

**LEGISLATIVE COUNCIL**

Thursday, July 26, 1973

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

**QUESTIONS****AGRICULTURE DEPARTMENT**

The Hon. C. R. STORY: I seek leave to make a short statement with a view to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. R. STORY: During the short session before this session, I asked the Minister whether there was any truth in the rumour that the Agriculture Department was about to be absorbed or moved into another department. One has learned over the past few weeks that the department has been shed of various responsibilities, while the Minister has been shed of the responsibility of fisheries, and it appears that he would be shed of the Department of Agricultural Education and that he is about to shed or has shed the responsibility of the Government Produce Department. I ask whether there is any truth in the rumour that the Agriculture Department is about to be absorbed into some other department, or perhaps the Minister would prefer to make a Ministerial statement on the whole situation existing at present.

The Hon. T. M. CASEY: As clearly and as simply as I can give an answer to the honourable member, it is "No". I do not think there is any need for a Ministerial statement on the situation. The Government created a Ministry of Fisheries, which was asked for by the industry. That request has been granted and the portfolio has been taken over by the Minister of Education, who is now the Minister of Education and Minister of Fisheries. I do not know where the honourable member gets his information about the Agriculture Department being absorbed into some other department. He knew last year that the Roseworthy Agricultural College was to be replaced by a college of advanced education, and whilst that was a department within the Agriculture portfolio I am sure he knew last year that this was to be the situation and that a Bill would be prepared along these lines.

The honourable member knows full well, and has known for quite some time, that the Government intends to place the Port Lincoln abattoir under the control of Samcor. I think it most desirable for this to be done, because already one Government abattoir, the Gepps Cross abattoir, is under the control of Samcor, and the other abattoir works under another department. The most suitable and proper course in this situation is for the two Government abattoirs to be placed under the one management, and I think private industry, in these circumstances, would do the same. I am still considering the future of the Government Produce Department. If the honourable member looks at that department's history, which goes back almost to the turn of the century, he will find that, in order to bring the department up to modern requirements, it could easily be absorbed in the Agriculture Department, instead of being a separate department.

**DRUGS**

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. M. B. CAMERON: This morning's newspaper contains a report about chemists seeking an inquiry into allegations that have been made in the annual report of the Alcohol and Drug Addicts (Treatment) Board about illegal trading in drugs by chemists. The President of the Pharmaceutical Society of South Australia and of the Pharmacy Guild of Australia have said in a joint statement that in recent years there have been no prosecutions or investigations of pharmacists with regard to illegal supplies, and this has been confirmed by the police. When I contacted the Secretary of the Pharmacy Board of South Australia (Mr. Clampett) this morning, he said that no complaints had ever been made by the Alcohol and Drug Addicts (Treatment) Board to the Pharmacy Board.

The Hon. A. J. Shard: Is that the Liberal Movement fellow?

The Hon. M. B. CAMERON: Yes, that is correct, although that has nothing to do with the question. I believe it is fair for chemists to ask for an inquiry to clear up the situation, because these allegations have caused considerable disquiet to members of the profession and certainly to members of the Pharmacy Board.

The PRESIDENT: Order! The honourable member may give information to assist in explaining his question, but he is not permitted to debate the subject.

The Hon. M. B. CAMERON: Yes, Mr. President. Will the Minister initiate an inquiry into this claim made by the Alcohol and Drug Addicts (Treatment) Board?

The Hon. D. H. L. BANFIELD: For the information of honourable members, I point out that this report, prepared by the Secretary of the Alcohol and Drug Addicts (Treatment) Board, also stated that there was insufficient evidence to justify prosecutions on the information received, although it was believed that this sort of activity was taking place. Although I do not intend to initiate a full Government inquiry, I am seeking further information on the matter.

**UNDERGROUND WATER**

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Chief Secretary, representing the Premier in his capacity as Minister of Development and Mines.

Leave granted.

The Hon. M. B. DAWKINS: My question relates to the imposition in recent years of water quotas in relation to the underground basin in the Salisbury, Virginia, and Angle Vale areas, and the necessity to restrict the quantity of water pumped from under the ground. These restrictions have had to be accepted. I remember that the Premier, as Minister of Development and Mines, gave an undertaking at the Salisbury Institute in 1971, I think (and I stand to be corrected on that point), that any further restriction on water usage would be made on the basis of the quotas that were brought into existence at that time and not on water usage. Since then the Mines Department has attempted to institute quotas, subject to appeal, that are based on water usage in the intervening two years. As a result, some growers in that area who have made every effort to conserve water have been penalized. Why did the Premier give the assurance in 1971 that future variations would be made on existing quotas and not on the amount of water used if it was not intended to be sustained, and what caused the Government to alter its scheme and, in effect, to break faith with the growers?

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

**COOBER PEDY**

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

Leave granted.

The Hon. A. M. WHYTE: The Coober Pedy Progress and Miners Association had an undertaking from the Highways Department that that department would grade its main mining road once a month. However, that has not eventuated, and the main mining road, as it is termed, was graded in October, 1972, again in January, 1973, and again in July, 1973. The count on this road at the beginning of the mining season showed 332 vehicles a day but at present the count has risen to 500 vehicles a day. Since it is beyond the resources of the miners association to cope with the leeway between the Highways Department's facilities and its own facilities, will the Minister urgently consider giving greater assistance in maintaining the roads in that area?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleague and bring down a report as soon as possible.

**RADIO-ACTIVITY**

The Hon. R. C. DeGARIS: Can the Minister of Health tell me what tests are being made in relation to any possible increase in radio-active materials in South Australian water supplies and how the tests are done; to what depth of water the testing is taken; and which reservoirs and water supplies will be tested in South Australia?

The Hon. D. H. L. BANFIELD: I understand that these tests are being carried out by the Engineering and Water Supply Department but I will obtain a report for the honourable member and bring down a reply.

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to asking a question of the Minister of Health, representing the Minister of Works.

Leave granted.

The Hon. M. B. CAMERON: I understand there are indications that fall-out creates a bigger hazard in rainwater tanks than elsewhere. Can the Minister say whether any tests are actually being carried out on home water supplies from rainwater tanks and whether it is possible that the Adelaide Hills will, in fact, because of their higher rainfall, receive a greater amount of fall-out in rainwater tanks than elsewhere?

The Hon. D. H. L. BANFIELD: I shall obtain a report for the honourable member and bring it down as soon as possible.

**DIAL-A-BUS**

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to asking a question of the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. M. B. CAMERON: A press report today indicates that a report by a Professor R. B. Potts 12 months ago on dial-a-bus showed that dial-a-bus would not be successful. Will the Minister of Transport have this report tabled in Parliament so that it may be available to any person who in the future has ideas about operating dial-a-bus in Adelaide?

The Hon. D. H. L. BANFIELD: I will dial the honourable member's question to my colleague and see whether I can get an answer for him.

**ADDRESS IN REPLY**

Adjourned debate on motion for adoption.

(Continued from July 25. Page 27.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I rise to support the Address in Reply to His Excellency the Governor for the Speech His Excellency delivered in opening the second session of the 41st Parliament. Reference has been made already in this session by members of this Council to the untimely death of the Hon. Harry Kemp, who died on June 29 this year. Once again I take the opportunity to express briefly my personal regret at his passing and to pay my tribute again to the Hon. Harry Kemp as a loyal and dedicated colleague.

I refer also to the death of Roy McLachlan, who was the member for Victoria in the House of Assembly from 1947 until 1953. The late Roy McLachlan was one of the best-known people in the South-East. Few people there had a wider knowledge of the pastoral and agricultural industry in the South-East. Roy McLachlan's advice was sought by many people in that area, and his passing is a sad loss.

I again extend my congratulations to the Hon. Frank Kneebone on his elevation to the positions of Chief Secretary and Government Leader in the Council. The Hon. Frank Kneebone has always been held in the highest esteem in this Chamber by all honourable members and we well know that he has the capabilities to fulfil his position well. I extend my congratulations to the Hon. Mr. Banfield on his becoming Minister of Health. We have all enjoyed working with the Hon. Don Banfield since he has been elected to this Chamber and I am certain that, as long as he keeps seeking the advice of honourable members of this Council, he will succeed in his role as Minister of Health.

The Hon. D. H. L. Banfield: Of which particular honourable members?

The Hon. R. C. DeGARIS: I refer to all honourable members. I have extended my congratulations to the Hon. Frank Kneebone and the Hon. Don Banfield, and I cannot let the matter pass without paying a personal tribute to the Hon. Bert Shard. As Opposition Leader and as Chief Secretary he has achieved a position of being respected by all honourable members in this Chamber and, although we have not always agreed entirely with his views, I should be the first to admit that, in all his Parliamentary work, the Hon. Bert Shard has tried conscientiously to serve the people of South Australia.

During the last Parliament this Chamber made about 600 or 700 amendments to Government legislation and the Government accepted about 75 per cent of those amendments without any disagreement. Although statistics are not an absolutely reliable guide in such matters, nevertheless I consider that they demonstrate the general air of co-operation that has existed in this Chamber. Of course, some of the credit for this must go to the Leader of the House, who in so many cases was the Hon. Bert Shard.

Whilst I am dealing with this matter, I should also like to make special reference to Mrs. Shard. I do not think anyone would know more than the Hon. Bert Shard would how much one relies on one's wife for support as a member of Parliament, and in his wife the Hon. Bert Shard has had very strong support during his Parliamentary career. Of course, there comes a time when a person must step down, and in stepping down from the positions of Chief Secretary and Government Leader in the Council the Hon. Bert Shard does so with an extremely good record, one that every Parliamentarian may well envy.

I congratulate the Hon. Mr. Chatterton and the Hon. Mr. Creedon on their election to this Council and wish them well in their Parliamentary careers. I must admit that I was a little disappointed with their first major speeches in this Council. A maiden Address in Reply speech is a golden opportunity for an honourable member to impress the Council with his views on a variety of matters. However, I know what strain is involved in making a maiden speech in this Council, and I am certain that we can look forward to more researched and more constructive speeches from the mover and the seconder in future. Cynical political slashings will not achieve very much in this Council.

The Opening Speech, a document that was, of course, prepared by the Government and delivered by His Excellency, was taken up mainly with praise for the previous achievements of the Government but did not contain very much in relation to the things that might occur in the coming session. I want to touch on three or four matters that I think are of outstanding importance in the present situation.

I have already asked the Chief Secretary a question about the war service perpetual lease rentals on Kangaroo Island, in the Brimbago area near Keith in the South-East, and in other individual cases that I believe deserve consideration. Although the Minister replied that he had hopes for some improvement in relation to the Kangaroo Island situation and the Brimbago situation, he held out practically no hope for those who had purchased war service leases under the old high rental scheme. Perhaps I could recount to the Council very briefly the history of the zone 5 rental case, to illustrate the background to the present situation.

In my maiden speech in this Council in 1962 I drew attention to the rental anomaly that existed in what is known as zone 5. At that time I approached the problem from the economic viewpoint only; in other words, I was looking at it from the viewpoint of the inability of the settlers in that area to meet the very high final rentals that had been fixed for the area. I did not accept at that stage that, in fact, the settlers' case was not based on economic grounds.

The settlers claimed right through that the Governments had fixed the rents for zone 5 illegally. The whole zone 5 case is most complicated, and it would hardly be appropriate for me to state the whole history here. Nevertheless, I shall emphasize the main points that should be understood by every honourable member. Some time after 1962 I began to appreciate that the settlers were right in their contention that the rentals for zone 5 had been fixed illegally.

The next point is one that this Parliament should be more than concerned about. In the position in which the settlers found themselves, how could a determination be made to test their belief that the rentals had been illegally fixed? The first real breakthrough came when the Hon. David Brookman, the then Minister of Lands, agreed in 1969 that every effort should be made to allow a legal determination to be made.

Up to this point the Crown had made every effort, in my opinion, to prevent such a legal determination. This is the first point I stress, and the first point that should concern this Parliament. In circumstances where a group of people believed that the Crown had acted illegally, how could they achieve justice if the Crown held all the cards and could, by its own actions, prevent justice being done?

As I have said, I believe that the first real breakthrough was achieved by the attitude adopted by the then Minister

of Lands (Hon. David Brookman). Following this, when every facility was made available to have the matter decided in the courts, and following the petition of rights and the declaration by Mr. Justice Bright in 1970, it became abundantly clear to all who read the declaration that the contention of the settlers for the past 17 years had been correct, and that the final rentals for zone 5 had been illegally fixed.

Following the declaration of Mr. Justice Bright and the resolution of this Council, due credit must now be given to the Minister of Lands (Hon. Frank Kneebone) for the manner in which he proceeded, although I think the Minister would agree with me that his first reaction to the resolution was to defend strongly the position the Government had adopted earlier. The position is further complicated by the fact that the Commonwealth Government was financially involved also, but Mr. Justice Bright pointed out in his declaration that the State Government was the principal and not the agent of the Commonwealth Government.

The Hon. A. F. Kneebone: That's only on the issuing of leases.

The Hon. R. C. DeGARIS: No, I do not accept that contention. By Mr. Justice Bright's declaration (and anyone who reads the Commonwealth and State Acts will see that this is clearly stated) the State was in all matters the principal. Negotiations between the State and Commonwealth Governments took place following the passing of the resolution of this House and Mr. Justice Bright's declaration about the position, and a decision was made that provided some justice to settlers in part of zone 5. I believe that one of the unfortunate aspects of this case is that neither the Commonwealth Government nor the State Government has been willing to admit that the final rentals in zone 5 have been illegally fixed. I have no doubt that the rentals were illegally fixed.

One may well ask why, if the rentals were legally fixed, did the Commonwealth and State Governments agree to the demands of the settlers, and on what basis and for what reason adjustments were made. Of course, if the rentals were illegally fixed, what argument could the Commonwealth and State Governments advance for not adjusting immediately the rentals of the Brimbago settlers as part of zone 5, those on Kangaroo Island, and for the leases that have been sold to other people? Conversely, if it were not the illegality of the rental fixation that prompted the State and Commonwealth Governments to adjust the rentals, why were the adjustments made. What reasons can the Government offer for not adjusting the rentals of the Brimbago and Kangaroo Island settlers?

I should like to draw the attention of honourable members to several other matters. First, in relation to one settler named Clement Alford, I shall read three documents. Mr. Alford sold his property in 1967, I think, and the following correspondence took place between him and the Lands Department. The first letter, dated April 21, 1967, and addressed to the Director of Lands, states:

Dear Sir,

Referring to my telephone conversation of 18th inst., I respectfully request that consideration be given to a suggestion which I make regarding the disposal of certain moneys due to your department and the South-Eastern Drainage Board before the transfer of my property can be effected. I suggest that the amount of money which constitutes the rental increase and interest thereon, instead of being paid out entirely into revenue, be bonded with the Crown Law Department, to be available either to you, or myself, either wholly or in part, in accordance with the final determination of the court in connection with the "rental" case which is pending.

Regarding drainage, this is for maintenance only, as we have at present a local court ruling on the matter in our favour. I understand that the South-Eastern Drainage Board have, or will be, entering an appeal, and I suggest that this money be bonded in a like manner. I point out that I am quite willing to pay both the amounts, if legally bound, but I feel that an arrangement along the lines I have suggested would simplify matters should the ruling of the court be given in our favour. I feel that the suggestion is fair and reasonable and, in view of the unfortunate state of conditions that exist *re* both these matters, I respectfully request that early and favourable consideration be given.

Thanking you,

Yours faithfully,

(Signed) C. T. M. ALFORD

On June 1, 1967, Mr. Alford received the following reply from the Director of Lands:

Dear Sir,

I am forwarding herewith formal consent to the transfer of war service perpetual lease 245 (sections 177 and 179, hundred of Fox) from Mr. C. T. M. Alford to Mr. L. N. and Mrs. N. Hurst. In letters dated April 21 and 22 last, Mr. Alford stated that in making the payments required by the department to enable consent to be issued, certain amounts were included "under protest", and suggested that these amounts, being portion of the rent and drainage rates, be "bonded" to secure repayment to him in the event of the court proceedings on the general question of rents and drainage rates being decided against the Crown.

I am directed by the Minister of Lands to advise that he cannot accede to those conditions, and that payment made on the 31st ultimo has been accepted unconditionally. However, should the final rents fixed for this and other war service perpetual leases concerned be judged invalid as a result of the litigation now pending in the Supreme Court, consideration will be given to refunding appropriate amounts paid as rent, to those who, in the opinion of the Minister, are fairly entitled to them. This would also apply to drainage rates. Consent to the transfer has been issued on that understanding. Receipts attached.

Yours faithfully,

(Signed) J. R. DUNSFORD

Finally, on October 15, 1971, the Director of Lands wrote to Mr. Alford as follows:

Dear Mr. Alford,

I am directed by the Minister of Lands to advise that following the interview which you had with the Acting Assistant Director of Lands on September 14, further consideration has been given to your request for a refund of the difference between provisional rent and final rent from May 1, 1963, until you sold war service perpetual lease 245. The Minister directs me to confirm however that the position is as advised in my letter of January 27, 1971, namely, that it is denied that you are entitled to any refund of moneys with respect to war service perpetual lease 245 originally granted to you and transferred to L. N. and Mrs. N. Hurst, as a result of the declarations made by Mr. Justice Bright in the case of *Heinrich v. Dunsford* or at all.

Yours faithfully,

(Signed) J. R. DUNSFORD

Mr. Alford had to sell his property because of ill health. He knew the position. He considered that the rentals had been fixed illegally. He had to pay all his back rental at full tote odds. He asked for the money to be bonded, and he was told that it would be returned to him if the adjustments were made. The adjustments were made, but Mr. Alford has still not received anything from the department. This is one case in which I believe some adjustment is warranted.

One man cannot challenge the Crown; one man cannot take a case to court; and one man cannot find \$20,000 or \$30,000 to secure his rights. The only way is for the Government to assess the position and to do the right thing. The zone 5 settlers achieved their position because, in the first place, they refused to sign their leases, which were based on a rental that was illegally fixed, until finally the Commonwealth and State Governments agreed to reduce

their rentals by about 50 per cent, or close to what they were at the original stage of occupation.

In relation to Kangaroo Island, the rentals are still based on the equivalent of 65c a dry sheep, and that is the basis on which zone 5 settlers' rentals were fixed (in my opinion, fixed illegally). In certain parts of Kangaroo Island the 65c was reduced slightly: it was 60c farther away from Parndana, and 55c in relation to the far-flung areas of Kangaroo Island. We know of the great trouble experienced concerning the financial viability of operations on Kangaroo Island. Bearing in mind the adjustments made in connection with zone 5, I think that some adjustment should be made urgently in relation to Kangaroo Island, whose settlers are seeking a reduction in their rentals in line with the reductions made in zone 5. The problem on Kangaroo Island has been one of long standing and, if the case involving these people is not legally justified by comparison with what happened in zone 5, it is absolutely morally justified by what might be termed comparative justice. The reduction that has been achieved in regard to zone 5 rentals represents a solution to only part of the problem, as a similar situation exists concerning Brimbago settlers. As I have said, I believe that, in the zone 5 context, others deserve consideration.

I noted with interest that the mover and seconder of the motion for the adoption of the Address in Reply demanded that this Chamber should represent ordinary people, and not wealth and property. As this case has been argued in the Chamber now for almost 10 years, this Council has done exactly that. I am quite sure that, if the mover and seconder examine all the material that has been presented in the Chamber on this matter and read carefully the declaration of Mr. Justice Bright, they will support my representation of these people. The people concerned are battling against the wealth, power and influence of Governments, and justice is sought for them, as their power to achieve it is extremely limited against the wealth, power and influence of Governments.

The next point with which I wish to deal involves a matter that I am rather surprised neither the mover nor the seconder mentioned, although I believe it is a matter of importance, especially to the District of Midland, which will exist until the relevant legislation is assented to. I refer to the use for productive purposes of Bolivar water. I do not wish to deal with this matter at length, as I am sure the Hon. Mr. Story and the Hon. Mr. Dawkins will refer to it. My late colleague, the Hon. Harry Kemp, who took this matter almost as a personal crusade (all honourable members recognized him as an expert in his field), pressed constantly for the use of this water for productive purposes. Millions of gallons or litres of usable irrigation water is flowing to the sea and being wasted.

I should like to quote the history on this matter. In 1956 the *Advertiser* carried the following Government announcement about the new Dry Creek treatment works: "Clean water for irrigation of any class of crop". In 1964 the Engineering and Water Supply Department sent a letter to landholders in the Virginia area asking for their co-operation on soil testing and indicating that there was good water available for irrigation that would be of great value to them. In 1965 the Hon. Cyril Hutchens (then Minister of Works) assured Parliament that work would be carried out on a 26in. (0.66 m) main to the Virginia area costing about \$612,000. During that year several speeches were made in each House about Bolivar water, and Mr. Hutchens and the late Mr. Quirke agreed that there should be no politics involved as the project was too important to the future of the Virginia area.

In 1966 the Hon. Frank Walsh, when Premier, said that the Virginia water project would be finished, that the schedule would be maintained, and that the cost would be \$800,000. In 1967 the Hon. Frank Kneebone (representing the Minister of Works) said there would be a large scheme for Virginia, and that funds would be available in about 1969-70.

In 1967 Mr. Beaney (Director and Engineer-in-Chief of the Engineering and Water Supply Department) issued a press release saying that Bolivar water would be available for private use at 1c a thousand galls, (about 4 500 l) and that people must have it. The Bolivar treatment plant was opened in 1968, when it was announced that the main product would be water for irrigation. Again in 1968, a committee of local residents, with the help of Sir Clarence Rieger, started an experimental garden at St. Kilda using treated Bolivar water, and the result was an outstanding success.

In October, 1969, the *Education Gazette*, at page 12, said that "the Bolivar treatment works has been provided to enable reclaimed water to be used for irrigating nearby farm lands". I could quote other statements that have been made over the last 15 years in relation to the use of treated Bolivar water. Only today the Hon. Mr. Dawkins asked a question about it. All honourable members appreciate the serious problem that is developing in relation to the underground basin in the Virginia area, and the Government must also be aware of it and must do what it can to protect underground resources.

We know that Virginia is the only available land close to Adelaide capable of providing large quantities of high-quality vegetables for the Adelaide market, and the area must be allowed to continue with this production. I could speak about this subject at considerable length, but I have no wish to pursue it further. I now call on the Government to appoint a Royal Commission to immediately investigate and report back to Parliament on the whole issue. Some way must be found quickly to use the available resources of this area, not only in the interests of the 4,000 hard-working and skilled people who produce a large proportion of the vegetables for the Adelaide market and who will be forced out of the area because of a lack of water, but also in the interests of the community generally, because we rely so much on the ability of industry to provide a supply of high-quality and relatively cheap vegetables to the metropolitan market. Once again, on the question of a commission or a public inquiry of some sort, I seek the support of the mover and seconder in protecting the interests of the ordinary small producer in that area, not only to ensure that the water is used, and used for productive purposes, but also to make sure that large international organizations do not gain control of our available resources.

The mover and seconder of the motion for the adoption of the Address in Reply also said that they were proud to be members of the reformed Council, but I would think that they would also be proud and very pleased to be members of the Council, no matter how it was constituted. I emphasize that the attitude to be adopted by Australian Labor Party members in this Council in future will probably determine its effectiveness. The Council will be unable to fulfil its role if all the A.L.P. members intend to join in an "Amen" chorus to all the decisions of the A.L.P. Executive. Previously I have expressed my disappointment with the Address in Reply speeches, but newness to the Chamber and to the Parliamentary scene must be borne in mind. However, in the future of this Chamber it is necessary for us to bear in mind that

we all have a role to fulfil, whether we belong to the Liberal and Country League, the A.L.P., or to any other Party. If we are to have a back bench to join in a constant "Amen" chorus in favour of the Government, the Council will not be as effective as it has been in the past.

The Hon. D. H. L. Banfield: Effective which way in the past?

The Hon. R. C. DeGARIS: I do not think a second Chamber can be effective unless we in this Chamber, irrespective of which group we belong to, examine legislation, speak our minds on the legislation, bearing in mind that the Government is elected in the House of Assembly to govern, and that improvements to legislation can be made, and also that, in the past three years, this Chamber has acted responsibly and well. I gave figures earlier to show that, of 600 or 700 amendments moved, 75 per cent were accepted by the Government without argument.

My final point concerns the question of producing a more equitable electoral system for the House of Assembly. Having achieved, by conference between the two Houses, a voting system that will reflect (although not perfectly, but acceptably at this stage) the political views of the whole of the State, and being left now with a Lower House with many democratic imperfections, it is necessary to turn our attention to this problem. The first and most important aspect is that now we have achieved the same voting franchise for both Houses the voting for this Council can no longer be said to be truly voluntary.

First, I shall deal with the Government's original Bill introducing a system of proportional representation for Legislative Council voting. That Bill provided for non-preferential voting, a system that would allow the candidate least wanted by the electorate to be elected. In conference, agreement was reached on this matter and on allowing optional preferential voting. This view was accepted by the Council because it was consistent with the attitude always expressed in this Chamber. But, having proposed as an alternative optional preferential voting, we now need to press the claim further for optional voting for both Houses. What argument can be advanced in a truly democratic system for compelling people to cast a vote? The only way in which an intelligent vote can be gained is to allow the people the right not to vote if they so desire. So I believe that the next step must be to bring the Assembly into line with the Legislative Council, to make voting voluntary for both Houses.

The Hon. D. H. L. Banfield: You want a 10 per cent vote, in other words.

The Hon. R. C. DeGARIS: If 90 per cent of the people do not want to vote, what right democratically has the Government to force their attendance at the poll? I would go further. The Minister may agree with me that the matter of voluntary voting and compulsory voting should be decided by the people themselves at a referendum.

The Hon. D. H. L. Banfield: On a compulsory vote?

The Hon. R. C. DeGARIS: Yes, I would even accept a compulsory vote. I would even go so far as to agree, if people are compelled to vote and they are given the option of accepting voluntary voting or compulsory voting, with what the Minister suggests. Nothing could be more democratic and, following the enunciation of the egalitarian principles of the mover and seconder in this debate, one could expect to look to them for support for such a proposal. But really there is no need to go to a referendum to decide this issue, because the Gallup polls show clearly that 67 per cent of the people favour voluntary voting in Australia. I should like to quote from the speech of the Hon. Mr. Chatterton, who said:

Probably of greater importance are the results of a public opinion survey which showed that young people are more aware of population problems, and now desire to have smaller families. Therefore, it is our duty to provide family planning services to ensure that their wishes are granted.

I support the statement of the honourable member completely. However, coming back to the problem I raised earlier, we know that Gallup polls show that 67 per cent of the people prefer or want voluntary voting in Australia. Coming back to the question of what young people want, to which the Hon. Mr. Chatterton referred, the Gallup polls show that 75 per cent of young people want voluntary voting in South Australia. This is a most interesting position.

The Hon. D. H. L. Banfield: What about first past the post?

The Hon. R. C. DeGARIS: Voluntary voting and first past the post may well go together. At any rate, optional preferences go hand in hand with voluntary voting. But here we have a situation where 75 per cent of the young people in South Australia, according to the Gallup polls, want voluntary voting. I agree with the Hon. Mr. Chatterton that it is our duty to provide services that ensure that the wishes of these people are granted. Having heard these egalitarian principles espoused, I look forward to the support of the mover and seconder of this motion for any measure providing for voluntary voting that comes before the Chamber. If they are unsure on the question of voluntary voting, let them at least support a Bill giving the people of the State the right to choose which voting system, whether voluntary or compulsory, they require. The Hon. Mr. Creedon referred to the permanent will of the people, and what I have suggested would be a simple way of assessing exactly what the permanent will of the people is with regard to this question. I look forward to the support of the Hon. Mr. Creedon for the suggestion I have made in this connection.

Having got over the first hurdle (the question of voluntary voting), I suggest that what must next be considered carefully is the question of providing for the House of Assembly an electoral system that will recognize certain basic principles that I will list. First, we must recognize the need for equality of representation for every person in the State, regardless of where that person lives. This means that each person in the State should have as nearly as possible the same access to his Parliamentarians as every other person has. This cannot be achieved by any system that provides for equal numbers of people in each district. Distance and sparseness of population must be considered in any acceptable electoral system. Secondly, the need for fair representation of interest groups must be recognized. In any system of drawing up boundaries, the question of interest groups can be completely cut across and annihilated by any single principle, such as equal population in the various districts.

The third principle that must be recognized is that an electoral system must allow a political group or Party that achieves 50 per cent of the vote in the State to govern. I believe that these three principles must be applied to the electoral system used for the House of Assembly. Although several arguments can be advanced to support single-member districts, it must be admitted that, on any examination, it can be found that, regardless of who draws up boundaries and irrespective of the terms of reference under which a boundaries commission operates, all drawing of boundaries is gerrymandered. This happens because it is impossible to reflect equal political value in votes cast when single-member districts are used.

However, there are certain advantages in having single-member districts. Although we all like the idea of a member's being responsible to a district, there are certain drawbacks in relation to single-member districts that must be covered by the three principles I have enunciated: the need for the recognition of equality of representation; the need for fair representation for interest groups; and the need for the system to produce a group or Party that can govern when it gains 50 per cent of the vote. As I have said, so far in this Chamber we have achieved a voting system that goes a long way towards incorporating the principles that I have enunciated. Now it is necessary to see what can be done to modernize the procedures with regard to the House of Assembly and to produce a voting system there that incorporates what can be described as the principles of representation, of equality, and of votes of equal political value in the final result. This type of system has yet to be achieved.

In conclusion, I shall quote a short paragraph from the American legal political writer Robert Dixon, to whom I referred earlier. He sums up the position as follows:

The problem still remains in America (as it remains here), and that is to build a political system which so mixes unity and diversity, majoritarian and consensus, interest representation and safeguards against the inherent dictatorship of the majority, safeguards for balancing and checking authoritarianism, as to yield a stable, fair, dynamic government.

That task still remains. I support the motion.

The Hon. C. M. HILL (Central No. 2): In supporting the motion, too, I emphasize my loyalty to the Crown. I respectfully commend His Excellency for the way he delivered his Speech. I join with the Hon. Mr. DeGaris in congratulating the Minister of Health and the Chief Secretary on their promotion. I also express my gratitude to the Hon. Mr. Shard for the service he gave while he occupied the office of Chief Secretary so well in this Chamber. I extend my sympathy to the relatives of the deceased members to whom His Excellency referred. In particular, I extend my sympathy to Mrs. Kemp and members of her family, because I knew the late Harry Kemp so well in this Chamber. I congratulate the Hon. Mr. Chatterton and the Hon. Mr. Creedon on their election to this place.

I draw the attention of honourable members to the general subject of transportation. Not only is the matter of metropolitan transportation causing grave concern at present but also the whole matter of public transport throughout South Australia is coming under close scrutiny, having been the subject of severe criticism and indeed, in some areas, the cause of alarm. This point was highlighted in this morning's newspaper, and I refer to one small paragraph as follows:

The main question now is what Mr. Virgo has to offer in place of dial-a-bus. For some time the promise of action on this plan has helped obscure the fact that he has yet to produce a comprehensive transport policy. Now that it has folded, he has been left looking very exposed indeed, and there is as yet no sign that he has anything with which to cover himself.

I believe that the relevant words in that paragraph are "he has yet to produce a comprehensive transport policy". This State needs such a policy; indeed, it has needed it for the past three years. That, surely, by a recent event has proved beyond doubt, in the minds of the people of this State, to be something we just do not have.

I was disappointed, when reading the Government's programme as outlined in the Speech, to see that there was no mention of metropolitan transport. There was comment about some major roadworks such as bridges and so forth, and there was some mention of the standard gauge railway

line linking Adelaide with the East-West line, but there was no mention of metropolitan transport. It is over three years since all the hue and cry and propaganda about metropolitan transport was launched by members of the present Government when in Opposition. Over those three years, those people who were so vocal then have had the opportunity to put forward to the people of this State their plan and indeed to put into effect some major decisions in this matter.

The point is that the Government is completely tied down by its former propaganda on this matter. I am proud to be associated with a Party that does not play politics in this regard, and to be a member of a Party that acknowledges the fact.

The Hon. D. H. L. Banfield: You made an effort to get away from the Party at one stage.

The Hon. C. M. HILL: The Minister need not lay down any red herrings like that at this stage. I hope my point will find some eager ears, especially those of the Minister who is interjecting, because for the first time, now that he has been elevated to the front bench, he may be able to raise his voice in Cabinet, if he dares—

The Hon. D. H. L. Banfield: I have.

The Hon. C. M. HILL: —on this matter and try to convince his colleagues there that this State needs more than propaganda, talk, indecision or dial-a-bus: it needs a comprehensive transport policy.

I was on the point that the present Government must accept the fact and must be prepared to come out and make the point publicly that there are times when, in the public interest, some properties, for example, must be acquired for major roadworks. I submit that the best and proper way to approach this matter is to make such plans known to the people to be affected before the Government finalizes its plans; and, having done that, to allow a period of time for discussion and liaison with the people concerned so that the effect can be lessened as much as possible when it comes to the consequences for the people so affected.

Recently, I read with interest that the Government had agreed to a major wide road, a road on which I understand motorists may have free way, in the Albert Park area, running to West Lakes. I read, too, how the people affected by the proposal are extremely upset and are forming an association to fight the scheme. That is a typical example of the Government's laying down a policy without adequate consultation with the people concerned.

I follow my reasoning through and say that the Government should have informed those people of the proposal its experts had produced and should have carried out, before its final decision to accept the plan, liaison with the people concerned. I believe that that is the only way the Government can deal satisfactorily with this matter and that the people should be treated as fairly as possible. I hope that in the future, when the Government agrees to other plans (and, of course, the time will always come for this to happen) it will be prepared to leave propaganda and politics out of the matter, deal with the people concerned, having made every possible endeavour by negotiation to satisfy them, and then, and only then, make its final decision on the matter.

The second point about transport that I raise is the North-South standard gauge railway, which has proved to be a classic example of this Government's indecision and inability to come to grips with major transport projects. I shall quote the respective comments on this matter made in various Governors' Speeches on the past four occasions. I am not criticizing His Excellency in any way at all: we all accept the fact that it is the Government's

programme that is laid down in his Speech at the beginning of each session. On July 14, 1970, this was the Government's programme on this matter:

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.

In July, 1971, the Government's programme was enunciated in this paragraph:

Agreement has now been reached with the Commonwealth Government for the connection of Adelaide to the Sydney-Perth standard gauge rail system, and my Government intends introducing a Bill to ratify the agreement.

Then, 12 months later, in July, 1972, the Governor's Speech read as follows on this point:

South Australian Railways officers, together with a group of consulting engineers, are preparing a master plan for the new standard gauge railway to link Adelaide and its major industries with the existing Australia-wide standard gauge network. Estimates for the project are expected to be completed by August this year.

This year, which was the fourth attempt on this matter, the Government wrote this:

My Government expects that finality will be reached in negotiations with the Commonwealth Government relating to an agreement for the construction of a standard gauge railway line to Adelaide. Once agreement is reached appropriate enabling legislation will be placed before you.

We can see from those consecutive comments, with a gap of 12 months between each of them, the degree of progress that this present Government has made on this major transport matter. The investigation, which came very close to being accepted and which was made by Maunsell and Partners back in early 1970, contemplated that this line would be finished by 1974. The cost estimated then was about \$47,500,000. I venture to say that, if this kind of progress continues, it will not even be started in 1974 but I do not venture to guess what the cost will be then. However, the cost is not everything. The fact that people in Adelaide and the metropolitan area (bearing in mind the people who would possibly want to be passengers on this route and also the freight we would need to shift at minimal cost to cities on the Eastern seaboard) are being denied the use of this railway and the fact that Adelaide remains the only major State capital city not connected with the standard gauge line do not seem to worry the present Government; but they are unquestionably points on which the Government deserves the strongest possible criticism.

I ask the Government whether it can supply the real reasons for the delay in this matter. It is not only the delay that ought to come under severe questioning but also the general political tactics that the Government employed about the whole matter when it first came to office in 1970.

Untruths were spread as to the reasons why the previous Government had not proceeded with the scheme and much propaganda was promulgated on the basis that the Labor Government would agree to the plan only if the major industrial complexes in metropolitan Adelaide were joined to this new scheme. The Minister, when replying to a question I asked in 1972, admitted that Chrysler (Australia) Limited at Tonsley Park would not be joined to this standard gauge railway line.

Recently I read of a proposal that land at Islington would be used, as I understand, for freight yard purposes in this scheme. That was envisaged originally in the Maunsell report. In 1970 the Government adopted some plan to bring all that development down into the congested Mile End railway yards, but I want to know, when finality is

reached (if it is reached by the present Government), what will be the differences between, on the one hand, the plan that was on the present Government's table when it came to office (the original Maunsell scheme) and, on the other hand, the scheme that this Government will finally accept in agreement with the Commonwealth Government.

I am accepting the point of the spur line to Elizabeth, because both political Parties in this State have supported that scheme, and I am speaking about the matter as distinct from that spur line. From all the information that I have been able to glean, the only difference that I can find so far is that General Motors-Holden's at Woodville will have the benefit of a spur line. If we have had to wait for three years for that to be achieved and if we allow for the unknown future period before agreement is reached, surely this highlights indecision and, I may add, inefficiency at Ministerial and Government level, in that the Government should hold this State to ransom and delay a major project of this kind for so long.

In speaking of these transport matters affecting areas outside metropolitan Adelaide, I mention that I have heard (and I have good reason to believe that the information is correct) that the reason for the delay in work on the Tarcoola to Alice Springs line can now be laid at the door of the South Australian Government. I understand there may be some negotiations being conducted regarding freight rates.

I will stand corrected if the Minister gives me the Government's point of view on the matter, but I understand that the delay in that major railway project can be laid at the door of the South Australian Government and the longer that the line from Tarcoola to Alice Springs is delayed the more the freight traffic and other trade will develop between the Northern Territory centres and the Eastern States, via Tennant Creek and Mount Isa. It has developed already because of the unreliability of the present railway line and the difficulties of road transport on the present Stuart Highway.

The Hon. T. M. Casey: What information have you to support your statement that you understand that that is so?

The Hon. C. M. HILL: The Minister may not have heard what I said, because he has only just returned to the Chamber.

The Hon. T. M. Casey: I was listening to you.

The Hon. C. M. HILL: I repeat that I have heard, on authority that I can claim to be very good—

The Hon. T. M. Casey: What is the authority?

The Hon. C. M. HILL: Never mind what it is: I am telling the Minister. If he can deny what I have said and tell me the reasons for the delay and whether they have not anything to do with the question of this State's insisting upon certain freight rates on that line, I will correct my statement.

The Hon. D. H. L. Banfield: Martin Cameron gave it to him.

The Hon. C. M. HILL: I do not think the Minister of Agriculture will find that the information I have is incorrect but, if he wants to defend his Government on that issue, I remind him that I did not hear him defending it on the issue of the major standard line, which now has been waiting for three years because of indecision in the Government's transport administration.

The Hon. T. M. Casey: A previous Government made such a hash of it that it had to be reviewed.

The Hon. C. M. HILL: The Minister is wrong.

The Hon. T. M. Casey: You know there has been a change of Government in the Commonwealth sphere.

The Hon. C. M. HILL: I ask the Minister to tell me, in this Council, why his Government has not, in three years, made any progress with this plan, which should have been completed and in operation in 1974. I look forward to hearing the Minister's comments and explanation regarding that matter.

Having dealt with those matters that affect this State's transport problems outside metropolitan Adelaide, I will now deal with the extremely important metropolitan area. I say that it is an extremely important area in this realm of transport because of the number of people who should be given the opportunity to use a first-rate public transport system in Adelaide. Here again we have had more than three years of indecision and delay.

The Minister of Transport and other members of the Government know full well what the position was in 1970. They know that at that time a comprehensive public transport plan had been investigated over a period of more than three years. The investigation commenced between 1964 and 1965 and concluded in 1968. As I have said previously in this Council, the public transport projects in the report of the Metropolitan Adelaide Transportation Study envisaged an expenditure of \$107,450,000, of which \$32,800,000 was for the King William Street underground railway.

That plan was a rather conventional one, designed to satisfy the needs of public transport in Adelaide. It was realistic, it had been investigated properly, and it had been put before the public for scrutiny. It had also been approved by Parliament at that time. However, it seems that, when the present Government came to office in 1970, it scrapped the plan and had its own ideas, but where have those ideas got the Government? The scores should be on the board. There was more than three years of inaction, which culminated yesterday in this most shocking situation whereby one of the Government's dreams was proved wrong.

The Hon. R. C. DeGaris: It wasn't even a good dream!

The Hon. C. M. HILL: No, it was not. We can all remember the famous kites put up by this Government. It was intent on creating diversions on this matter, trying to take the people's mind off the real problem of supplying metropolitan Adelaide with a rapid rail transit system and a bus service co-ordinated with that system, as well as the construction of the King William Street underground railway.

The present Government was trying, for some reason that I have never been able to fathom (other than that it was playing politics), to take people's mind off the earlier scheme. The present Government continued with its wild propaganda and introduced kites such as calling freeway routes "high-speed transportation corridors" and ideas such as dial-a-bus, putting them forward as solutions to our problems. The Government has been talking about metropolitan transport being provided by some sort of metal vehicle in which people sat either individually or in pairs and pressed buttons to go from one point to another. That was the kind of dreamtime in which this Government lurched over three years ago, and people throughout the metropolitan area are still being forced to drive their cars to the city because the public transport system is not good enough. Such people are asking time and time again, "What are the Government's plans for a comprehensive transport system?"

The Government has done everything possible to go off at a tangent from the necessary course that it must face up to. For instance, Dr. Breuning was brought out for four weeks to tell us what was wrong and what we should



do in the future; his visit cost the State \$9,000, but money of this kind does not seem to worry the Government in the transport area. We do not know what the cost of the dial-a-bus project will be to the Government, but I would like that figure to be given.

I was grossly disappointed and quite upset when I read the Ministerial statement on this matter yesterday because the Minister did not mention the Government's monetary commitment. I am sure honourable members agree with me that it is right and proper that a Minister making a Ministerial statement on the floor of the House on a matter of grave public concern should provide every major relevant factor in that statement.

It should not require a television interviewer or the media to ferret out the fact that the Government was involved financially, but that is what happened; it was not mentioned where it should have been mentioned—on the floor of the House in the Ministerial statement. It was put to one side; however, it came out, and I should like to know what the Government's commitment was.

So, the public wants to know what the comprehensive public transport plans will be. From my viewpoint, I see no alternative to the plan which was prepared by experts in conjunction with our own South Australian departments; that plan ran the gauntlet of public scrutiny and was finally approved by Parliament, but the Government has put it away. The Government has been tied down by its own propaganda that it would scrap the M.A.T.S. plan and that it would not continue with the freeway routes.

I well recall when the present Minister of Transport and the present Minister of Education came to me in 1968 with a petition signed by 5,679 people proposing that the freeway route should not go where it was proposed to go—through the Marion area. What happened when the present Government came to office in 1970? It agreed to that same route! That is the kind of cheap propaganda that the Government is still tied down with.

So, we have a situation of indecision, and the citizens of Adelaide, particularly those in the outer suburbs, are suffering. And it is in the outer suburbs that a modern

public transport system could be adopted without very great expense, compared with the corresponding expense involved in other parts of the world. We have two railway routes north of the city and two south of the city; it is a question of linking those pairs, using a route underneath King William Street and installing modern rolling stock. We would then have a public transport system that would move many people efficiently.

When one compares the benefits of a system of that kind with the number of people that would be shifted by a dial-a-bus plan, one sees the utter stupidity of pursuing at this stage in our history these diversions and dreams of the future. Some such dreams may well become realities in 10 or 20 years time; I am not against planning for the future, but one has to put first things first. We have to establish a comprehensive public transport system and, when that is successfully operating, we can get our plans going for future change.

Expensive ventures into future schemes, expensive Ministerial trips overseas, expensive enlistment of officers, and the establishment of more departments will not bring great benefit to the people of this State in the relatively near future. However, the people of this State will reap great benefits if this Government has the courage to admit that its public transport plans in the last three years have been wrong.

I would like to see the Government have the courage to go back to the original plan which was approved and which was part of the M.A.T.S. plan. If the Government was prepared to do that, the people of metropolitan Adelaide would obtain one of the best public transport systems in the world, compared with systems in cities of comparable size. Such a system would enable them to leave their cars at home. Such a system is what they deserve. I support the motion.

The Hon. C. R. STORY secured the adjournment of the debate.

#### ADJOURNMENT

At 3.48 p.m. the Council adjourned until Tuesday, July 31, at 2.15 p.m.