LEGISLATIVE COUNCIL

Wednesday, August 13, 1969.

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

TRAFFIC LIGHTS

The Hon. A. J. SHARD: I seek leave to make a short statement prior to asking a question of the Minister of Roads and Transport.

Leave granted.

The Hon. A. J. SHARD: In this morning's *Advertiser,* in the "Letters to the Editor" column, which I always read but of which I rarely take much notice, there appeared a very sensible letter concerning the traffic lights at the junction of King William Road and Memorial Drive. I agree with the view expressed by the writer of this letter, Mrs. P. H. Sclare of Elizabeth Downs, because I have had a somewhat similar experience at traffic lights. This woman was travelling south along King William Road by the Adelaide Oval, where the traffic lights controlling north-south traffic at first prevented her from turning into Memorial Drive. When she thought she could turn, she saw to her horror that traffic commenced to proceed northwards along King William Road. I think the Hon. Sir Norman Jude would agree that the same sort of thing happens at the corner of Nottage Terrace and Stephen Terrace on the Main North-East Road, where I was once caught myself quite unexpectedly. It is an easy trap to fall into. I had a similar experience on Monday when I was travelling west along Grote Street and wishing to make a right turn at the junction of Grote Street and West Terrace, where there are not any helpful signals; there is no green arrow to help a person turning into West Terrace.

I would not like the department or the Minister to think that I am criticizing traffic lights generally in this State, because I think that in the main they are excellent. However, there appear to be anomalies at the three locations I have mentioned. Will the Minister, in the interest of the safety of all concerned, examine this question to see whether some improvement can be effected at these junctions and at any similar ones?

The Hon. C. M. HILL: I shall have an investigation made of the three intersections to which the Leader has referred. It seems that in the main the principle at stake is that perhaps the oncoming traffic should be held while certain vehicles turn right from the centre of the road.

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

The Hon. C. M. HILL: I will look at that matter.

MURRAY BRIDGE ROAD BRIDGES

The Hon. V. G. SPRINGETT: Has the Minister of Roads and Transport an answer to the question I asked last week regarding bridges at Murray Bridge?

The Hon. C. M. HILL: This question was taken by my colleague the Minister of Agriculture in my absence from the Chamber for a few moments on August 7 last. I have had a report brought down on this matter and find that, under present traffic conditions where all traffic crossing the river must use the bridge, there will obviously be a limit to the life of this already very old structure.

With the completion of a new bridge in the vicinity of Swanport, all heavy loads exceeding a limit to be decided will be diverted over the new bridge, thus restricting traffic using the present bridge to cars and medium-to-light commercial vehicles. The life of the present bridge would then be extended indefinitely. The only limit to its life at that stage would be caused by corrosion and deterioration of the superstructure, which cannot be predicted with any accuracy.

COMPANIES ACT

The Hon. F. J. POTTER: Has the Minister of Agriculture a reply to a question I asked last week about the interpretation of a section of the Companies Act?

The Hon. C. R. STORY: The Attorney-General has supplied me with the following information:

In view of the High Court decision in Stein *v.* Saywell and Others and other problems in relation to the priority of debts in the winding-up of insolvent companies, the matter is receiving the attention of the Standing Committee of Attorneys-General. It was discussed at the recent meeting in Brisbane and will be further considered at the next meeting to be held in Adelaide in December. It is anticipated that agreement will then be reached on the nature and extent of the amendments that should be made to the Companies Act more adequately to protect the interests of wage and salary earners and other unsecured creditors.

NURIOOTPA SCHOOLS

The Hon. M. B. DAWKINS: Has the Minister of Local Government, representing the Minister of Education, a reply to the question I asked at the end of last month regarding the provision of new facilities at the schools at Nuriootpa?

The Hon. C. M. HILL: A schedule of requirements for the replacement of the Nuriootpa Primary School on a new site has been prepared and submitted to the Public Buildings Department. However, because of the need for the erection of new schools in rapidly developing areas or the urgency for the replacement of schools which are in a worse condition, it has not been possible yet to have Nuriootpa placed on a definite programme.

A master plan for the future development of the high school has been completed. New solid construction boys and girls craft blocks are at present under construction and are expected to be ready for occupation by February, 1970. A schedule of requirements is being prepared for major additions to the solid construction buildings.

TRAFFIC ACCIDENTS

The Hon. L. R. HART: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. L. R. HART: From time to time there have been suggestions that a person injured in a motor car accident should be able to claim damages without having to prove negligence on the part of the other party. The correct term for such an action is "liability without fault". Litigation at present is under the old common law action of negligence. If a person is injured, he can recover damages, including hospital expenses, against the driver of a motor vehicle if he can prove negligence on the part of the driver causing his injury. The onus of proof is on the injured person and, if he cannot establish negligence, he recovers nothing from the driver or the drivers or any other insurance company. Third party insurance only provides funds from the insurance company to pay damages due by a driver who has been proved to be at fault. Many subsidized hospitals are finding they are unable to recover fees due to them by injured persons unable to recover compensation because of inability to prove negligence. Has the Government looked into this matter with a view to legislating along the lines of liability without fault?

The Hon. R. C. DeGARIS: Any person who has served on the board of a subsidized hospital would be well aware of this problem. As the Minister responsible for certain Government hospitals, I am well aware of it also. Cabinet has discussed the matter and, although some difficulties are associated with the whole question, I shall bring down a report for the honourable member.

JOINT COMMITTEE ON CONSOLIDATION BILLS

A message was received from the House of Assembly requesting the concurrence of the Legislative Council in the appointment of a Joint Committee on Consolidation Bills.

The Hon. R. C. DeGARIS (Chief Secretary) moved:

That the Assembly's request be agreed to and that the members of the Legislative Council to be members of the Joint Committee be the Chief Secretary, the Hon. Sir Arthur Rymill, and the Hon. A. J. Shard, of whom two shall form the quorum of Council members necessary to be present at all sittings of the committee.

Motion carried.

STANDING ORDERS COMMITTEE

The House of Assembly intimated that it had appointed Mr. G. R. Broomhill to be one of its representatives on the Standing Orders Committee in place of Mr. L. G. Riches.

BRANDS ACT AMENDMENT BILL

The Hon. C. R. STORY (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Brands Act, 1933-1966. Read a first time.

The Hon. C. R. STORY: I move:

That this Bill be now read a second time.

This is a statute law revision Bill designed to enable the Brands Act and its amendments to be incorporated. Clause 2 corrects an error in the Twelfth Schedule of the principal Act. In Division No. 2 of the divisions for sheep districts the description of the boundary includes the passage "thence northward to the 30th degree of longitude". It is obvious that the reference to the 30th degree of longitude is inaccurate. The word "longitude" should read "latitude", as in the Eleventh Schedule. Clause 2 accordingly substitutes the passage "thence northward to the 30th degree of latitude".

Clause 3 repeals section 7 of the Brands Act Amendment Act, 1955. That section was a transitional provision inserted in the principal Act to give protection to mortgagees who held liens over stock and wool then branded with black branding fluids. Since the wool then held in stock would have now been disposed of and all sheep subsequently branded annually with purple branding fluids prescribed by regulations under the Act, it is considered that section 7 of the Brands Act Amendment Act, 1955, has fully served its purpose, and its retention is not necessary. The power to prescribe colours of paint brands already exists in section 68 of the principal Act, as amended by section 6 of the Brands Act Amendment Act, 1955.

The Hon. D. H. L. BANFIELD secured the adjournment of the debate.

ELECTORAL DISTRICTS (REDIVISION) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 12. Page 803.)

The Hon. D. H. L. BANFIELD (Central No. 1): I support the Bill. I do not know whether it resulted from legislation that was hastily dealt with by the Government last year, but an anomaly existed that could have deprived 17 electors of a vote.

The Hon. R. C. DeGaris: They were not deprived of a vote; the effect was that they were put in a country district.

The Hon. D. H. L. BANFIELD: At any rate, they were excluded from the electoral district that I so well represent. I do not want anything to happen that will deprive these 17 people of the opportunity of voting for me. At the last general election the poll in Central No. 1 District was not as close as it was in the Millicent District. Two honourable members of this Council originated information concerning objections to the names of certain people being on the Millicent roll. On July 23, 1968, I asked that a question be referred to the Attorney-General concerning objections raised to certain names being on the roll; his reply was as follows:

The information to originate the objections came mainly from the Hon. R. C. DeGaris and the Hon. F. J. Potter.

I do not want to be in the category of those honourable members; therefore, I will do everything I can to see that these 17 people retain the right to vote in the Central No. 1 District. I support the Bill.

The Hon. F. J. POTTER (Central No. 2): I, too, support the Bill, which makes a minor but very important amendment to the principal Act. I assure the honourable member who has just spoken that the principal Act cannot be called hasty legislation, as he should know. We debated that Bill at considerable length and there was a long and difficult conference between the two Houses before the final vote was taken. Perhaps we gave a little too much attention to some of the other questions raised at that time and did not notice some difficulties in the legislation.

Having taken some small part on the sidelines of the proceedings of the Electoral Commission, I believe that, if we had considered one or two other provisions more carefully, we might not have placed the commission in the embarrassing position of having to interpret exactly what Parliament meant. I would like to refer to the somewhat ambiguous section 8 (8) of the Act which provides for the commission to make consequential adjustments to the Legislative Council boundaries after redividing the House of Assembly Districts. This is an extremely difficult section, and although the Government has taken no steps to clear up some of the anomalies, I suppose it is not the appropriate time now to do so when the commission has embarked on the task of drawing new boundaries. Nevertheless, difficulties for the commission still remain, as they must do so under that subsection, because the commission must, as far as practicable, retain the existing boundaries of the Council Districts; but

where, in the opinion of the commission, any Council district falls wholly or predominantly within the metropolitan area the boundaries of that Council district shall be adjusted and redefined . . .

It is difficult to know what is meant by "falls wholly or predominantly within the metropolitan area", and long and somewhat tenuous arguments were addressed to the commission whether this meant "fell by way of area" or "fell by way of majority of population". That is not an easy matter for lawyers or for members of the commission to decide.

Having done that, the section provides that consequential adjustments must be made to other Council Districts as the commission thinks necessary without substantially altering the present boundaries of those Council Districts. It seems obvious, I think, that the commission is faced with an impossible task if it is to abide literally by the words of the section, because alterations of the type required

by subsection (8) (*a*) cannot be made unless fairly substantial alterations are made to other areas. I am sure all honourable members are awaiting with interest the report of the commission when it is published— we hope in a few weeks' time. However, I think this Council may anticipate not only that there will be a complete redivision of Assembly Districts but also what may be regarded as fairly substantial alterations to existing Council Districts flowing from the interpretation placed on subsection (8) by the commission.

Having said that, I make the point that perhaps this Council should have looked more carefully at some of the wording of the Act when it was discussed in this Chamber. In any case, it is certain that this Bill must be passed before the commission brings down its report. It has my complete support.

Bill read a second time and taken through its remaining stages.

ELECTORAL ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 12. Page 807.)

The Hon. A. J. SHARD (Leader of the Opposition): I support this Bill, which was introduced into this Chamber yesterday. Perhaps I am not as fully prepared as I would like to be to speak on the Bill. However, to my way of thinking it is a Committee Bill, and the sooner it gets into Committee the better I think it will be for all honourable members. Although I think many of its main features can be dealt with in Committee, it is an important Bill, and there are a few things that I want to say about certain of its clauses.

This Act has been amended from time to time since it was first consolidated, I think in 1929. In fact, it has had at least 10 amendments since then. Without going into too much detail on the subject, it appears to me that most of the amendments have been introduced following elections at which queries have arisen and certain faults in the Act have come to light. Just in the last decade, I can think of several occasions when faults in the Act have become apparent during or after close elections, such as the one that we had in a particular House of Assembly district last year, when there was a "razor's edge" result. It is on occasions such as these that the weaknesses of the Act become apparent.

The first of the occasions within the last decade to which I have referred concerned an election in Frome, following which we heard of many faults in the Act. Then we had another close election in Chaffey in 1962, when I think there was a difference in the voting of only about 17. The most recent one, the election in Millicent, brought to light every conceivable fault in the Act.

I have read a good deal of the debate that took place on this Bill in the other House, particularly in the Committee stage, and I have studied the amendments that were carried there. I compliment the other House on the way it dealt with this matter. Perhaps some members may think it strange that I should say that, because one cannot be too complimentary about that House at times. The Bill was dealt with by that House on an individual rather than a Party basis, and the desire throughout, in the Committee stage at least, seemed to be to act in the best interests of the people of this State in ensuring a prompt, straightforward and fair election. The people of this State and, indeed, throughout Australia were heartily sick of the time we took to arrive at a firm decision on the Millicent election. I hope that this Bill will be dealt with in this Council on that basis rather than on a Party basis.

Another thing I rarely do or have need to do is congratulate the Attorney-General. However, on this occasion I think I can congratulate him on his open-mindedness and fairness in the way in which he handled this Bill. Usually the Attorney is a very determined, straightforward Liberal and Country Party member.

The Hon. D. H. L. Banfield: But you always give credit where credit is due.

The Hon. A. J. SHARD: On this occasion the Attorney seemed to be tolerant and in a frame of mind to do something in the interests of the State. I do not think any good purpose can be served in saying what I think went wrong in other places. However, if some honourable members wish to do so, I assure the Council that I can tell some pretty unsavoury stories about elections. The first clause to which I want to refer is clause 19, which amends section 80 of the principal Act. This relates to the descriptions of the classes of person who may be authorized witnesses under the Act. In his second reading explanation, the Minister of Local Government said:

As has already been mentioned year by year this list has grown longer, and the latest proposal before the Government would have had the effect of including just about every

adult person in the Commonwealth of Australia and a good number more besides. Accordingly, it is proposed that the only qualification necessary for authorized witnesses is that they will be over or apparently over the age of 18 years.

I think this amendment is very good, and I hope the fact that the Government picked on the age of 18 is a forerunner of what is in store for us in the future. In other words, I hope it means that before long 18 will be the age at which people can vote. I surmise that that is what is behind the Government's thinking on this matter. However, if I am wrong, no doubt I will be told about it. At any rate, this is a straightforward amendment and I agree with it. Clause 20 simplifies the postal voting procedure.

I want to say a word or two about clause 40, which amends section 155b, because this clause prescribes something with which I just cannot agree. Section 155b of the principal Act provides:

(1) A person shall not post up or exhibit, or permit to be posted up or exhibited, on any building, vehicle, vessel, hoarding or structure of any kind an electoral poster the area of which is more than 120 square inches.

The effect of the amendment is that, in future, posters of 1,200 sq. in. will be permitted. I oppose that. I know it arises from a desire to bring our legislation into line with the Commonwealth Electoral Act, but I do not think it is necessary. Personally, I dislike hoardings and things like that around the neighbourhood as much as anyone does. Only recently I was talking to some people about hoardings disfiguring the State, and I said, "We are relatively free from hoardings within this State, and I think it is all to the good." In fact, I believe (if my memory serves me aright) there is a regulation under the Local Government Act prohibiting, in certain circumstances, erection of hoardings.

At election time, I should hate to see our metropolitan area and countryside desecrated by hoardings carrying posters of 1,200 sq. in., because of this amendment. I do not think it would stop there: in time it would increase from 1,200 sq. in. to 3,600 sq. in. At the time of the last State election the Act was breached in that respect on more than one occasion because the posters were separated by only 6in. Although they were individual posters, they stretched across one main street. If the limit is raised to 1,200 sq. in., that will happen again and people will take advantage of the situation. There is also the matter of the cost involved. Therefore, I oppose clause 40. I shall oppose it in Committee and vote against it.

Clauses 42 to 53 deal with the Court of Disputed Returns which, as we all know, at the moment comprises two members of each Party from the Chamber involved, with the junior puisne Judge of the Supreme Court presiding. After listening to the proceedings at the last sitting of the Court of Disputed Returns, I came to the conclusion that the four members assisting the judge were wasting their time; they were unnecessary. So this clause is desirable. From my point of view and that of the general public, we shall get the same results from the one person sitting as we have got from the five people sitting. It will save time and money; I give it my blessing. I do not wish to debate it now but I give notice that I intend to move an amendment to the appropriate part of the principal Act that the type of voting at election time be altered from preferential voting to first past the post. With those few remarks, I support the second reading.

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

HIGHWAYS ACT AMENDMENT BILL

(Second reading debate adjourned on August 12. Page 813.)

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

BARLEY MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 7. Page 755.)

The Hon. M. B. DAWKINS (Midland): I support this short Bill, which makes two necessary amendments to the existing Barley Marketing Act. It seeks to delete section 5, which is redundant, in that it provided for the appointment of a South Australian Barley Board if Victoria did not come into the agreement at the time of the original arrangement in 1947. It also slightly amends the wording of section 14 to clarify its meaning, following a previous amendment to that section. As the Hon. Mr. Hart and the Hon. Mr. Kneebone have said, this legislation was enacted in 1947, following the arrangement that obtained during the war. It has been amended on five occasions. Some of these amendments were

only consequential or came about with the passing of time and the need to extend the legislation for a further period of five years.

I do not intend to go over the history of the Act, as this has been dealt with by the two honourable gentlemen to whom I have referred. There is no point in going over the ground again. The Hon. Mr. Hart explained in detail the reasons for the inclusion of section 5 in the original Act. He also referred to the possibility of Victoria's withdrawal and, I think, queried the wisdom of removing section 5. If Victoria does withdraw, I believe that an up-dated new section 5 would be preferable to the present section providing for a South Australian board.

We are all well aware that barley marketing in this country is in a chaotic situation. Under the wheat marketing legislation which has been passed by the Commonwealth and State Governments, we now have one statutory board, with adequate financial backing and organization to sell our product overseas. The situation regarding barley is in direct contrast to the satisfactory arrangements that have been effected for many years in relation to wheat in that we have three boards operating: the so-called Australian Barley Board, which operates in South Australia and Victoria, and the boards that operate in Queensland and Western Australia.

When these boards have to sell surplus barley their representatives go overseas and compete with one another. They can cut their prices, which is not advantageous for anyone. Added to this, barley marketing in New South Wales is conducted on a free basis, and this adds to the problems of marketing the Australian product. We should at the moment be supporting much wider amendments than we are, if only agreement could be reached for a Commonwealth wide board.

I had the opportunity about four months ago of spending a little time in the three Eastern States which grow a large amount of barley. I spent some time in the primary-producing areas and I saw what was happening there. Quotas similar to those applied in relation to our wheat also apply in the other States and, as a result, our barley acreages are increasing rapidly. The Hon. Mr. Hart referred to this recently, and I interjected that there would be a great expansion in the sowing of barley. However, I was incorrect in saying that; I should have said there had already been great increases in the sowing of barley. This has happened in the three States I visited; it has also happened in South Australia and I have no doubt that it is at present happening in Western Australia. This underlines the seriousness of the situation.

The Hon. Mr. Hart said that in 1960 or 1961 we harvested nearly as much barley as we did wheat, and in our present position I believe we could well harvest more barley than wheat in the coming season. I am very concerned, as I have no doubt the Minister and people in the industry are, about the situation that may obtain next harvest. At least when we try to sell our wheat one board is doing the job for us; and, by and large, it has done a good job over the years.

However, as well as the operations of the merchants and the free operations in New South Wales we have the unfortunate position of having three boards all competing with one another in the sale of barley.

I think all honourable members would agree with me that the Act needs to be amended to provide for an all-Australian Barley board. Of course, to achieve such a result all States and the Commonwealth would need to agree. This is not a new suggestion. Indeed, honourable members have been suggesting it for many years. The gravity of the situation is underlined at present because of the very considerable expansion in acreages being sown to barley, to which I have already referred. I believe these increased acreages could cause as many problems in delivery, let alone in sales, next harvest as occurred in the wheat industry during the last harvest.

I appeal to the Minister and to the members of the existing board, as well as to the primary-producing bodies, to do all in their power to work for an all-Australian board, because more than ever before this is vitally necessary today. I know it is all very well to talk, but it can accurately be said that we have been trying to do these things for years. I know the Minister is as aware of these problems as anyone else is, but the position is more urgent now than it has ever been and, while I have pleasure in supporting the Bill with its minor amendments to the Act, I stress the absolute necessity for some action to be taken by the Commonwealth and State Governments to minimize some of the chaos that could result in relation to delivery and sales.

The Hon. Mr. Hart referred also to the limitation of the present board, which is another compelling reason why an all-Australian board should be set up. I know

that the industry has the sympathy and the support of the Minister. However, it is high time that the Act should be amended to provide for some far-reaching changes throughout the Commonwealth in the production and marketing of this product. I have pleasure in supporting the Bill.

The Hon. C. R. STORY (Minister of Agriculture): I thank honourable members for the attention they have given to and their interest in this not very nation-rocking amendment to the Act. The points raised recently by the Hon. Mr. Kneebone and the Hon. Mr. Hart, and today by the Hon. Mr. Dawkins, are well known to me. However, they are fraught with practical problems. I do not think this or any other State would hesitate to amend the Act if there were the slightest hope that an all-Australian barley board would be set up. If it were as simple as that to bring this about, the arrangement could be effected now.

We have a surplus of 1,000,000 bushels of old stock barley, and another season is approaching. The same position obtains in the other States. The surplus is not very large when compared with the wheat surplus but it is, nevertheless, a surplus. I find it difficult to understand why the body of primary producers should become fragmented at the very time when it should stay together. It is quite alarming that in New South Wales and parts of Victoria there is currently talk of breaking away from the existing system.

Negotiations are currently being conducted with the Commonwealth Minister for Primary Industry in an endeavour to get the Commonwealth Government to bring about some sort of stability in the same way as the wheat board legislation brought about some sort of stability in the wheat industry; however, this needs the support of primary producers. At present, unfortunately, that primary-producer support is not completely forthcoming to back up those who are trying very hard to bring about some form of orderly marketing.

The Hon. Mr. Hart asked whether the repeal of section 5 of the principal Act would jeopardize this State's position if Victoria did not continue its association with this State on the Australian Barley Board. I assure the honourable member that the repeal of this provision will have no effect whatever on the position of this State *vis-à-vis* Victoria. The section to be repealed relates only to a situation that could have occurred before the marketing of the barley of the 1948-49 season. In fact, the situation did not occur and, as a result, the provision cannot have any effect now.

Every endeavour is being made by the Australian Barley Board and its officers to dispose of the barley at a payable price. I am confident that we will not have anything like 1,000,000 bushels of barley left when the following harvest starts. I thank honourable members for the consideration they have given to the legislation.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Repeal of section 5 of principal Act."

The Hon. L. R. HART: I accept the Minister's explanation that section 5 of the principal Act is now redundant. I agree with him that it is hard to understand why the body of producers should be fragmented at this time. I point out that it is not only some producers who are opposed to the formation of a board; perhaps there is more unanimity amongst the producers than there is amongst the merchants and maltsters. I think the greatest niggers in the wood pile are the merchants and maltsters who, by virtue of section 92 of the Commonwealth Constitution, can buy barley over the border more cheaply than through a properly constituted marketing authority.

I realize, too, that the Commonwealth Government is reluctant to become involved in an all-Australia barley marketing board because it fears that it may be requested at some time to enter into a stabilization scheme. The Commonwealth Government has been bitten rather badly through the wheat stabilization scheme, so I can understand that it is reluctant to be caught up in a similar situation in connection with barley marketing. In connection with the repeal of section 5 of the principal Act, can the Minister assure me that, should Victoria withdraw from the Australian Barley Board, the Government will introduce the necessary amendments to enable the board to continue to function?

The Hon. C. R. STORY (Minister of Agriculture): I do not think there is any need to amend the principal Act in the situation described by the honourable member. The scheme started off as a South Australian effort, and Victoria was added to it. If Victoria withdraws, we may as well amend the principal Act thoroughly. It would not be

a very workable proposition but I, or any other Minister, would see that barley marketing was continued along orderly lines. Nothing could be worse than three or four bodies opposing each other. I am quite sure that the necessary action would be taken to ensure that we had the legislation in proper order.

Clause passed.

Clause 3 and title passed.

Bill read a third time and passed.

TRANSPORTATION STUDY

Adjourned debate on the motion of the Minister of Roads and Transport:

That this House:

(*a*) acknowledges:

(i) that the general principles underlying the report of the Metropolitan Adelaide Transportation Study were laid down in the Metropolitan Development Plan which was endorsed by Parliament by legislation enacted in the years 1963 and 1967 and are designed to meet the transport needs of all people of the State whenever they move within the metropolitan area; and

(ii) that adequate safeguards in the implementation of that part of the proposals accepted by the Government will be assured to the community because the transportation proposals are required (under the terms of the Planning and Development Act) to be consistent with the general provisions of the Development Plan as it may be varied from time to time:

and

(*b*) endorses:

(i) the general principles underlying the Metropolitan Adelaide Transportation Study proposals for the co-ordinated development of both public and private transportation and ancillary facilities; and

(ii) the action taken by the Government in approving in principle a major proportion of the proposals as set out hereunder:

Retention of suburban rail passenger service on the four existing main lines to Outer Harbour, Gawler, Blackwood, and Hallett Cove, and extension of the Hallett Cove line to Christie Downs;

Construction of the King William Street subway to connect the two main lines on the north with the two main lines on the south and necessary modifications to rolling stock;

Express bus services on the Modbury Freeway;

Express feeder bus service on the Reynella Expressway to a transfer terminal at the Oaklands railway station;

An extensive programme of station modernization and reconstruction to encourage transfer from automobiles and feeder buses to the rail system;

Twenty suburban rail road grade separations;

Arterial Road System—220 miles of arterial road improvements including 20 miles of new arterial roads, and 200 miles of arterial road widening;

Expressways—

Dry Creek Expressway,
Glenelg Expressway,
Gawler By-pass,
Reynella Expressway,
Port Wakefield Expressway,

Freeways—

Noarlunga Freeway,
Hindmarsh Interchange,
Salisbury Freeway,
Port Freeway,
North Adelaide Connector,
Modbury Freeway,

and contained in the Report and excepting certain proposals which include those relating to the Hills Freeway and the Foothills Expressway (affecting the eastern and southern suburbs) and the Goodwood-Edwardstown rail diversion (in the western suburbs):

and

(*c*) is of the opinion:

(i) that the Metropolitan Transportation Committee should annually make a written report to each House of Parliament on the programme of work in implementing the proposals contained in the report which are accepted from time to time by the Government; and

(ii) that the Government should continue its examination of existing legislation relating to the compulsory acquisition of land and introduce amendments thereto so as to ensure just compensation for persons affected by the acquisition of land necessitated by those proposals—

which the Hon. S. C. Bevan had moved to amend by striking out all words after "House" and inserting:

is of the opinion:

(*a*) that the Metropolitan Adelaide Transportation Study Report does not make adequate provisions for the development of transport movement in metropolitan Adelaide;

(*b*) that the plan should be withdrawn and referred to the State Planning Authority for reassessment to ensure:

(i) a properly integrated plan for roads and public transport development;

(ii) that any plan is financially feasible; and

(iii) that the destruction of homes and other properties is minimized;

(c) that the Government should proceed forthwith to amend legislation on compulsory acquisition of land so as to ensure just compensation for persons affected by the proposals.

(Continued from August 12. Page 813.)

The Hon. H. K. KEMP (Southern): The Minister, in deferring the Hills Freeway and the Foothills Expressway (rather, in sending them back for reconsideration) has drawn the teeth from at least my opposition to the Metropolitan Adelaide Transportation Study plan as it was first presented. More than that, he has, by inducing his officers to confer with the planners and redraw proposals for the South-Western Freeway, shown that the Government approaches this project in a reasonable spirit and is now prepared to consider local interests and needs. The adamant attitude with which the first M.A.T.S. plan was put forward has been dropped. If the Minister ensures that such a policy continues, then the State can go forward.

God knows we need to improve our road system. There has been a never-ending procession of deaths and maimings, mostly of young people and people enjoying the best years of their lives. The State cannot continue to meet the cost of over 100 road deaths a year by maintaining an obsolete road system. The fact that freeway travel could cut such losses to a quarter means that such a system must be adopted where it is needed. However, that must not be done in advance of existing needs when in doing so the atmosphere and remaining beauties of our environment may be affected; it should be done with as little change as possible.

A freeway is an unpleasant public necessity; it must be efficient just as, for health's sake, a toilet must be efficient. For efficiency, experts must be employed in the design and maintenance of freeways, but that does not mean that because of pride in their work their plans must take precedence over every other consideration.

I have no doubt that the craftsmen who today design and maintain our bathroom equipment are matched by the most highly qualified highway engineers who have an equal pride in their work. In spite of that, the former would not be permitted to install their work on the front lawns and gardens of Adelaide.

It will be a long time before the Highways Department can be trusted not to do this after the experience at Crafers, and I would like honourable members to consider this road, in particular, for a moment. If there had been any consideration at all for the beauty of the Hills this road would have been deviated southwards at Measday Hill, taken through thinly-occupied land below Waverley Ridge, west and south of Mount Lofty through Heathfield, and so on, at a quarter of the cost involved in acquiring land and also with a quarter of the amount of sacrifice of beauty. The work at Crafers was designed on the most lavish scale possible. The road to Mount Lofty Summit can never serve a populous district; it must remain chiefly as an access road to beautiful reserves and as a sight-seeing road of unsurpassed beauty to be driven on slowly and at leisure. Surely there was no need to quarry through it a deep stone cutting with a high embankment curved for high speed travel through some of our best and irreplaceable scrub land.

Is every freeway in future to be lined closely with a picket fence of closely-spaced lamp posts such as have been erected to cap this monstrous development? I agree that it is now an excellent roadway; it has its own beauty, but just as a bathroom fixture has beauty so should it be discreetly displayed, and at need. However, it is not wanted on the front lawn of Adelaide, and close thought must be given to freeways that must eventually carry the flow from Tonsley, Christies Beach, etc., as those areas grow, and also to the need to hide them. If the Minister has, in effect (as I believe), given his promise, then this will be done and I will help him in every way to further these plans.

The Hon. Sir Arthur Rymill: Do you think that that is what he has done—made a promise?

The Hon. H. K. KEMP: I think so. It was implied.

The Hon. Sir Arthur Rymill: What does the word "defer" mean?

The Hon. H. K. KEMP: I am hoping, possibly, more than placing reliance on exact wording. Much of the criticism directed at the M.A.T.S. proposals has been good and well informed. I believe it was only because this criticism met an adamant refusal to reconsider the plan, or a refusal in any way to admit the need to modify the proposals, that this criticism has reached the level it has.

Now, I regret to say, many of the publications and statements made are more emotional than factual; more political and disruptive than constructive. It will indeed be hard to channel the plans to the essential need of working out a road and travel pattern to fit Adelaide as it grows.

I think great credit must be given for what has been accomplished in the way that traffic has been freed as Adelaide has grown over the past 10 years, and much good work has been carried out by traffic engineers. Everybody who uses the roads from 8 a.m. to 9 a.m. and from 4.30 p.m. to 5.30 p.m. knows that relief must be forthcoming soon, and that the only relief immediately possible is along the lines of the proposed system.

It is all very well to talk about "encapsulated" public transport and maxi-taxis; such systems will eventually be used if they prove to be practicable and efficient. However, I would like my respected colleague to present more detail on the practicability of mini-skirts in his proposed maxi-taxis.

Motor vehicles are killing people in hundreds now, as well as slowing down commerce and wasting our time. Although traffic needs have been met to this stage, it has only been by the skin of our teeth and in the most costly manner as well as using the most costly and valuable land in widening our main streets. I believe it is highly desirable to lower costs as laid down by the plan, but in doing so we should use the least valuable and most hidden places for freeways.

The criticism that no thought has been given to planning the development of Adelaide is just not true, or it betrays the deepest ignorance of the true position of what has gone on and what is going on. If anybody has a better plan, then let him produce it, because the Minister has, in effect, promised that such a plan will be incorporated, if possible.

It cannot be denied that M.A.T.S. will dispossess many people, but so would any other system devised to meet the problem now facing our State. Much has been heard of "encapsulated" public transport under computer control. Would not such a system entail the use of thoroughfares, or is it to be "encapsulation" travel as disembodied souls reconstituted upon arrival at destination. Without this, any such system must involve the acquisition of roadways and the displacement of people and the acquisition of property.

Much has been made of the choking of freeways in cities in the United States of America. Those are cities with millions of people in which planning and freeway building started too late. It is precisely to prevent such things occurring here that the M.A.T.S. plan has been prepared, and the intention of the Government to establish a special court to deal with acquisition of land disputes will surely streamline procedure and remove the risk of loss to those people whose properties are involved.

If that does not occur (and I believe our land acquisition laws are more just than any existing elsewhere) then any defect should be brought to the notice of the member of Parliament for the district concerned. If the department will not then "play ball", then the law will be modified. I am sure nobody wants to see anybody lose in the course of the State's making an important step forward; for this is, in effect, the M.A.T.S. plan. Finally, to say that the M.A.T.S. proposals will reduce country road improvement is poppycock; it is playing politics. I support the motion moved by the Minister.

The Hon. R. A. GEDDES secured the adjournment of the debate.

ADJOURNMENT

At 3.29 p.m. the Council adjourned until Thursday, August 14, at 2.15 p.m.