

## LEGISLATIVE COUNCIL

Tuesday, October 5, 1976

The PRESIDENT (Hon. F. J. Potter) took the Chair at 2.15 p.m. and read prayers.

## ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Electoral Act Amendment (No. 3),  
Public Purposes Loan.

## MINISTERIAL STATEMENT: McNALLY ESCAPEES

The Hon. D. H. L. BANFIELD (Minister of Health): I seek leave to make a statement on behalf of the Minister of Community Welfare.

Leave granted.

The Hon. D. H. L. BANFIELD: In relation to the three youths who escaped recently from the McNally Training Centre, the Minister of Community Welfare states:

I have received a written report on the escape of three youths from the McNally Training Centre on the night of October 1, 1976, and I have also inspected the area involved. The report shows that some standard security procedures were not observed before and during the escape. The report also confirms that a file which had previously been stolen from a workman enabled the escape to be made from an area which the staff had believed to be completely secure. Having got out of the building, the escapees were able to use a trolley, which had been left in the grounds of the security section contrary to instructions, to help them scale the outside wall. This lapse in security requirements contributed considerably to the escape, and procedures are being reviewed immediately to try to prevent any recurrence.

As an immediate measure I have ordered a departmental inquiry into the escape and the circumstances surrounding it. In the longer term, I would remind members of the appointment recently of a Community Welfare Advisory Committee, under the chairmanship of Dr. Richard Nies, to inquire into, among other matters, the facilities and security at McNally and the other assessment and training centres in South Australia. Yesterday, the Chairman and two other members of the committee, including Judge Newman of the Adelaide Juvenile Court, went to McNally to inspect the security section, from which the escape was made. This independent committee is actively carrying out its inquiry, and I anticipate receiving its report and recommendations before the end of the year.

## TERTIARY ALLOWANCES

The PRESIDENT: I have to inform honourable members that I have received the following reply from the right honourable the Prime Minister concerning the resolution passed by this Council on September 7 last requesting that Tertiary Education Assistance Scholarship payments be reviewed. The letter states:

Dear Mr. Potter,

I refer to your letter of September 8, 1976, in which you sent me the text of a resolution, passed by the Legislative Council of South Australia, concerning allowances to students under the Tertiary Education Assistance Scheme.

As the Treasurer announced in the Budget on August 17, the Commonwealth is making available the substantial sum of \$155 000 000 this financial year for the various student assistance schemes, including TEAS. The Government, however, recognises that allowances have been eroded by inflation and that large numbers of students are involved.

It has therefore initiated an urgent investigation into the adequacy of existing rates of benefit and the possible rationalisation of assistance schemes. The Government's decisions will be announced in October and implemented from the beginning of the 1977 academic year.

Yours sincerely,  
Malcolm Fraser

## QUESTIONS

## SAMCOR

The Hon. R. C. DeGARIS: I seek leave to make a statement before asking the Minister of Agriculture a question.

Leave granted.

The Hon. R. C. DeGARIS: Over the last week, I have received a number of telephone calls from trade unionists employed by the South Australian Meat Corporation at Gepps Cross as well as from other people involved in the industry expressing concern at the present operation at Samcor. Also, I refer to a newspaper report stating that about 100 workers were retrenched from Samcor's Gepps Cross abattoir yesterday, all of whom may have their jobs back tomorrow. As there are many specific questions that I should like to ask, would the Minister care to make a statement to the Council on the complaints that have been made to me and on the present report regarding workers being retrenched at Samcor?

The Hon. B. A. CHATTERTON: I think the number of people being retrenched as referred to in the press report was slightly exaggerated. However, there have been retrenchments at Samcor, problems having been associated with the abattoir's expected through-put, which has not been as much as was planned. This has made the retrenchments necessary. It is difficult for the abattoir, which is a service works, to keep employed an accurate number of staff needed to handle the through-put. As the through-put has fallen considerably, it has made necessary the announcement that was made regarding retrenchments. I think the report went on to state that, if the market picked up and remained at a higher level, some of the retrenchments may not be necessary. This position has been based on the abattoir's through-put, which was the reason for Samcor's decision to retrench a certain number of staff at the works.

The Hon. R. C. DeGARIS: Of the 56 000 sheep sold at last Monday's market, what percentage of the yarding was slaughtered by Samcor, what percentage was slaughtered at other South Australian meatworks, and what percentage went to Victoria for slaughtering there?

The Hon. B. A. CHATTERTON: I will obtain the information for the Leader.

The Hon. R. C. DeGARIS: Can the Minister tell me what percentage of meat coming into the metropolitan area is from sheep slaughtered in Victoria?

The Hon. B. A. CHATTERTON: I will try to obtain the information for the Leader.

## RAINFALL

The Hon. F. T. BLEVINS: I seek leave to make a statement before asking the Minister of Agriculture a question.

Leave granted.

The Hon. F. T. BLEVINS: Honourable members will be aware that there have been some significant rains throughout the State in the last few days. Although there

have been isolated reports of storm damage and flooding, I am sure that the rains have been welcomed. Considering the recent publicity given to the drought situation, is the Minister able to report to the Council on the rain and its effect on rural areas?

The Hon. B. A. CHATTERTON: I have received a report from the Agriculture and Fisheries Department's agronomists, who have been examining the effect of the rains combined with those that we had in September. Both lots of rain were beneficial, as the September rains were the first soaking falls that we had had this year. Having been able to estimate the combined effect of the two rains, the agronomists now believe that the State's wheat crop can be forecast at the level of 575 000 tonnes, which is an increase of 70 000 tonnes above what it was previously thought would be cropped. Barley estimates have also been increased by about 100 000 tonnes to 550 000 tonnes. Expressed in dollars, if these predictions prove to be correct, we can foresee an increase of gross income to South Australian farmers of about \$15 000 000.

#### STATUTES CONSOLIDATION

The Hon. J. C. BURDETT: I seek leave to make a brief explanation prior to directing a question to the Minister of Health as Leader of the Government in this Council.

Leave granted.

The Hon. J. C. BURDETT: My question relates to the proposed Statutes consolidation. It is now 40 years since the last consolidation and, particularly with the spate of legislation there has been in the last few years, the old consolidation is almost useless. More and more people these days have to refer to Acts of Parliament. It is most inconvenient, almost a shambles and a very time-consuming process to refer to the Statutes these days without consolidation. The cut-off date for consolidation passed some time ago and we are getting almost to the stage when we shall be looking to the next consolidation after this one. Can the Minister tell me when we are likely to have the consolidation?

The Hon. D. H. L. BANFIELD: This has been a problem for some time, but I know that progress has been made with various Acts. I will get a reply for the honourable member.

#### LIQUID PETROLEUM GAS

The Hon. D. H. LAIDLAW: I seek leave to make a short statement prior to addressing a question to the Minister of Lands, representing the Minister of Transport.

Leave granted.

The Hon. D. H. LAIDLAW: My question relates to the use of liquid petroleum gas in addition to petrol in Government vehicles. A company with which I am associated has installed LPG cylinders—

The Hon. N. K. Foster: What company is that? You are associated with that damned many.

The Hon. D. H. LAIDLAW:—in 20 of its vehicles—

The Hon. N. K. Foster: You have a pecuniary interest.

The Hon. D. H. LAIDLAW:—which enables the driver to use either LPG or petrol. The company has compared the costs of running its cars on either fuel. A Holden Kingswood cost \$37 a 1 000 kilometres, using petrol alone, and \$28 a 1 000 kilometres using LPG and petrol. These figures exclude the cost of registration, insurance and depreciation. If one assumes that a car or utility will be

used, before trade-in, for, say, 80 000 kilometres, the saving is \$720. The cost of installing LPG equipment is about \$400. This equipment has an indefinite life and can be transferred from car to car. The State Government and its statutory authorities own many cars. I suspect that the Government could make a saving of \$100 000 a year or more by installing this equipment. If the price of petrol continues to increase, the annual saving could be even more significant. Further, LPG is a much cleaner fuel and the Government can thereby set an example in the interests of the environment. Does the Government use LPG in its vehicles? If not, has it given or will it give consideration to my suggestion?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a reply.

#### STAMP DUTY

The Hon. J. R. CORNWALL: I understand the Chief Secretary has a reply to a question I asked the Attorney-General on September 14 about stamp duty.

The Hon. D. H. L. BANFIELD: My colleague informs me that the question of stamp duty on property settlements and other documents arising from matrimonial matters involves constitutional questions of State taxation; that there is a strong body of legal opinion which holds the view that section 90 of the Family Law Act is invalid; that the Commissioner of Stamps in South Australia, acting on advice received, has continued to assess stamp duty on those documents, and a similar attitude has been taken in some other States. However, an objection has been lodged with the Treasurer against one such assessment and the matter has been referred to the Crown Solicitor for advice.

#### STUART HIGHWAY

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to directing a question to the Minister of Lands, representing the Minister of Transport.

Leave granted.

The Hon. M. B. DAWKINS: I refer to the so-called Stuart Highway in South Australia between Port Augusta and Alice Springs. The grave deficiencies of this highway have again been highlighted as a result of recent heavy rains in the North. Now that the Eyre Highway has been completed (and I congratulate the Government on that achievement) can the Minister say what stage planning has reached in the reconstruction of the Stuart Highway and what substantial deviations, if any, are intended from the existing route?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a reply.

#### EYRE HIGHWAY

The Hon. N. K. FOSTER: I seek leave to make a short statement prior to directing a question to the Minister of Lands, representing the Minister of Transport.

Leave granted.

The Hon. N. K. FOSTER: As has already been pointed out, we now have a direct sealed road link between Adelaide and Perth. My question is asked on the basis that the old Eyre Highway connecting Adelaide and Perth represented a cost factor to the road transport industry through delays caused by the poor condition of the unsealed stretch

of highway, the high incidence of replacement of vehicle components and the high incidence of the replacement of fleet vehicles. Now that this cost factor has been removed through the sealing of the highway, can we look forward to a decrease in road freight rates applying between Adelaide and Perth, or are we to regard the new highway as merely being of benefit to Sir Reginald Ansett, in particular, to continue making exorbitant profits?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a reply.

#### MEAT MEAL

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply to the question I asked on September 21 concerning meat meal processing?

The Hon. B. A. CHATTERTON: Although there is no provision under the present scheme for the processing by Samcor of drought-affected sheep and the return of the meat meal to the producer, Samcor will sell to the producer the estimated meat meal production from his stock at the current selling price. The estimated cost of processing drought-affected sheep for meat meal (per 100) is as follows:

|   |    |
|---|----|
|   | \$ |
| Humane slaughtering and rendering . . . .       | 40 |
| Purchase-delivered at Western Abattoirs . . . . | 40 |
| Total . . . . .                                 | 80 |

This is the approximate return from the sale of meat meal.

#### FINANCE CONFERENCE

The Hon. ANNE LEVY: I seek leave to make a short statement prior to directing a question to the Minister of Health representing the Minister of Community Welfare, the Minister of Prices and Consumer Affairs, and the Minister of Education.

Leave granted.

The Hon. ANNE LEVY: I received in this morning's post, as I am sure most other honourable members did, a letter and pamphlet from the Australian Finance Conference. Without in any way wishing to comment on the accuracy or the value of the pamphlet, I note that the covering letter states that the pamphlets will be distributed "throughout Australia in such areas as schools, the armed services, consumer affairs bureaux and associations, community groups and social welfare agencies". Will the Minister take up with his colleagues whether these pamphlets have been approved for distribution by the Ministers concerned through education, community welfare and consumer organisations?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleagues and bring down a reply.

#### HOSPITALS DEPARTMENT

The Hon. C. M. HILL: I seek leave to make a short statement prior to directing a question to the Minister of Health.

Leave granted.

The Hon. C. M. HILL: I refer to the Auditor-General's Report for the financial year ended June 30, 1976, in the section dealing with the Minister's administration, under

the heading "Hospitals Department". There are two headings, and there is criticism in the report. Under "Budgetary control" the Auditor-General states:

In my two previous reports I drew attention to inadequacies in the preparation of budgets and reporting thereon. The budget should be a managerial plan expressed in financial terms and used as an instrument of control. It needs to be based on staff establishments and standards properly formulated to meet the objectives of the department. Progressive reviews of actual performance against budget should be made and variations analysed and explained. In this matter it is possible to detect irregularities and inefficiencies as they occur. The department's budget is still largely based on past costs with allowances for rising prices and expansion. As such it has limited use for control purposes. Monthly statements of actual payments against budget are supplied but there was little evidence of written reports explaining variations.

Then, under the heading "Internal audit", the Auditor-General states:

Internal auditing provides an independent appraisal of management operation within an organisation. It evaluates the effectiveness of control, extent of compliance with policies and procedures and enables remedial action to be taken where necessary. The lack of effective internal audit was commented upon in my 1975 report. Further weaknesses in control raised during the year emphasised the need for the early establishment of an effective internal audit group.

As both these matters are serious and as they have been referred to at least once previously in the Auditor-General's Reports, I ask the Minister what action he has taken to remedy these problems.

The Hon. D. H. L. BANFIELD: It is significant that the Auditor-General did not mention that there were any deficiencies in any area. The remedy that he suggests is, of course, a matter involving added manpower to put the suggestions into operation. As honourable members know, we have the manpower growth down to a minimum. However, we have taken note of the Auditor-General's comment, and his suggestions will be put into effect when the department has the manpower to do so.

#### AUSTRALIAN ASSISTANCE PLAN

The Hon. C. J. SUMNER: Has the Minister of Health a reply to the question I asked recently about the Australian Assistance Plan?

The Hon. D. H. L. BANFIELD: A list of the organisations and projects financed by the Australian Government under the Australian Assistance Plan has been obtained from the Western Adelaide Regional Council for Social Development and I ask that this list be incorporated in *Hansard* without my reading it.

Leave granted.

#### PROJECTS

The *Western Adelaide Regional Council* recently announced its allocation of grants to community groups in the Western Adelaide region. The region consists of the local council areas of West Torrens, Glenelg, Port Adelaide, Woodville, Thebarton, Hindmarsh, Adelaide, and Henley and Grange, and The Parks area of Enfield. The grants, which amounted to almost \$500 000, are designed to assist voluntary and charitable groups with their activities, with special emphasis on self-help projects. The idea is to allow community groups to take care of welfare needs, rather than depend on Government assistance. The advantage of this system is that a great deal of the work required is done voluntarily, which saves money, but often provides a better service than could be provided otherwise. Details of the grants are:

*Room 12 Drop-In Centre* \$6 150: To provide a free and open hospitality to those in the community needing facilities such as personal counselling, financial assistance, form-filling assistance, court appearances, etc.

*LeFevre Further Education Centre* \$5 058: To teach semi-illiterate adults reading and associated skills.

*Port Adelaide Central Mission Inc.*, \$6 150: To work among low income and disadvantaged people and utilise the benefit of volunteers in their activities and programmes.

*Youth Action West Torrens* \$11 460: To assist the community in establishing services and facilities for the expressed and recognised need of youth in West Torrens and also to extend or amend current programmes within existing facilities.

*Contact and Exchange Centre* \$13 200: To provide an alternative service delivery of social work in Adelaide and to establish a resource centre, to facilitate the exchange of skills, ideas and information. To provide specific and concrete help, inclusive of emergency accommodation.

*Service to Youth Council* \$6 828: To provide services to young people in their leisure settings according to street-work model and to explore and determine the needs of young people in the Thebarton Local Council area.

*P.W.P.—Woodville* \$10 000: To assist single parents in adjusting to a new way of life, to counsel them in welfare, financial and legal matters and to help them help themselves.

*LeFevre Peninsula Action Group* \$9 000: To improve the general quality of life for residents in the area by attempting to improve and co-ordinate existing services and seeking action on unmet needs.

*Thebarton Community Association Inc.* \$17 850: To promote and sponsor programmes for social, cultural and recreational needs of people of Thebarton and to promote interest and local planning for the Thebarton Community Centre.

*Box Factory Centre Inc.* \$19 820: To provide a centre offering services and activities for the community with active participation by local residents of the southern section of Adelaide city.

*Migrant Action Committee* \$26 980: To provide a Welfare program for migrants, to teach them English, to provide an information service and to research and publicise relevant migrant issues.

*Port Adelaide Community Council for Social Development* \$19 370: To help community groups to be as effective as possible and to co-ordinate social welfare services and facilitate information flow.

*Parks Community Residents Committee Inc.* \$2 000: Continue publication and delivery of *Signpost* a community newsletter relevant to The Parks area.

*Greek Social Action* \$9 440: To assist with welfare needs of migrants, to conduct Greek schools, operate the Greek Radio Programme and to organise social and cultural activities.

*Service to Youth Council* \$12 000: West Region street-work project to continue help for young people in Adelaide—including help with legal matters, accommodation and family relationships.

*Nidlandi Hostel Incorporated* \$25 560: To provide a hostel for boys with no other home.

*Salvation Army—Mansfield Park* \$10 500: To continue social work project, including an after hours crisis programme, clothing and food parcel assistance, in the Parks area.

*Italian Catholic Federation* \$15 000: Continuation and expansion of the Migrant Information Service (Seaton) to provide assistance to migrants and others in Seaton.

*Council for Single Mother and Her Child* \$10 000: To liaise with and research into existing family support services, to initiate integration of maternity home services available to single mothers and in particular to develop a programme of talks to students in high schools in the west.

*Young Womens Christian Association* \$1 835: Continue unstructured youth group for 13-21 year olds in the Thebarton/Torrensville area.

*Bowden-Brompton Community Project* \$15 000: Continuation of recreational and social activities for the residents of the Bowden-Brompton area; also to provide youth groups, womens groups, food co-operative and a community newsletter.

*Henley and Grange Youth Clubs Inc.* \$2 000: To supervise and control a monthly dance for teenagers in the area.

*Corporation of the Town of Hindmarsh (Hindmarsh Council)* \$23 060: For a programme of recreation for Hindmarsh in schools, vacation, senior citizens. Also set up "shop front" Community Information Centre with a community newspaper.

*Albert Park Church of Christ* \$5 000: Continue the Elderly Citizens Drop-In Centre.

*Henley Community Aid and Advisory Centre* \$1 000: To provide a home help service, including housework, child care, gardening, shopping, etc. for those in need.

*LeFevre Peninsula Community and Youth Centre* \$15 300: Continuation of wide range of recreation opportunities for all ages including sporting and gymnastic programmes.

*Prisoners Aid Association* \$18 450: Provide temporary accommodation services including counselling, gaol visitation, material assistance.

*Community Access and Information Centre* \$33 640: Continue providing community service for groups including media services and management services.

*Ethnic Broadcasters Inc.* \$16 000: Promote the involvement of ethnic and community groups in radio broadcasting.

*Focus 1* \$13 950: Continue Drop-In Community Centre and provide access to legal counselling, and information in The Parks area.

*Regional Organisation of Councils (Metropolitan Western No. 2)* \$22 500: Development of a regional urban strategy policy.

*Henley Beach, Grange Community Service* \$1 000: To provide emergency household relief and to utilise many volunteers in the area.

*Mutual Assistance Bureau* \$800: Use retired people and young people in voluntary work for charitable organisations and maintain pensioners' gardens.

*Aboriginal Evaluation Committee* \$10 000: Set up a programme to evaluate the programmes and projects within the Western Region affecting Aboriginal groups.

*Community Media Association* \$38 750: Continue services offered such as video access, graphics, posters, and access to an offset press.

*Adelaide "Kids" Shelter* \$9 000: Continue the development of the shelter for children and youths in the West.

*Regional Community Resource Centre* \$16 600: The Western Adelaide Regional Council's Director (Mr. M. Benfredj) commented on the grants:

We are very pleased to be able to pass on to these community groups this further lot of grants. Unfortunately, there is no guarantee yet that these community grants can continue beyond the current financial year, but we are hopeful that the Government will commit itself soon to these worthwhile projects.

For further information telephone the Western Adelaide Regional Council for Social Development on 45 6761, or call at the council's offices at 64A Woodville Road, Woodville.

The Hon. D. H. L. BANFIELD: The Commonwealth Government has announced that it will discontinue its responsibility for the Australian Assistance Plan as from June 30, 1977. The Prime Minister was requested by letter dated July 13, 1976, to give an early indication of whether special funding would be made available to allow continuation of the plan in South Australia. No answer has yet been received. Pending a reply from the Commonwealth, it is not possible to make any firm decisions or plans about the future of the Australian Assistance Plan in this State. This includes the extent of any future financial assistance to organisations and projects previously financed through the Australian Assistance Plan.

## ROCK LOBSTER INDUSTRY

The Hon. J. A. CARNIE: Has the Minister of Fisheries a reply to a question that I asked recently about the rock lobster industry?

The Hon. B. A. CHATTERTON: An amateur fisherman may use up to three rock lobster pots which must be registered annually with the Department of Agriculture and Fisheries for a fee of 50 cents each. During the year ended June 30, 1976, there were 4 068 pots registered by amateurs compared with 21 164 registered by professional rock lobster fishermen; and it is suggested that many amateur fishermen would use their lobster pots only during

holiday periods in contrast to a consistent effort by commercial fishermen. The Chief Fisheries Officer has been requested recently to instigate a survey on the catch efficiency of amateur lobster pots and to comment on the size of escape gaps in such pots while the question of bag limits for amateurs is under consideration by the South Australian Recreational Fishing Advisory Committee.

#### PORT LINCOLN HIGH SCHOOL

The Hon. M. B. DAWKINS: I understand the Minister of Agriculture, representing the Minister of Education, has a reply to a question I asked recently concerning stage 2 of the Port Lincoln High School.

The Hon. B. A. CHATTERTON: The Minister of Education informs me that the need to complete the rehabilitation of the school is recognised but the work cannot be included on a current design list without prejudice to the prior claims of other schools which still await partial upgrading. Because of the uncertainty with regard to the availability of funds, it is not possible at the present time to indicate when design work on the remainder of the buildings will be commenced.

#### MEDIBANK

The Hon. N. K. FOSTER: I seek leave to make a short statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. N. K. FOSTER: This morning a letter appeared in the *Advertiser*, and I wish the editorial staff of that paper would take note of such letters that appear from time to time from people in the "Letters to the Editor" column. It is headed "Medibank myths". It is written by Jane Trimbrell of Parkside. I recommend honourable members, particularly members opposite, to acquaint themselves with what this person said concerning the myth of the present Medibank scheme. Can the Minister say whether there is any truth in the rumour that resident doctors will be withdrawn from hospitals such as the Royal Adelaide, the Queen Elizabeth, Modbury, and other public hospitals, and if the answer is "No", can the Minister say whether a high percentage of private hospitals in South Australia have non-resident doctors, and whether patients may be at greater risk in those hospitals than they would be in public wards of public hospitals?

The Hon. D. H. L. BANFIELD: There is no suggestion that the Government will be withdrawing resident medical officers from public hospitals.

The Hon. N. K. Foster: It is a Liberal rumour!

The Hon. C. M. Hill: I have never heard it before.

The PRESIDENT: Order!

The Hon. D. H. L. BANFIELD: It is also true to say that there is a very great advantage in having resident doctors on the premises in any hospital. No-one knows when somebody may have a relapse in the middle of the night, and in the absence of a resident doctor the patient is at greater risk than if a doctor is available.

#### ETHNIC GROUPS

The Hon. C. M. HILL: On September 7, I asked the Chief Secretary, representing the Premier, a question concerning the service provided within the Premier's Department to ethnic groups in South Australia. I ask the Chief Secretary for a reply to that question.

The Hon. D. H. L. BANFIELD: The Premier reports that three officers are employed by the Premier for the special needs of the ethnic groups in South Australia. The officer appointed to help the Italian community, as well as Central and Eastern Europeans, Asians and North Americans, is Mr. John Colussi. Mr. Colussi's salary is equivalent to Ministerial Officer Grade II. His responsibilities are: (a) to be available to any individual from these ethnic groups who has failed to receive service from a Government or independent agency; (b) to provide information regarding services available; (c) to tender advice regarding matters in which, through ignorance, they have incurred a problem; and (d) to help ethnic communities organise themselves so that they may be better able to identify their needs and make them present to the Government. In addition, the above duties are also carried out by Miss E. Koussidis, who is responsible for inquiries which come from the Greek community, Aboriginal community, peoples of Mediterranean nations, African nations and South Americans.

#### MONARTO

The Hon. J. A. CARNIE: Has the Minister of Agriculture a reply to my recent question about Monarto?

The Hon. B. A. CHATTERTON: The Minister for Planning has had discussions with the Director of Architecture, Monarto Development Commission, and subject to certain details coming forward, it is probable that the South Australian Housing Trust will erect at least one pilot house to the plan referred to, to evaluate the design.

#### LAND DEVELOPMENT

The Hon. C. J. SUMNER: Has the Minister of Agriculture a reply to my question of September 7 about land development?

The Hon. B. A. CHATTERTON: The Minister for Planning informs me that amendments to the Planning and Development Act to ensure that land clearing operations require planning approval are under consideration.

#### PAY-ROLL TAX

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent question about pay-roll tax?

The Hon. D. H. L. BANFIELD: The Pay-roll Tax Acts of all States are substantially the same as that administered for a considerable time by the Commonwealth Government. The Commonwealth legislation provided that an employer with branches in several States was entitled only to one general exemption for his total operation and not separate exemptions for each State. The legislation enacted by the States similarly provides that where an employer pays wages in several States he can claim only a proportion of the general exemption in respect of the wages paid in each State. Grouping provisions were incorporated into the Pay-roll Tax Acts of the States in 1975 to prevent avoidance of the tax by a device known as "company splitting". These grouping provisions are applied on a national basis in a similar manner to the eligibility for the general exemption. The situation referred to by the honourable member is clearly covered by section 18d (3) of the Pay-roll Tax Act, and it is not proposed to amend the Act to enable the company concerned to claim the full deduction from taxable wages.

## PREMIER'S STAFF

The Hon. C. M. HILL: Has the Chief Secretary a reply to my recent question about the Premier's staff?

The Hon. D. H. L. BANFIELD: The Government believes that employees, through joint consultative councils (comprising their delegates and management representatives), may be involved on an advisory basis in the selection of appointees to senior positions in departments of the Public Service. There is an exception, however, in relation to the choice of permanent heads; the Government considers that it is essential that it should have an unfettered choice in that regard. The Government relies on permanent heads to translate policy into administrative action, and the success or failure of policies may be greatly influenced by the manner in which the permanent head approaches his task. For that reason, the Government does not propose to involve representatives of employee councils in the selection of permanent heads. However, at the suggestion of employee councils, the Government will discuss with the councils their views as to qualities and particular talents or experience the employee councils believe necessary for positions of particular permanent heads.

## DR. R. T. GUN

The Hon. C. M. HILL: Has the Minister of Health a reply to the questions I asked recently about Dr. R. T. Gun?

The Hon. D. H. L. BANFIELD: The replies to the honourable member's five questions are as follows:

1. Yes.
2. February 12, 1976.
3. Yes.
4. Salary applicable to a Medical Officer IV.
5. Responsible for the planning and development of occupational health services for industry in South Australia.

## IMPOUNDING ACT AMENDMENT BILL

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

## BRANDS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 21. Page 1097.)

The Hon. M. B. CAMERON: Basically, this short Bill does not do anything other than bring into law practices that are already in effect. However, one long-standing provision is now carried through in a slightly different form. The effect of the Stock Diseases Act Amendment Bill spreads through to this Bill. I am concerned that there is at present potential for stock to be branded with a permanent brand and to be branded merely on the suspicion that it may be diseased. If this practice is followed, that stock, whether or not it is finally cleared from quarantine, will be like the person carrying the mark of Cain: it will forever carry the broad arrow.

Although I understand that this is not normally done, nevertheless the requirement exists. I do not think any

honourable member would hesitate to support the permanent branding of cattle if that was found necessary, provided it was ensured that the cattle were in fact diseased and that this was not done merely on a suspicion that they were diseased. For that reason, although I do not seek to change the essence of the Act, I intend to seek an amendment to ensure that, before this practice is carried into effect, a definite diagnosis of disease has been made, so that it does not involve merely the suspicion of an inspector that cattle is diseased, as would be the case if the Stock Diseases Act were changed as at present intended.

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

## CATTLE COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 21. Page 1097.)

The Hon. M. B. CAMERON: This Bill is supplementary to the amendments contained in the Stock Diseases Act Amendment Bill. I understand that it will be necessary for the Act to be widened slightly to ensure that all cattle that are destroyed, either under quarantine or in other ways, are able to attract compensation. Of course, the compensation fund may require a new injection of funds if there is to be a widening of the provisions, as I understand that it is in debit at present. A considerable sum of money was advanced to it by the Government at one stage, and I understand that that sum has still not been repaid. I suppose stockowners selling cattle in South Australia can expect to pay an increased levy.

The Hon. M. B. Dawkins: What about the Swine Compensation Fund? It has a credit balance of nearly \$1 000 000.

The Hon. M. B. CAMERON: Perhaps we could borrow from that fund; the rate of interest may be lower. It is only fair that this load be carried by all people selling stock, and not just by those whose cattle are subject to eradication or destruction. I support the Bill.

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

## STOCK DISEASES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 21. Page 1098.)

The Hon. M. B. CAMERON: This Bill causes me some concern, which I have expressed not just today but over a period of time. It has been assumed generally that this sort of legislation would be coming forward, it being clear that some of our export markets would be in jeopardy unless we acted to eradicate the diseases of tuberculosis and brucellosis. Under the present system, cattle tags are liable to fall off. I raised this matter with the Minister and on September 7, in reply to my question, the Minister said:

With regard to the practice of applying other than correct tail tags to cattle, my department is aware of its occurrence and shares the honourable member's serious view of the matter. It is an offence under the regulations, and the department takes evidence for prosecution from any offender detected.

I asked a question supplementary to that, which I will not read out in full, as that would be an unnecessary use of the Council's time. However, a section of the Minister's reply to my follow-up question should clearly be related to this Bill. It is as follows:

It is essential that we make sure that the practice referred to of other tags being put on cattle incorrectly does not prejudice the owners in any way, and that the owners are not required to carry out the programme of disease eradication without justification.

Those words are terribly important, especially when one listens to what I have to say about this Bill. In his second reading explanation, the Minister said:

Clause 6 amends section 11 of the principal Act by somewhat widening the powers of the inspector to order stock into quarantine. It is not necessary that the inspector should be satisfied that the stock proposed to be placed into quarantine are "diseased or infected". There may well be circumstances when he will wish to quarantine the stock in order to determine whether they are diseased or infected. I have no argument whatsoever with that, as that is essential if we are to eradicate these diseases. However, there are problems, the first of which is that an owner may have his cattle placed in quarantine on a suspicion based on an incorrectly applied cattle tag. This is a problem that we cannot solve in the short term. Until we have some form of identification for slaughter based on a totally foolproof system, we will always have this problem. Until we have a foolproof system, I suppose some owners will have their cattle, which have been incorrectly tagged, placed in quarantine in this period. The problem, as I see it, is that no direction is given to the inspector regarding the time that may be taken before a disease is finally identified.

I do not want to go into the problems experienced in the past, except to say that I know of a case about which I can tell the Minister later, as I would not like to use in the Council the names of those concerned. The cattle owned by a certain person were placed in quarantine for a period of six months, because of a suspicion that they had footrot. The final analysis that came back to the owner, obviously authorised by someone in the department, was that the cattle did not have footrot. In the meantime, that man had his cattle in quarantine for six months and had sold an enormous number of stock at a huge loss, merely because of a suspicion that they were diseased. I think the Minister would agree that it would not be a good idea to carry this through into the present situation, where a suspicion may be based on incorrectly tagged cattle.

It is therefore essential, in order to ensure that the owner whose cattle are placed in quarantine knows that the decision taken in this respect is justified, that laboratory tests be required to be undertaken within a certain time. I intend to move amendments to this effect so that, before quarantine can continue for any length of time, there must be a positive laboratory identification of disease in the stock remaining on the owner's property. That is not an unfair suggestion, particularly while doubt exists regarding the cattle tagging system that we are using at present.

The Hon. J. C. Burdett: How long would it take for the necessary tests to be conducted?

The Hon. M. B. CAMERON: As I understand it, the tests for tuberculosis would take 60 days. It is quite a length of time, as I understand that two tests must be undertaken.

The Hon. J. C. Burdett: What about footrot?

The Hon. M. B. CAMERON: In that respect, the time is limited indeed, probably to only 14 days. For brucellosis, as I understand it, it is purely a matter of

the physical requirement of obtaining blood tests from the cattle and having those blood tests go through laboratory tests. In the case of tuberculosis, involving an incorrectly identified cow or beast, 60 days will be a burden on the farmer concerned, because within that 60 days period may be his normal time for selling stock and he may be held up completely in his selling procedure, which may wreck his entire programme for the year.

The Hon. J. R. Cornwall: In the case of an abortion storm with brucellosis in a previously clean herd, there may be a negative test at the time of abortion, with rising titres later. You are well aware of that?

The Hon. M. B. CAMERON: Yes; I am aware of the problems associated even with testing, but I do not see that there should not be some requirement of tests to be taken within that time. I trust the honourable member will accept the practicability of my suggestion, which would deal with practical problems.

The Hon. J. C. Burdett: It might be his Bill, anyway.

The Hon. M. B. CAMERON: That is quite a probability. I make these points merely to indicate to the Minister that I shall be seeking some amendment to the legislation to ensure that the department has a responsibility to the owners of the cattle concerned, more particularly until such time as the Minister or his department can find a system that ensures that cattle remain positively identified right through to the slaughter chain so that owners are not unfairly dealt with by the quarantine procedures. Quarantine is an enormous problem for an owner because, without anything further happening, it can leave a stigma on that property, whether or not quarantine is finally lifted or proved to be improper. I support the Bill.

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

#### FIRE AND ACCIDENT UNDERWRITERS' ASSOCIATION OF SOUTH AUSTRALIA (CHANGE OF NAME) BILL

Adjourned debate on second reading.

(Continued from September 21. Page 1099.)

The Hon. J. C. BURDETT: I support this Bill. As was said in the second reading explanation, it has become necessary in consequence of a change in the constitution and name, as well as the identity, of the unincorporated body formerly known as the Fire and Accident Underwriters' Association of South Australia. I mention first clause 2 (2) of the Bill, which is a rather curious and ingenious provision providing for automatic repeal in certain circumstances. This is apparent on reading the subclause, which is as follows:

If any Act amended by this Act or if any such Act, as amended before or after the commencement of this Act, is repealed by or by virtue of some other Act, but the amendment by this Act amending that first mentioned Act and all other references in this Act ancillary thereto and consequential thereon have not been repealed, that amendment and those other references shall be repealed immediately after the repeal of that Act and this Act shall have effect accordingly.

It is a tightly worded and complicated provision, but it makes itself clear when we look at it carefully. It means that, consequent upon the repeal of certain other Acts, the provisions of this Act shall automatically be repealed. An example is that at present it is contemplated that the Country Fires Bill shall come before Parliament and.



if it becomes law, it will not be proclaimed for some time. It will be necessary that in the meantime the present Bill shall apply in regard to the Bush Fires Act but, when the Country Fires Bill becomes an Act, the relevant portions of this Bill are automatically repealed by virtue of clause 2(2), which means that no further legislative action will be necessary to effect the repeal and there will be no dead wood on the Statute Book.

Moreover, it sometimes happens that Bills that affect each other come in at about the same time and it is not certain which Bill will become law first. The provisions of this clause take care of that situation. It can also happen that, where there are Bills that affect each other coming in at the same time, one is amended in some way at the last minute. This device also takes care of that situation. This machinery has been used in the recent Statute Law Revision Acts, prepared by Mr. Edward Ludovici, as was this Bill.

The only other matter to which I refer is retrospectivity, for some parts of this Bill take effect retrospectively. I will quote an example given in the Minister's explanation:

When a vacancy last arose in the office of member of the Bush Fires Equipment Subsidies Committee who had to be appointed on the nomination of the Fire and Accident Underwriters' Association of South Australia, that association had been superseded by the Insurance Council of Australia, and that council had made the nomination instead of that association, and the appointment was made on that nomination. Accordingly, the second amendment to section 14 adds a new sub-section (5) to that section which has the effect of validating the appointment of the member who had been nominated by the Insurance Council of Australia.

Honourable members on this side of the Council, at any rate, have always been suspicious of legislation with a retrospective or retroactive effect.

The Hon. F. T. Blevins: What is the difference?

The Hon. J. C. BURDETT: It is pretty much the same. You can look up the words yourself in a dictionary, but the two words are both used, so I use them both; that makes sense. There is grave objection to retrospective legislation where it makes illegal an act that was previously legal, and I can hardly conceive that honourable members on this side of the Council would support any such legislation. I find it difficult to conceive of any circumstances where we would support legislation that made illegal an act that had previously been legal; but this Bill makes legal retrospectively something that otherwise would have been illegal. Where there is no objection in the clause itself, there is no objection to that happening.

I have given one example where it happened that the body concerned had simply carried on, although the name and constitution of the organisation had been changed, and a necessary appointment to a statutory body was made by the newly constituted and named organisation, which was of course illegal under the legislation as it then stood. All that the Bill does in this regard is to make that appointment legal. I see no harm in retrospective legislation where all it does is to make legal something which was properly and honestly done in a matter such as this. I support the Bill.

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

#### ROAD TRAFFIC ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 22. Page 1132.)

The Hon. F. T. BLEVINS: This Bill seeks to reverse a decision that was taken by this Parliament almost 40 years ago. On June 24, 1936, a report was tabled in the House of Assembly of an honorary committee appointed by the Government to report on the Road Traffic Act, 1934, and to make recommendations relating to the traffic laws. The following day the then Premier of South Australia, the Hon. Sir Richard Butler, introduced a Bill to give effect to the committee's recommendations. A copy of the committee's report is in the Parliamentary Library and is available to any member who would be interested in reading it. It is interesting to note that, under the heading "Pillion-riding and Donkeying", at page 10, the report states:

Although it was felt that pillion-riding on motor cycles and donkeying on push cycles were a serious source of danger, both to the driver and passengers of such vehicles and also to other road users, the committee realises that these two methods of transportation are very difficult, if not impossible, to prevent. Motor cycles are now constructed with a view to the carriage of a passenger on a pillion seat, and it is doubtful whether this method of transportation at moderate speeds is any more dangerous than that by motor cycle and sidecar.

The committee then dealt with the question of donkeying but concluded as follows:

It was therefore considered desirable to prevent donkeying on push cycles in proclaimed areas and to restrict the speed of motor cycles carrying pillion passengers.

That was 40 years ago. Today, the wheel has taken a complete turn. I am sure that the Federation of Australian Motor Cyclists (F.A.M.) and Mr. Gray would be interested to know that at that time the Road Traffic Act that was amended as a result of that report inserted the following provision:

Any person who on any road, drives at a greater speed than twenty-five miles per hour a two-wheeled motor cycle carrying any person in addition to the driver, shall be guilty of an offence.

So that 40 years ago this speed limit was 25 miles an hour anywhere in South Australia. That legislation remained unchanged for 20 years. In 1956 a more enlightened Parliament decided that it was time to increase the maximum speed limit for motor cycles outside municipalities or townships, and increased the limit to 35 m.p.h., but retained the 25 m.p.h. limit in townships. Then 11 years later, in 1967, a further enlightened Parliament, deciding that 35 m.p.h. outside townships was a bit low, increased the speed limit to 45 m.p.h. Apart from what happened when the metrication changes were made that limit has remained unchanged. For metrication, the 45 m.p.h. limit was amended to 70 kilometres an hour, the limit that has remained unaltered since.

In handling matters in the Road Traffic Act, the Government has always attempted to place greater importance on uniformity than on any other matter. Indeed, the Australian Transport Advisory Council unanimously agreed, when it discussed the conversion and the speeds that would be used under metrication, that 70 km/h would apply throughout Australia. That standard has not been maintained by various States. In his second reading explanation, the Honourable Mr. Cameron referred to the various speeds that apply in different States at present. What he has said is basically correct: apart from New South Wales and the Australian Capital Territory, there are fairly well common maximum speeds for motor cycles and motor cars.

The F.A.M. approached the Minister of Transport some months ago and asked that the legislation be amended.



The Minister said that he did not believe that an amendment should be made simply on the basis of an approach by an organisation to a member of the Government or to a Minister, because this Government has always attempted to have some reasonable investigation before decisions are taken. In other words, decisions to apply the 110 km/h absolute speed limit, and the 60 km/h speed limit in built-up areas, decisions relating to "stop" signs, and so on, are seriously considered. The Minister recommended that the Federation should make overtures directly to the Road Traffic Board and state its case, and that the Minister of Transport would then ask the Road Traffic Board to consider the representations and report and recommend to the Government.

The board did that earlier this year, and recommended to the Minister that the present limit should be eliminated from the Act and that there should be a common 110 km/h speed limit applicable to motor cyclists with pillion passengers, the same limit applying to solo motor cyclists and the majority of road users. That was agreed to by Cabinet. Immediately afterwards, F.A.M. was advised by letter that the Government would take this action, so the present move comes as no surprise. In a Question on Notice, the member for Hanson in another place asked a few weeks ago for information about this matter. It is recorded in *Hansard* that his limit is the Government's policy. The honourable member wanted to know the date on which the recommendation of the board was made, and I think it was some time in May. The Government supports this move. The Government told the motor cyclists that it intended to introduce legislation to deal with this matter but, now

the honourable member has done that, the Government is delighted to support his approach.

My concluding comment relates to a recent newspaper report that stated that the South Australian Police Force is reorganising its traffic branch by establishing a traffic intelligence centre based at the Thebarton police barracks. This matter is very relevant to the subject with which we are dealing in this legislation. Although accident rates for motor cyclists have been increasing at what could be called an alarming rate (as they have been in some other areas as well), we are not sure, in the final analysis, where the fault lies. We are not sure whether the increase in the injuries, even deaths, of motor cyclists and pillion passengers is the result of the actions of the motor cycles or whether it is the result of motor cyclists being more vulnerable than motorists. The motorist is protected by the steel around him, he is strapped in, and has four wheels. His position is much more stable.

There are many unanswered questions in the road safety area, and the Government hopes that, as a result of the relevant action, it will get more meaningful statistics (to use the term used in the report), within a few days rather than in 12 or 18 months, as has been occurring in the past. I have pleasure in supporting the Bill.

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

#### ADJOURNMENT

At 3.23 p.m. the Council adjourned until Wednesday, October 6, at 2.15 p.m.