

LEGISLATIVE COUNCIL

Wednesday, February 20, 1974

The PRESIDENT (Hon. Sir Lyell McEwin) 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:

Adelaide Festival Centre Trust Act Amendment,
Adelaide Festival Theatre Act Amendment,
Builders Licensing Act Amendment,
Commercial Motor Vehicles (Hours of Driving),
Community Welfare Act Amendment,
Egg Industry Stabilization,
Electricity Trust of South Australia Act Amendment (General),
Film Classification Act Amendment (No. 1),
Fire Brigades Act Amendment (Board),
Flinders University of South Australia Act Amendment,
Harbors Act Amendment,
Land and Business Agents,
Land Settlement Act Amendment,
Lottery and Gaming Act Amendment (T.A.B.),
Marine Act Amendment,
Mining Act Amendment,
Motor Fuel Distribution,
Motor Vehicles Act Amendment,
Police Offences Act Amendment (Fee),
Port Flinders Vesting,
Prisons Act Amendment,
Red Cliff Land Vesting,
Road Traffic Act Amendment (Weights),
Royal Style and Titles,
Statute Law Revision,
Statutes Amendment (South Australian Housing Trust and Housing Improvement),
Superannuation Act Amendment (General),
West Beach Recreation Reserve Act Amendment,
Wheat Delivery Quotas Act Amendment,
Wheat Industry Stabilization Act Amendment,
Workmen's Compensation Act Amendment.

QUESTIONS

WORKMEN'S COMPENSATION

The Hon. R. C. DeGARIS: I seek leave to make an explanation prior to directing some questions to the Minister representing the Minister of Labour and Industry.
Leave granted.

The Hon. R. C. DeGARIS: During the past few weeks information has been supplied to me about the effect that the new provisions of the Workmen's Compensation Act will have on industry in South Australia. I could give the Council some illustrations, but for one small manufacturing business in Adelaide workmen's compensation premiums will rise this year, as a result of the amendment to the Act, from \$3 233 to \$10 371. Has the Government made any economic survey of the effect of the legislation upon the cost of goods to the consuming public under these provisions; if so, what cost rises in goods and services will there be in South Australia resulting from the new legislation? Also, what effect will the rise in premiums have on the competitive position of South Australian industry in relation to industry in other States?

Another point is that there appears to be uncertainty about the responsibilities of certain people in respect of workmen's compensation, particularly the definitions of

what is an employer and what is an employee, and contractors and subcontractors. I should like to give an example. It has been claimed that a person who hires a taxi under the legislation becomes an employer and, if the driver is injured during the period of employment, the passenger is responsible for compensation. If that is an interpretation of the legislation, one can see the problems that can arise from that situation, through people not being aware of their responsibilities. Is the Government aware of those interpretations, which are contrary to the explanations given to this Council when the legislation was introduced? Also, does the Government intend taking any legislative action to clarify the position?

The Hon. D. H. L. BANFIELD: I understand that the Minister of Labour and Industry has made a statement in reply to some of these allegations and misrepresentations regarding the legislation. All I know for a fact is that many of the examples that have been given are incorrect. However, I shall be happy to convey the honourable member's questions to my colleague, but the honourable member may rest assured that the position is not as bad as has been made out.

SUPERPHOSPHATE SUBSIDY

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

Leave granted.

The Hon. C. R. STORY: In reply to my question yesterday about the superphosphate bounty being removed by the Commonwealth Government, the Minister was good enough to say that he would be taking up this matter with the Commonwealth Government later in the day. There seem to be conflicting press reports regarding this matter: yesterday's *News* carried one story whereas today's *Advertiser* carries a different story. Can the Minister say whether he has been successful in contacting either the Prime Minister or the Minister for Primary Industry and, if so, what information he has received?

The Hon. T. M. CASEY: I spoke with Senator Wriedt on the telephone this morning and he assured me that he was just as concerned as I about the situation and that this matter would no doubt be further discussed in Cabinet in the near future. That is all I can say now, because even the Senator could not say any more than that.

MONARTO

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

Leave granted.

The Hon. M. B. CAMERON: It has been reported today that the General Manager of Monarto (Mr. Tony Richardson) has stated that the first residents of Monarto will take up their places there during 1977-78 and that the bulk of them will be public servants. Can the Minister say whether these public servants will be members of the Agriculture Department and, if so, what sections of the department it is intended to shift to Monarto in those first years?

The Hon. T. M. CASEY: I do not have a crystal ball in front of me, so I am unable to reply precisely to the honourable member's questions. However, as the honourable member knows, the Premier said some time ago that officers from certain departments would go to Monarto, and he mentioned specific departments, such as Agriculture, Environment and Conservation and Lands, and perhaps segments of the Highways and Engineering and Water

Supply Departments. I hope that the Agriculture Department will be able to take its place at Monarto, but I am unable to say exactly who the personnel will be.

FLOODING

The Hon. A. M. WHYTE: Yesterday, in reply to my questions, the Minister of Lands made a fairly comprehensive statement regarding the flooded areas in the north-east of the State. During his reply to my question about feeding flood-bound stock, he referred to the Primary Producers Emergency Assistance Act. Since the question of economics must be considered if it is planned to feed stock by air, can the Minister outline the necessary procedure for applying for such assistance and say how long it will take, after applying, for feed to be freighted into the area?

The Hon. A. F. KNEEBONE: As I understand it, no applications have yet been made; I can understand that, because the area is completely isolated and people cannot get there by land and it is difficult to get there by air. I expect that, as a result of the flooding, there will be applications eventually. Following what I said yesterday, I point out that the weather reports are better today. Yesterday I referred to the adverse weather conditions over the north-east pastoral areas, the latest heavy falls of rain in the Cooper-Diamantina catchment, and the intention of the Pastoral Board to continue with the proposed two-day aerial inspection when weather conditions improved. The latest weather reports indicate that conditions will be favourable tomorrow, Thursday, and Friday. To ensure that the inspection will cover the whole of the area affected by flooding the Lands Department's DC3 aerial survey plane will be used; the plane is on charter to the department. As a part of the operation an air drop of urgently required medical supplies and vehicle parts will be made to the Dunn family at Kalamurina, and mail which will be dropped at other isolated homesteads as well. I have decided to make this a personal inspection, and I will accompany the Pastoral Board; I will be travelling in the plane tomorrow. With my officers and members of the Pastoral Board I will be able to assess the problems and see what can be done to assist the people in the area. I will also be able to see where stock are isolated on high ground. We can then consider what should be done and where food drops should be made.

COUNTRY ROADS

The Hon. C. M. HILL: Will the Minister of Health ascertain from the Minister of Transport when the Highways Department expects to seal or provide funds for sealing the following country roads: Cummins to Tumby Bay; Cape Jervis to Delamere; Booborowie to Hanson; and the remaining section of the Bordertown-Frances back road?

The Hon. D. H. L. BANFIELD: It is obvious that some honourable members are now preselected by members of their Party all over the State. As a result, some honourable members are now doing country work. I shall be happy to refer the question to my colleague.

WATER POLLUTION

The Hon. R. A. GEDDES: The vast floods coming down the Darling River and reports of enormous stock losses have led to concern being expressed by a constituent that the pollution level of the Murray River will be high. Will the Minister of Agriculture ask the Minister of Works to give an assurance that every endeavour will be made to ensure the purity of the water that will be supplied to those served by the State's water reticulation scheme? Will the water be as fit for human consumption as possible?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague, who will certainly take into account everything that the honourable member has said.

REDCLIFF PROJECT

The Hon. G. J. GILFILLAN: I seek leave to make a short statement before asking a question of the Chief Secretary, representing the Minister of Development and Mines.

Leave granted.

The Hon. G. J. GILFILLAN: Before the Christmas adjournment, to assist the Government this Council passed a Bill for land acquisition in the Redcliff area; the Bill was passed on the understanding that an indenture Bill would be introduced early in this session. However, I now believe that that Bill will not be forthcoming until later in the session. To facilitate this matter, Parliament passed the Bill very quickly and was given to understand that the land involved was not valuable. That is true as far as the complex itself is concerned, but a buffer zone surrounds the proposed complex, a zone that was also included in the Bill, but no map was before the Council at the time the Bill was considered.

I have since discovered that the buffer zone covers a much wider area than was foreseen at the time the Bill was considered, and certain people in the area will be quite seriously inconvenienced, indeed, at least one homestead on this land will be involved. An area exists at Chinaman's Creek, which is some distance from where the complex will be built, comprising 150 acres (60.7 ha) of freehold land where development has already commenced on a fairly large project involving a golf course, caravan park, bowling green and residential areas. This land is intended to be developed into quite a large tourist area which I believe in itself would not affect the buffer zone but could be an advantage. Therefore, will the Minister take this matter up with his colleague to see whether these areas could be excluded? Perhaps it could be done by an amending Bill. As the matter now stands (under the Bill passed last year) the fee simple of all this land is vested in the planning authority and all or any part of it may be disposed of by consent of the Minister. Will the Minister consider this matter sympathetically because, after all, Parliament had such a short time in which to examine the matter, and our inquiries at that time did not bring this matter to light?

The Hon. A. F. KNEEBONE: I shall be pleased to convey the honourable member's submission to my colleague and bring down a reply as soon as it is available.

DENTAL HOSPITAL

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

Leave granted.

The Hon. M. B. CAMERON: On October 30 last the Minister, in replying to a question I asked about the Royal Adelaide Hospital dental branch, indicated that 6 429 people were on the waiting list for dentures. He also indicated that 178 of these people had been waiting since 1965. On October 31 the Minister, in reply to my question about whether more people were being added to the list than were being treated by the dental branch, said, "True, more names are being added to the waiting list each year, as the figures I gave yesterday indicate." On November 21 he indicated that more than one waiting list existed and that one was a special waiting list. From that reply I understood that more people were being treated who were on the

special list than on the ordinary list. I also understand there were about 7 000 names on the ordinary list, and that more were being added each year. My questions are: first, when a person is put on a waiting list at the Royal Adelaide Hospital does this guarantee his treatment; secondly, are patients warned that they are unlikely to obtain treatment and advised to seek outside treatment; thirdly, does the Minister agree that a waiting list of about 7 000 people, some of whom extend back to 1965 or earlier, is a disgraceful situation, fourthly, will the Minister close the waiting lists until this enormous backlog is treated or, alternatively, will he contract out to private dentists the patients whom the dental hospital cannot handle; and fifthly, will the Minister take steps to ensure that, as soon as the present ludicrous situation is overcome, it will never be allowed to recur, even if it means using private dentists to assist on a permanent basis?

The Hon. D. H. L. BANFIELD: The honourable member has included questions as to whether or not I agree with certain things, as well as other matters to which I have not got a reply at the moment. I shall get a report and bring it down as soon as possible.

TRAFFIC HAZARD

The Hon. M. B. DAWKINS: 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. DAWKINS: My question refers to a traffic hazard that sometimes occurs during the height of the grain-carrying season. As honourable members will be aware, many road trucks turn right from Grand Junction Road into Eastern Parade, which takes them in a north-westerly direction toward the Port Adelaide silos. A short distance down Eastern Parade is a "stop" sign which compels all trucks to halt; on occasions, I am reliably informed, the stationary trucks extend back to Grand Junction Road, and trucks about to turn into Eastern Parade are suddenly halted, causing a dangerous situation. Will the Minister look into the matter of resiting these "stop" signs? From memory, I believe the signs are now situated on Eastern Parade at its intersection with Rosewater Terrace, and I suggest to the Minister that the signs could be resited on Rosewater Terrace rather than on Eastern Parade, thus reducing the traffic hazard.

The Hon. D. H. L. BANFIELD: I shall refer the honourable member's questions and his observations to my colleague in another place and bring down a report.

BEACHPORT RESERVE

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Minister of Lands.

Leave granted.

The Hon. R. C. DeGARIS: In the *South-Eastern Times* recently a letter was published, coming from the Minister of Lands, relating to a public reserve in Beachport to which the Beachport District Council sought title for motel development. In his letter, the Minister said he was not prepared to consent to the disposal of the reserve. However, I believe the matter has taken a different course now and that the Minister has changed his mind. If that is so, can he inform the Council of the factors presented to him enabling him to change his mind so that the reserve can be disposed of?

The Hon. A. F. KNEEBONE: I should like to refresh my memory on this matter. I shall do this and bring down a reply.

The Hon. R. C. DeGARIS: It is only four days old.

LEAVE OF ABSENCE: HON. V. G. SPRINGETT

The Hon. R. C. DeGARIS moved:

That three months leave of absence be granted to the Hon. V. G. Springett on account of absence overseas on emergency medical service for the Red Cross Society in Ethiopia.

Motion carried.

CLASSIFICATION OF PUBLICATIONS BILL

Adjourned debate on second reading.

(Continued from November 27, 1973. Page 1974.)

The Hon. M. B. CAMERON (Southern): I understand this Bill has more significance now than when it was first introduced, because over the Christmas period some agreement was reached between the various States, and similar legislation will be introduced in those States that do not already have it. I support the Bill almost entirely, because the present situation is rather loose and cannot be allowed to continue. It is necessary to have some system of classification so that control can be exercised over literature considered unsuitable for people younger than a certain age bracket.

I believe attempts have been made to mislead the public as to the intentions of this Bill, and I have been rather disturbed by this in some cases. However, no doubt everyone has his reasons for such actions. We must do something about the situation where we rely almost entirely on the common sense of the local newsagent, who is subject to prosecution without having any guidelines to follow. While he may have his own guidelines, the community covers a wide variety of taste in literature, films, and even music. This was brought home to me recently when I was listening to the *Hit Parade*; the rather peculiar tune *Auntie Jack* was first, while the *Lord's Prayer* was second. Surely that is evidence of the variety of tastes within the community, and that variety should not be subject to the dictates of one section of the community as against another.

There was a time when we were required to wear bathers extending from our ankles to our necks. I should like to see any politician try to bring that back! There is perhaps a decline of taste in the eyes of some people, while in the eyes of others there is perhaps an improvement. Who are we, as politicians, to tell people what they should or should not have? At the moment it is the job of the court to tell people what they should or should not read, and I do not think that is necessarily the authority best suited to perform this function.

Some statements have been made on this Bill indicating a lack of understanding of its purpose. One statement that rather puzzled me was that of the Hon. Mrs. Cooper, who said she could find no clause giving power to prohibit publication. As I read the Bill, clause 13 (3) provides that the board may refrain from assigning a classification to a publication where it is satisfied that the assigning of a classification or the imposing of conditions in respect of the publication could not give proper effect to the principles the board is bound to apply. Surely, that gives the board the right to refuse a classification in the case of literature which does not follow the guidelines laid down in clause 12, although perhaps not laid down as clearly as some honourable members would like. However, I think they are laid down quite clearly and, if a publication

was refused a classification, all newsagents and outlets selling such a publication would be loath to handle it because it would be suspect immediately and subject to the normal provisions of the Police Offences Act. I understand the provisions of the Bill do not cut across the provisions of that Act.

Something has been said about what is meant by "in private", and in fact the Hon. Mr. Hill said this should be clearly defined. I should not like to define just what it means, because in the case of a book it would be most difficult to include a definition saying what is meant by the words "in private". Perhaps we should look at those words to see whether or not it is possible to define them more clearly. At the moment the type of literature that will be classified R is freely available from newsagents. This would appear to be so from what I have seen, although I do not look for such literature. People can take action in respect of the sale of certain types of literature, but this rarely happens, with the result that we rely almost entirely on the common sense of newsagents, and that is not necessarily the best way.

Clause 19 is straightforward and will take away from the courts the majority of complaints that may be made, but at

the same time if a publication does not meet the criteria laid down it should be refused a classification. Over the Christmas period I read the *Sunday Mail* with some interest, although I do not wish to go into that in detail. I had a feeling that the Hon. Mr. Potter was the gentleman I should be going to for advice. He is reported to have said:

But what kind of laws, and how you go about it, I do not know.

I agree with him. The report continues:

He said the present censorship position in Australia was "chaotic" because there were no guidelines and the Police Offences Act was not being applied. "Governments are doing anything to avoid applying the law because they will not grasp the hot potato."

I think the Government will always be like this, and we have to lay down guidelines. There has been an attempt to do that in this Bill; we are following other States in doing it. I support the Bill.

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

ADJOURNMENT

At 2.52 p.m. the Council adjourned until Tuesday, February 26, at 2.15 p.m.