in the upper groups must come forth.

Our job now as legislators is to see that this high standard is maintained. We are fortunate in having not only a University Council made up of men and women of high ideals, with progressive ideas and with the determination to carry those ideals and ideas into practical success but to have an Education Department that is enthusiastic and energetic in its endeavours to give every child a basic education and to encourage every student to develop his or her ability to the utmost. Experts in every section of the department are anxious to try new methods, to perfect old ones, and work increasingly to these ends. There surely can be no doubt in honourable member's minds that the teachers training college is turning out a splendid type of teacher.

Those honourable members who have read the United Kingdom Robbins report on the need for higher education will already know of the stress laid by that committee on the need for close liaison between the universities and the schools. The various Australian reports that have been made since, notably the Martin report, follow that line of thought, but in fact this relationship or co-operation between universities and schools has been a feature of Australian education for many years. In New South Wales, where there are three universities (I am not including the School of General Studies at the Australian National University), an informal committee of university representatives has been formed for this liaison work with school authorities. But no system of education can be carried out successfully without there being more and more highly-trained teachers. Anything that can be done to achieve this aim must be supported. The Bill before the Council is an experiment, the result of an agreement between the university authorities and the Department of Education to appoint one person to fill the positions of Professor of Education of the University of Adelaide at Bedford Park and Principal of the Bedford Park Teachers College. Honourable members will note that this is not a permanent and binding alteration proposed to the Act. It simply makes it permissible for the Minister, if and when it seems desirable, to make such an arrangement.

I am in favour of allowing people who are experts in any sphere of knowledge to have any freedom they ask for to make experimental arrangements that they believe are in the interests of their science or art, provided that the matter can be reasonably handled financially and without any disadvantageous side effects on other people. I foresee only one possible problem or disadvantage and that is that it is proposed to ask one man to encompass a great deal of work. The running of a teachers training college is probably 90 per cent concentrated administration and 10 per cent work on planning or devising academic techniques. If we ask one man to give the time required to administer a large and busy teachers training college and also to study the finer aspects of academic education and to hand on his knowledge and appreciations to a university department all at the one time then we are asking for a superhuman being. If it is to be an experiment, then this is the time to do it when the new university is being established here.

Part IIA refers to the establishment and operation of the Teachers Salaries Board. The provisions of this clause have been excluded because it may be assumed that the person holding these positions will not be receiving a separate salary under the Education Department, being employed by the University of Adelaide. Part IIB refers to the Teachers Appeals Board and I quote:

Special positions meaning positions to be filled otherwise than in accordance with a promotion list compiled under the regulations.

The person appointed will not come under any of these provisions; that is to say, his position may not be challenged under the provisions of Part IIB. Subclause (2) of the proposed new clause 28ze. covers what would happen in the event of a retirement. If the person so appointed ceased to be Professor of Education then he would also cease to be Principal of the Bedford Park Training College. If he should subsequently apply and be appointed Principal of the Bedford Park Training College, only then I presume subclause (3) would no longer apply and he would come back under the power of Part IIA and Part IIB of the principal Act.

I believe that no country can develop its highest potential unless there is a conscious need for education among the people and a corresponding awareness of the importance of education among its legislators. I hope therefore that honourable members will support this Bill, as I do, and be prepared to take the advice of our highest educational authority in this matter. I consider that it is a matter of great pride that South Australia has established this second university, and I hope that it will become world-renowned as a seat of advanced learning.

The Hon. F. J. POTTER secured the adjournment of the debate.

PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 2188.)

The Hon. C. D. ROWE (Midland): I wish to comment on only one or two matters in connection with this Bill. First, I do not think that at the present time there is justification for increasing the figure of £100,000 to £150,000 before a project has to be referred to the Public Works Committee. I make that statement because at present no large inquiry is before the committee similar to some that we have sometimes had in the past. Looking back over the last 10 years I can think of inquiries that have involved large amounts of public money, but, unfortunately, it does not seem at this point in our history that those large developmental projects are going forward as quickly as we may have hoped. Consequently I think that the committee is not overburdened with work at the moment.

The second thing that interests me is that it appears that the amount of Loan Fund moneys to be made available for capital works will not increase as quickly as we could hope. I am not placing the blame for that on any particular person or Government, but I think that the situation now is that the amount of money made available by the Commonwealth Government, not only to this State but to other States, is less than we could reasonably spend on a capital works programme. That means we shall have to be more than careful in regard to the way we do spend the available money. Consequently I think it is important that the Public Works Committee, which has functioned, and which I believe will continue to function, as a non-political body, looks at every project of a reasonable magnitude to make sure it is justified and that the expenditure is also justified in order to make sure that the public moneys available are spent in a way that is most beneficial to the State as a whole. I do not think that we shall be placing an undue burden on the committee, nor shall we be delaying any project, if we limit the figure to £100,000 instead of increasing it to £150,000.

I think it is a mistake to put the Public Works Committee to the trouble of making an inquiry into a project when it is not likely that the project will go ahead within a reasonable period of time. Over the years many people have taken the view that once an inquiry is authorized by the Public Works Committee and once the committee has presented its report, assuming it is a favourable report, then the work will proceed fairly quickly, but that, unfortunately, is not always the case. Some circumstances possibly could not be foreseen at the time an inquiry began, and consequently, where there is an undue and protracted delay between the time the work is reported upon and the time that it can be commenced, circumstances may have changed and costs may have increased. Further factors may then come into it, and it may almost mean than another inquiry is necessary.

I make those three points: first, I think that we should limit the figure to £100,000; secondly, I think there is likely to be a shortage of Loan moneys available for capital works

projects and that a selection will have to be made between those that can and those that cannot be proceeded with, and the Public Works Committee is the body to do that; and, thirdly, we want to avoid making inquiries and spending money in making inquiries too far ahead of the time when the work can proceed.

The Hon. Sir LYELL McEWIN secured the adjournment of the debate.

MARKETING OF EGGS ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

CONSTITUTION ACT AMENDMENT BILL (MINISTERS).

Received from the House of Assembly and read a first time.

PRIVATE PARKING AREAS BILL.

Received from the House of Assembly and read a first time.

ELECTRICITY (COUNTRY AREAS) SUBSIDY ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

FOOT AND MOUTH DISEASE ERADICATION FUND ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 2188.)

The Hon. L. R. HART (Midland): In introducing this Bill, the Minister referred to it as a short Bill. This is quite correct but it is, nevertheless, a very important Bill when one realizes the devastation that would be caused in our livestock industry if an outbreak of foot and mouth disease occurred. I believe our quarantine authorities used to refer to foot and mouth disease in terms of "if it occurs"; now they say "when it occurs". This new line of thought is brought about because we are no longer insulated by our isolation. Foot and mouth disease has spread to a number of countries in the world, including some of the lesser developed ones. It is impossible to check by quarantine or Customs procedure every possible means by which a disease carrier may enter Australia. The increasing number of people travelling to Australia by air has magnified this risk. It would be a tragedy of the highest order if Australia was to be taken by surprise through over-reliance on its insular situation.

There are several diseases with similar symptoms to foot and mouth disease and which require similar methods of treatment and eradication. The purpose of this Bill is to include the diseases of vesicular exanthema and vesicular stomatitis in the definition of foot and mouth disease. It gives effect to a recommendation made in April this year by the Exotic Diseases Committee. The purpose of the principal Act, which was introduced in 1958, was to give effect to a recommendation of the Australian Foot and Mouth Disease Committee in 1956 that a draft Bill, approved by that committee, be introduced in all State Parliaments to ensure uniformity in the method of distributing funds made available by the Commonwealth and the States to combat an outbreak of foot and mouth disease anywhere in Australia. At its meeting at Hobart in December, 1954, the Australian Agricultural Council adopted a report by its standing committee that, should there be an outbreak of the disease anywhere in Australia, the Commonwealth Government should contribute 50 per cent of the cost of eradication and the States should contribute the other 50 per cent, on the following basis:

	Per cent.
New South Wales	29
Victoria	18.25
Queensland	20.5
South Australia	10
Western Australia	10
Tasmania	6.25
Northern Territory and Australian Capital Territory	6

The cost of combating and eradicating foot and mouth disease, should it be introduced into Australia, would be very great indeed. The disease, introduced into Canada in 1954 (it was traced to a German migrant farm worker), cost 1,000,000 dollars to eradicate over a period of about seven months. However, before normal trading was resumed, the loss in export income of livestock and livestock products amounted to 200,000,000 dollars.

In a similar set of circumstances, the loss of export income to this country could well exceed £500,000,000, so it can be clearly seen that the stakes involved are extremely high. Canada was fortunate in that the outbreak occurred in the middle of winter, when the country was snowbound and the movement of stock was negligible, but one can well imagine the speed with which the disease could spread in Australia, with the movements of large numbers of stock over long distances, should there be any delay in recognizing the disease. The cost of eradicating the disease would depend largely on these factors, and how many people were trained to deal with it. Fortunately (if one may use that word in relation to foot and mouth disease) it can be isolated and eradicated

by strict quarantine and the destruction of all infected animals. All premises to which infected stock had access, and the clothing of all persons in contact with infected animals in any way, direct or otherwise, are then sprayed with a solution of ordinary washing soda, to which the disease is most susceptible. It is thus clearly seen that the disease must be held in check by having people trained and ready to identify and counter it.

Other countries tackle this training in a systematic manner. The Canadian Department of Agriculture conducts annually a course of training during which officers are given the opportunity of observing these diseases and of following their course in groups of animals. The United States of America Department of Agriculture makes use of the Canadian facilities to conduct courses for its own staff. In addition, both the Canadian and the United States departments arrange, through the Food and Agricultural Organization of the United Nations and through other national Governments, for officers to work where outbreaks of these diseases occur in other countries from time to time.

The British Ministry does not conduct any courses of this nature, but arrangements are made for members of their staff to receive training both at home and abroad regarding these diseases. I understand that arrangements were made for Australian veterinary officers to attend the Canadian course each year and that in the initial stages two such veterinary officers attended the course annually. However, in view of the extremely high danger of foot and mouth disease entering this country and the consequent necessity to eradicate it, provision has now been made for more than two officers to attend the course each year.

This extremely dangerous disease could bring economic ruin to this country should it ever get a hold here and I am pleased to see that provision is made in the Bill for other diseases with similar symptoms to be included as diseases for which compensation can be paid if it becomes necessary to eradicate such a disease by the destruction of animals in this country. For those reasons, I have pleasure in supporting the second reading of the Bill.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

ADJOURNMENT.

At 5.43 p.m. the Council adjourned until Wednesday, October 27, at 2.15 p.m.