

SOUTH AUSTRALIA

PARLIAMENTARY DEBATES (HANSARD)

First Session of the Fortieth Parliament (1970)

The Thirty-ninth Parliament of South Australia having been prorogued on May 4, 1970, and the House of Assembly having been dissolved on May 1, general elections were held on May 30. By proclamation dated June 18 the new Parliament was summoned to meet on July 14, and the First Session began on that date.

LEGISLATIVE COUNCIL

Tuesday, July 14, 1970

The Council assembled at 11 a.m. pursuant to proclamation issued by His Excellency the Governor's Deputy (Sir Mellis Napier). The Clerk (Mr. I. J. Ball) read the proclamation summoning Parliament.

THE COMMISSION

The Commissioner appointed by the Governor's Deputy to do all things necessary to prepare for the opening of the session, the Honourable John Jefferson Bray (Chief Justice), was announced by Black Rod (Mr. A. D. Drummond) and conducted by the President to the Chair.

A message was sent to the House of Assembly requesting members of that House to attend to hear the Commission read. The members of the House of Assembly having arrived, the Clerk read the Commission.

The Commissioner announced that His Excellency the Governor's Deputy would, in person, declare the reasons for his calling the Parliament together as soon as the new member of the Legislative Council and the members

of the House of Assembly had been sworn and the House of Assembly had notified him that it had elected its Speaker.

The members of the House of Assembly and the Commissioner retired.

NEW MEMBER FOR CENTRAL No. 1

The Hon. Thomas Mannix Casey, to whom the Oath of Allegiance was administered by the President, took his seat in the Council as member for Central District No. 1 in place of the Hon. S. C. Bevan (resigned).

[Sitting suspended from 11.17 a.m. to 2.15 p.m.]

GOVERNOR'S DEPUTY'S SPEECH

At 2.15 p.m., His Excellency the Governor's Deputy, having been announced by Black Rod, was received by the President at the bar of the Council Chamber and conducted by him to the Chair. The Speaker and members of the House of Assembly having entered the Chamber in obedience to his summons, His Excellency read his Opening Speech as follows:

Honourable members of the Legislative Council and members of the House of Assembly:

1. I have called you together for the dispatch of business.

2. During the month of June this year the Ministry led by the Honourable Raymond Steele Hall tendered its resignation from office whereupon I invited the Honourable Donald Allan Dunstan to form a Ministry. On June 2, 1970, the Ministry formed by the Honourable Donald Allan Dunstan was sworn in and the portfolios in the new Government have been allotted as follows:

The Honourable Donald Allan Dunstan, Q.C., LL.B., M.P.—Premier, Treasurer, Minister of Mines and Minister of Development.

The Honourable James Desmond Corcoran, M.P.—Deputy Premier, Minister of Works and Minister of Marine.

The Honourable Albert James Shard, M.L.C.—Chief Secretary and Minister of Health.

The Honourable Hugh Richard Hudson, B.Ec., M.P.—Minister of Education.

The Honourable Leonard James King, Q.C., LL.B., M.P.—Attorney-General, Minister of Social Welfare and Minister of Aboriginal Affairs.

The Honourable Geoffrey Thomas Virgo, M.P.—Minister of Roads and Transport and Minister of Local Government.

The Honourable Thomas Mannix Casey, M.L.C.—Minister of Agriculture and Minister of Forests.

The Honourable Glen Raymond Broomhill, M.P.—Minister of Labour and Industry.

The Honourable Alfred Francis Kneebone, M.L.C.—Minister of Lands, Minister of Repatriation and Minister of Irrigation.

3. Since assuming office my Ministers have directed their attention to a number of problems with which my Government has been faced, and to many matters with respect to which they plan to implement many changes of policy.

4. My Government is determined that forward planning is undertaken with all our water resources so as to ensure that all possible water resources available to this State are harnessed and developed to the fullest extent possible. Negotiations are proceeding with the Commonwealth, New South Wales and Victoria concerning a revision of the River Murray Waters Agreement.

5. Encouragement and assistance will be given in the discovery, development and exploitation of the mineral resources of South Australia and the Mining Act will be revised and modernized to ensure that complete and exhaustive surveys (both geochemical and geophysical) are made of our mineral potential, while protecting the rights of small prospectors and miners. Steps have already been taken

towards the establishment in South Australia of the Australian Minerals Foundation which will make South Australia the centre of mining studies for the whole of Australia and this project is supported by my Government.

6. Amendments to the Industries Development Act will be placed before you to provide that in appropriate cases on the recommendation of the Industries Development Committee, the Government may directly or in concert with other interests purchase an equitable share in industries seeking establishment or expansion in this State. Legislation will also be introduced to clarify the powers of the Housing Trust with regard both to the areas in which the trust may build and lease factories and its powers to purchase land with factory buildings on the land and to make alterations to factory buildings.

7. The development activities in the State have been centred in one department under the Minister of Development. An essential part of the development of this State is the connection of the Adelaide industrial area to the standard gauge railway. My Government does not accept the recommendations contained in the report on a feasibility study previously undertaken for the standardization of the railway line between Adelaide and Port Pirie but supports a scheme proposed by the Railways Commissioner which is more economic and will ensure that South Australia's main industrial centres are connected with the standard gauge line. The Premier has written to the Prime Minister about this matter and my Government intends to press very strongly to ensure that South Australia does not remain isolated from the main markets of Australia because of its isolation from standard gauge rail working. My Government is most concerned that the standard gauge line between Port Augusta and Whyalla be built immediately and will introduce appropriate enabling legislation early in this session of Parliament.

8. My Government will promote tourism in South Australia and the Government Tourist Bureau will carry out research into and promote the State's unique tourist potential. The Government's special attention will also be given to beach maintenance assistance to seaside councils.

9. My Government will re-introduce a Bill for the establishment of a Government insurance office which will cover all insurance risks except life assurance. It will not only ensure adequate standards of insurance service but also will in due course provide a valuable source of investment in semi-governmental

loans for development as has proved to be the case with Government insurance offices elsewhere in Australia.

10. My Government has notified the Commonwealth of its intention to withdraw from meeting the education requirements of the Northern Territory. Negotiations at departmental level on the details of this withdrawal are proceeding.

11. Provisions will be made in the 1970-71 Loan works programme for increased expenditure on school buildings. Emphasis will be placed on the replacement of unsatisfactory and outmoded accommodation. The rate of progress in this area will depend on the Commonwealth's attitude to the conclusions of the national survey.

12. The national survey of educational needs for a five-year period has been completed. The survey shows that capital and recurrent funds far in excess of those available from each State's annual revenues are required to raise the standard of education services to a reasonable level. As well as presenting a requirement for the five-year period the States have presented a request to the Commonwealth Minister for Education and Science for an immediate grant to enable improvements to be made immediately. My Government has raised South Australia's request for an immediate capital grant from \$4,500,000 to \$7,000,000. A further request to the Commonwealth for additional assistance in the 1970-73 triennium has been made to ensure an early start on buildings for Western Teachers College.

13. Action is being taken to deal with problems confronting the State Library. Additional staff will be provided. A report on the future role of the Institutes Association and institute libraries in South Australia by the former Director-General of Education (Mr. E. Mander-Jones) has been completed and distributed to interested and concerned bodies and persons. Constructive comments have been sought, and a complete review of legislation governing institute and subsidized libraries will be undertaken.

14. Legislation will be introduced to enable school committees and councils to borrow money through Government guaranteed loans for major school projects such as assembly halls and swimming pools. In addition, the Government has approved new policies to assist schools by increasing the subsidies for swimming pools and assembly halls and by providing canteen shells free of cost to all schools.

15. The Education Department will establish and operate pre-school kindergartens at all Aboriginal schools, and will train Aboriginal teacher-aides for employment in Aboriginal schools.

16. Senior staff are to be recruited shortly for the Research and Planning Branch of the Education Department, which has been created recently to evaluate curricula and teaching methods and conduct and co-ordinate research.

17. My Government intends to provide additional moneys for the staff necessary to carry out the work of town and regional planning under the State Planning Authority and for the development fund to service the necessary semi-governmental loans for the work of the authority. Redevelopment planning will proceed and full support will be given to the provision of the Hackney redevelopment programme.

18. My Government will take such action as is necessary to prevent subdivisional activity within the hills face zone from marring that zone. A Bill to amend the Mines and Works Inspection Act to provide better control of quarrying in and restoration of the area will be introduced. My Government will also support assistance towards the replanning of the city of Adelaide itself to provide a regrowth of population in the inner city area.

19. My Government has engaged Social Technology Systems Incorporated of Newton, Massachusetts, to undertake a preliminary study of work involved in the revision of the Metropolitan Adelaide Transportation Study proposals and for the use of South Australian industry and Government instrumentalities in developing new public transit systems.

20. The activities at present discharged by and under the control of the Railways Commissioner and the Municipal Tramways Trust will be examined preparatory to bringing all forms of transport directly under Ministerial control in a Department of Transport where all public transport activity will be properly co-ordinated.

21. My Government has already made planning regulations aimed at lessening the risks of pollution of the Murray River and water catchment areas. The work of the Committee on Environment is proceeding, and legislation will be introduced to amend the Planning and Development Act to provide administrative control of various forms of pollution.

22. The Government is considering the establishment of a State film unit and film studio and processing facilities with the aid of which film producers will be able to make use of the

new Commonwealth grants for film productions.

23. The Government is taking such steps as are necessary to improve the remuneration and nursing conditions of nurses throughout the State. More enrolled nurses will be recruited to work under the supervision of nurses and to do work which does not need full nursing qualifications so that nurses will be released for their proper tasks. A nurses training college, which will have the status of a college of advanced education, will be set up in such a way as to attract Commonwealth funds. Decentralized training and training in employers' time will be provided.

24. My Government will take action to bring to the notice of all persons the harmful effects of the taking of drugs without medical supervision. Measures will be introduced to provide for severe penalties for those who illegally distribute drugs.

25. My Government has plans for the provision of adequate recreation facilities. It will provide monies to the development fund to ensure that open space areas recommended in the Metropolitan Adelaide Development Plan are acquired without an undue burden upon the councils in the areas concerned. These acquisitions, together with recreation area development, will be financed by an additional metropolitan land tax which will cost approximately \$2 a year on average to each suburban block holder. Special remissions will be given to pensioners and people in real poverty, and the tax acquisitions and development will apply only to the area covered by the Metropolitan Adelaide Development Plan and not to the rest of the State.

26. The programmes for the training of Aborigines will be stepped up. The Prohibition of Discrimination Act will be amended to eliminate known loopholes. The work of the Aboriginal Lands Trust will be supported and expanded.

27. A committee will be appointed to re-examine the wheat quota system with a view to ensuring a more equitable basis for allocating wheat quotas.

28. An inquiry by the Director of Lands into the working of the Citrus Organization Committee with a view to reorganizing the activities of that committee is proceeding.

29. The present condition of the Wild Dog Fund following the record number of scalps received during the past financial year is causing concern to the Government. Appropriate amendments to the Wild Dogs Act will be introduced.

30. My Government will complete the revision of the Fisheries Act.

31. The Government will proceed with the distribution to councils and others of the report of the Local Government Act Revision Committee and will work towards the introduction of a Bill for a new Act following receipt of comments from these bodies. The Government will also introduce during the forthcoming session a Bill to provide for urgent amendments to the Local Government Act. The most significant amendments are aimed at enabling councils to enter the field of services to the aged, providing adult suffrage and compulsory voting at council elections.

32. My Government will renew its proposals for making the age of 18 years the age of majority for all citizens. The new age of majority will apply for all purposes including voting and entering into contracts.

33. The present laws relating to raffles and sporting and charitable lotteries will be completely revised and a Bill will be introduced permitting the conduct of certain types of licensed and exempted lotteries. The Collection for Charitable Purposes Act will be revised to ensure that moneys subscribed by the public for charitable purposes reach the purposes for which they are intended and are not absorbed by unduly high costs of promotion.

34. My Government proposes, as part of the reform of the Legislative Council, adult suffrage and compulsory voting for Legislative Council elections and a redistribution of the electoral districts of the Legislative Council to provide, as far as practicable, for one vote one value.

35. My Government will establish a special commission for the revision of the criminal law and its administration. My Government will improve the effectiveness of our law enforcement agencies and will also undertake an inquiry into State prisons and detention centres to ensure a rational plan for the development of appropriate modern and humane legislation.

36. Steps will be taken to protect persons from harm from improper activities in the building trade and the sale of goods and services and the Government will bring into force the Builders Licensing Act.

37. Legislation is under consideration whereby courts will be given the right to investigate contracts and, where the parties have no equality in bargaining power, they will be empowered, if it is just and equitable, to set aside or re-write a contract to ensure

fairness and equal terms. Door-to-door sales legislation providing for a compulsory cooling off period will be introduced and a licensing system for door-to-door salesmen is under consideration.

38. A new system of registration of cars is under consideration which will be concerned with title to motor vehicles. Used car dealers will be required by legislation to disclose such defects in their vehicles as are ascertainable by any reasonably expert examination. My Government will ask Parliament to appoint another Select Committee to examine the so-called points demerits scheme as part of an amendment to the Motor Vehicles Act. This is necessary because the committee appointed by the previous Parliament was not able to complete its work before that Parliament was dissolved.

39. The principles underlying the proposals contained in the Adelaide Law School report for a new legal basis for consumer credit transactions will be implemented and legislation will be introduced prohibiting misleading advertising. My Government will propose a far-reaching programme of consumer protection.

40. The Government will administer the Prices Act to protect the purchasing power of money in the State. The Prices Commissioner will be given wider powers to investigate unfair trade practices and to pursue and obtain civil remedies for members of the public who are or have been unfairly dealt with in consumer transactions. My Government will reintroduce the proposal to transfer to the Commonwealth power in relation to intrastate restrictive trade practices.

41. Legislation will be introduced providing that in insurance contracts insurance companies will not be able to rely on technical breaches of a policy which do not materially affect the insurer's position in order to avoid liability to an insured. Nor will they be able to avoid liability if breaches have not contributed to loss.

42. My Government will introduce a Bill for the abolition of capital and corporal punishment.

43. A Bill will be introduced to modernize the Workmen's Compensation Act to simplify and shorten procedures to enforce compensation. Other industrial legislation under consideration for amendment includes the Apprentices Act, Lifts Act, the Early Closing Act, the Industrial Code and the reform of the law relating to and liability arising out of industrial disputes.

44. Legislation will be introduced to provide for four weeks annual leave for salaried officers in the Public Service. A Bill will be introduced to amend the South Australian Superannuation Act to provide for improved benefits and periodic adjustments. An investigation has been undertaken to provide an entirely revised basis for the fund.

45. Legislation will be introduced to remove anomalies in the law relating to receipt duty and gift duty and to alter the incidence of succession duty to give remissions to a spouse inheriting a house, to the inheritors of small estates and primary producing property. Other special remissions will be removed, successions will be aggregated and rates on larger successions will be increased. In order to grant some relief in the rural sector of our economy, the Government will introduce legislation to increase exemptions on land tax for primary producing property.

46. The Government has already authorized an increase from \$8,000 to \$9,000 in the maximum housing loan which may be made from funds secured under the Commonwealth-State Housing Agreement. A Bill will be introduced to authorize a similar increase in maximum housing loans made under the Advances for Homes Act and the Advances to Settlers Act.

47. The Consolidated Revenue Account for the year ended June 30, 1970, showed a surplus of \$2,920,000 whereas the Estimates presented to Parliament in September, 1969, indicated a possible deficit of \$2,240,000. Whilst expenditures were higher than estimated in consequence of increases subsequently awarded in wages and salaries, those increases were largely offset by increases in Commonwealth financial assistance arising from a formula substantially based upon increases in wage and salary levels throughout Australia and by further special grants amounting to \$1,690,000. Moreover, the finances of the immediate past year were materially assisted by unexpectedly large wheat shipments and by the credit to revenues of a number of non-recurring recoveries of earlier expenditures.

48. The Loan Budget presented in August last contemplated works expenditures of \$101,716,000 whilst the actual expenditures for the year ended June 30, 1970, were \$101,589,000. Whereas recoveries of past expenditures exceeded the amount originally estimated by \$974,000 the balance of Loan funds in hand increased by \$555,000 instead of the forecast decrease of \$546,000.

49. Other legislation under consideration includes Bills relating to south-eastern drainage,

highways, road and railway transport, juvenile courts, education, waterworks and Aboriginal and historic relics.

50. I now declare this session open and trust that your deliberations will be guided by Divine Providence to the advancement of the welfare of the State.

The Governor's Deputy retired from the Chamber and the Speaker and members of the House of Assembly withdrew.

The President again took the Chair and read prayers.

QUESTIONS

LOCAL GOVERNMENT ELECTIONS

The Hon. C. M. HILL: In view of the references made in His Excellency's Opening Speech today to the question of voting at local government elections, will the Minister of Lands ask the Minister of Local Government whether the report of the Local Government Act Revision Committee, a committee set up by the Labor Government of 1965-68, could be tabled in this Council?

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

WHEAT QUOTAS

The Hon. A. M. WHYTE: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. A. M. WHYTE: In view of the recent television and press statements by the Minister of Agriculture regarding the Government's intention to set up a three-man Select Committee to inquire into wheat quotas and the anomalies involved, can the Minister tell me how this committee will be constituted and whether Eyre Peninsula and the Upper Murray will have representation on it? Secondly, is it envisaged that alterations to the present formula will be necessary to achieve the committee's plans?

The Hon. T. M. CASEY: The honourable member might recall that during the course of His Excellency's Speech a few moments ago it was indicated that the Government intended to set up a special committee to look into wheat quotas. Indeed, this was part of the Government's policy announced during the election campaign. This three-man committee that will be set up will be completely independent of the wheat industry itself. I hope that it will be constituted as soon as all the queries regarding quotas and appeals have been

completed for this year, when all the necessary information will be available to it. Then we hope to start work to rectify any anomalies that might exist at present within the wheat quota system. I shall be only too pleased to keep the honourable member informed of exactly what this special committee is doing. It has the complete co-operation of the present Wheat Quotas Committee and also the wheat industry generally, and I hope that when the committee brings down a report it will in some way rectify the anomalies that occur in the wheat quotas system today and that it will be of benefit to the wheat industry generally in South Australia.

PORT GILES

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

Leave granted.

The Hon. L. R. HART: During the term of office of the previous Government, amendments to the Harbors Act were passed in both Houses of that Parliament with the full support of both Parties. These amendments made provision for certain ports in South Australia to be declared ports for the purpose of the imposition of a surcharge on the handling of grain put through those ports. At the declaration of the poll at Port Wakefield (for the Goyder District), the defeated Labor Party candidate stated that legislation imposing a 2½c a bushel surcharge on grain put over the Port Giles jetty had been revoked by the State Government. I ask the Minister: is it a fact that the previous Government declared Port Giles a port for the purpose of the imposition of this tax and, if so, is it also a fact that the present Government has revoked that decision? Does it also mean that there will be no surcharge on any other commodities shipped through Port Giles?

The Hon. T. M. CASEY: The answer to the first part of the question is "Yes". I will call for a report on the second part of the question and bring back a reply as soon as possible.

The Hon. C. R. STORY: By what act of the Minister, administrative or otherwise, has the Government removed the 2½c surcharge on all grain going over the Port Giles wharf?

The PRESIDENT: I point out to the honourable member that the question should be asked from the honourable member's own seat in the Council.

The Hon. T. M. CASEY: Specifically, I cannot answer the question asked by the honourable member but I will get the information and bring it down for him.

The Hon. C. R. STORY: Mr. President, I ask your ruling. I know you have given a ruling that I asked a question from the wrong seat but my understanding of Standing Orders is that, provided the honourable member whose seat I am occupying did not object to my asking a question from his seat, I would not be out of order.

The PRESIDENT: I was trying to assist the honourable member.

GOVERNMENT ADVERTISING

The Hon. C. M. HILL: I seek leave to make a short statement prior to asking a question of the Chief Secretary, representing the Premier. Leave granted.

The Hon. C. M. HILL: In the *Advertiser* a few weeks ago the following paragraph appeared:

The Premier also said that the advertising company Hansen Rubensohn—McCann Erickson Proprietary Limited had been given a contract to handle the South Australian Government's local and international advertising and publicity. The appointment had been made by Cabinet.

Will the Chief Secretary, representing the Premier, in due course disclose to this Council the terms and conditions of this contract, including the monetary consideration involved?

The Hon. A. J. SHARD: I will discuss the question with the Premier and, if possible, the honourable member's request will be met.

PUBLIC WORKS COMMITTEE REPORTS

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

Islington Sewage Farm Development,
Reorganization of the South-Western Suburbs Sewerage System and Provision for Sewerage of the Blackwood, Belair, Eden Hills and Flagstaff Hill Areas (final),

South-Western Suburbs Floodwaters Drainage Scheme (Stage II) and Additional Improvements to Patawalonga Basin, Strathalbyn to Victor Harbor-Milang Railway (final),

Thebarton Primary School.

STANDING ORDERS COMMITTEE

The Hon. A. J. SHARD (Chief Secretary) moved:

That a Standing Orders Committee be appointed consisting of the President, the Hons. T. M. Casey, R. C. DeGaris, A. F. Kneebone, and A. J. Shard.

The Hon. R. C. DeGARIS (Leader of the Opposition): Under Standing Order No. 415 I call for a ballot.

A ballot having been held, the President and the Hons. R. C. DeGaris, A. F. Kneebone, Sir Arthur Rymill and A. J. Shard were declared elected.

LIBRARY COMMITTEE

The Hon. A. J. SHARD (Chief Secretary) moved:

That a Library Committee be appointed consisting of the President, the Hons. D. H. L. Banfield, T. M. Casey, and M. B. Dawkins.

The Hon. R. C. DeGARIS (Leader of the Opposition): Under Standing Order No. 415 I call for a ballot.

A ballot having been held, the President and the Hons. D. H. L. Banfield, M. B. Dawkins, and H. K. Kemp were declared elected.

PRINTING COMMITTEE

The Hon. A. J. SHARD (Chief Secretary) moved:

That a Printing Committee be appointed consisting of the Hons. D. H. L. Banfield, R. A. Geddes, A. F. Kneebone, V. G. Springett, and A. J. Shard.

The Hon. R. C. DeGARIS (Leader of the Opposition): Under Standing Order No. 415 I call for a ballot.

A ballot having been held, the Hons. R. A. Geddes, L. R. Hart, A. F. Kneebone, A. J. Shard, and V. G. Springett were declared elected.

ADDRESS IN REPLY

The PRESIDENT having laid on the table a copy of the Governor's Deputy's Speech, the Hon. A. J. SHARD (Chief Secretary) moved:

That a committee consisting of the Hons. T. M. Casey, R. C. DeGaris, A. F. Kneebone, A. J. Shard, and C. R. Story be appointed to prepare a draft Address in Reply to the Speech delivered this day by His Excellency the Governor's Deputy and to report on the next day of sitting.

Motion carried.

COURT OF DISPUTED RETURNS

The Hon. A. J. SHARD (Chief Secretary) moved:

That it be an order of this Council that the appointment of members of the Court of Disputed Returns pursuant to Standing Orders Nos. 11 and 420 be not made, in view of the reconstitution of the court under section 43 of the Electoral Act Amendment Act, 1969.

Motion carried.

ADJOURNMENT

At 4.45 p.m. the Council adjourned until Wednesday, July 15, at 2.15 p.m.