

LEGISLATIVE COUNCIL

Thursday, April 28, 1977

The Council met at 2.15 p.m.

APPOINTMENT OF DEPUTY PRESIDENT

The ACTING CLERK: I have to inform the Council of the unavoidable absence of the President on Commonwealth Parliamentary Association business.

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That the Hon. M. B. Dawkins be appointed Deputy President.

I point out to the Council that the Government is willing to grant a pair in the absence of the President, so that the numbers will be exactly the same as if the President were here.

The Hon. R. C. DeGARIS: I second the motion.

The Hon. M. B. DAWKINS: In view of the Minister's undertaking, I am willing to accept the nomination.

Motion carried.

The DEPUTY PRESIDENT took the Chair and read prayers.

ASSENT TO BILLS

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

Appropriation (No. 1) 1977,
Crown Lands Act Amendment,
Land Commission Act Amendment (No. 1),
Uniting Church in Australia,
Vertebrate Pests Act Amendment.

INDUSTRIAL CODE AMENDMENT BILL

The Hon. D. H. L. BANFIELD (Minister of Health): I have to report that the managers for the two Houses conferred together but that no agreement was reached.

The DEPUTY PRESIDENT: As no recommendation from the conference has been made, the Council, pursuant to Standing Order 338, must either resolve not to further insist on its requirements or lay the Bill aside.

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That the Council do not further insist on its amendments. The conference did not last long, as it soon became evident that the parties were too far apart to enable a compromise to be reached. It was, therefore, no use our continuing with the conference. Although the debate on the question of shopping hours has been somewhat heated at times, we have reached a point where a calm assessment of the position has to be made. The failure of the conference to find a compromise solution puts a heavy onus back on this Council to consider whether it is willing to give the Government's proposals a fair trial or insist on its amendments and thus ensure that the Bill is abandoned.

If the Bill is abandoned that will be only a temporary end of the matter. The issue will still be debated and argued about in the community, there will be increasing dissatisfaction with the situation and, instead of a rational

consideration of the issues involved, the matter will remain the subject of high political controversy and point-scoring. The Government Bill was carefully drawn after intensive consultation with consumers, shopkeepers and employees who are affected by it. It has gained widespread acceptance among the various conflicting interest groups in a way that other proposals have not.

For those consumers and shoppers who want more liberal trading hours, it does two things. First, by changing exempt goods and exempt shop arrangements it will allow many small traders in many commodities much greater freedom to fix their own hours in response to public demand. Secondly, it specifically provides that consumer interests can initiate applications and argue a case before the commission. If there is great public demand for extended hours, this will quickly become evident in the case before the commission and can be properly tested there. For retailers, it provides an opportunity to put their point of view on such matters as the effect on trading and costs that extended hours can produce.

The employees who will be required to provide the service will also have an opportunity to put their case. The Industrial Commission is a particularly appropriate venue. It is expert in handling industrial relations issues and questions such as penalty rates, which must be considered in any extended hours situation. Then there is the question of implementation and acceptance of any decision. It is far more likely to be orderly and acceptable to all parties if they have had their interests considered. The decision will not be made in a political context as a result of Party-political pressures. It will be made by an expert and impartial tribunal that has high standing in the community. This increases the likelihood that any decision will be accepted and observed. Surely this is better than plunging into a situation the full implications of which are not really known.

I appeal to honourable members opposite to consider these points, however committed they may be to a particular policy. In a situation of deadlock some flexibility is needed. For those committed to extended hours and late night trading, the Bill provides an opportunity for the case to be argued and, if it is compelling, for it to be implemented. For those who are more doubtful about either the need or desirability of change, the Bill also provides an opportunity for their arguments to be aired. The Opposition proposal pre-empts all this discussion and forces late night trading on the community, retailers and employees without regard to the consequences.

The Government Bill represents a middle course, a way out of an impasse. It would not be inconsistent with Opposition policy to support the commission option and see where it led. It may be difficult for some Opposition members to vote against their Party's policy, but in a spirit of constructive compromise they may be inclined to abstain. I urge the support of the Bill as proposed. It will allow a course that was adopted after consultation with all interests at least to be tried. It should be given a fair go and not just abandoned.

The Hon. C. M. HILL: I oppose the motion and intend to vote to insist on the amendments made by this Council. I have listened to the arguments put and the submission made by the Chief Secretary. I respect his views and the moderate way in which he has appealed to the Council, but I still do not agree with his contentions and I believe that this Council should insist on its amendments. We have had lengthy debates on this issue and there is little point in repeating the matters that were raised during debate on the various stages of the Bill. However, I think

it should be pointed out that those who moved and supported the amendments believed strongly that South Australia should have late night shopping and that Parliament should decree that the people should have this benefit.

It seems that one major difference has come out of the overall debate, and I emphasise that difference. The amendments provide for definite late night shopping. The Bill originally presented contained machinery that might or might not have brought that about. The approach in the amendments is clear, definite and settled: the approach in the Bill as introduced left the question uncertain and unsure. That is the major point that arose regarding the difference of opinion between the two sides of this Chamber.

I commend the managers for the Council for the service they gave at the conference on behalf of this Chamber. I was a little disappointed that the Government did not come to the conference with any compromise proposal in regard to the main objective of the Bill. Some people (and I believe this was forecast by the press) had predicted that the Government would come with such a proposal, but it did not. Understandably, discussions became a little heated at times, because those on both sides have strong views about the matter. I also commend the two principal groups who made representations to me and, I am sure, to other members on this side regarding the measure. Mr. Ted Goldsworthy and members of his union were forthright but fair in their submissions to us: the representatives of the Retail Traders Association also were frank but reasonable. I assure those people that deep and full consideration has been given to the points put by them to members on this side of the Council.

In summary, therefore, we believe, and I think I speak for those members who supported the amendments, that the people of South Australia want late night shopping. We believe that Parliament should provide it. We believe that Parliament should face up to its responsibilities and be very definite about it. Without any doubt at all that approach is provided for in the amendments. I commend these amendments to the Chamber and ask the honourable members to support them and, therefore, insist upon the amendments.

The Hon. C. J. SUMNER: I will not detain the Chamber very long on this matter. I am disappointed that no compromise was able to be reached by the managers at the conference. On many occasions, of course, there is a spirit of compromise that operates, and the matter then comes back to this Chamber with an agreed compromise. The fact that there is no compromise in this case, of course, does not mean that this Chamber cannot be master of its own destiny and make the decision now not to insist on the amendments that were put.

In that spirit of compromise I would like to put to members opposite, (although the Hon. Mr. Hill has expressed his view, but there are others) who have received various representations from the industry, the trade unions and employer representatives, that they reconsider the reasonable and I think logical arguments that I put during the second reading debate and in Committee.

I think that this Bill does provide a potential for an extension of shopping hours subject to the various interests that are involved; that is not just the interests of the shop assistants and the employers, but particularly the interests of the consumer. I ask honourable members opposite to consider what the Hon. Mr. Hill said about the matter, namely, that the major difference is that under his amendment the situation will be clear, definite and settled and,

under the Government's uncertain and unsure. I cannot agree that that is the situation, because all the Opposition amendment does is give the option for shops to open during specified hours. If the retailers and the unions (employers and employees) get together on the matter the interests of the consumer will not be considered at all and may not result in any extension.

The placing of the matter before the commission, which is used to dealing with these sorts of situations, will, I believe, ensure that the interests of the consumers, employers and employees are adequately protected. I believe that this is the important thing that members opposite should take into account. I can only reiterate, as I did before, that the Bill does provide a good opportunity for movement in shopping hours that are regulated and a careful movement subject to those conditions which I have outlined. On that basis, I ask the Council not to insist on its amendments.

The Council divided on the motion:

Ayes (8)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, T. M. Casey, B. A. Chatterton, J. R. Cornwall, N. K. Foster, Anne Levy, and C. J. Sumner.

Noes (8)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, Jessie Cooper, R. C. DeGaris (teller), C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Pair—Aye—The Hon. J. E. Dunford. No—The Hon. R. A. Geddes.

The DEPUTY PRESIDENT: There are 8 Ayes and 8 Noes. There being an equality of votes, I give my casting vote to the Noes. The Bill is therefore laid aside.

LAND COMMISSION ACT AMENDMENT BILL (No. 2)

The Hon. B. A. CHATTERTON (Minister of Agriculture): I have to report that the managers for the two Houses conferred together but that no agreement was reached.

The DEPUTY PRESIDENT: As no recommendation from the conference has been made, the Council, pursuant to Standing Order 338, must either resolve not further to insist on its requirements or lay the Bill aside.

The Hon. B. A. CHATTERTON (Minister of Agriculture) moved:

That the Council do not further insist on its amendment.

The Hon. J. C. BURDETT: I oppose the motion. I do not think this conference was entirely useless. It failed to reach agreement, and certainly most conferences reach agreement, but the fact that this conference did not, I do not think can be put down to stubbornness or intransigence on the part of either the Council or the Assembly managers. I think the difficulty was mainly the nature of the issue which (in principle, at any rate) was one of being either black or white; that was why agreement could not be reached. It was, however, sensible for the House of Assembly to ask for the conference, and I believe that in the long term much good could come out of the conference, because it was apparent that the problem related to the delays in the planning procedure. If these delays could be overcome, it is likely that honourable members on this side of the Council would agree to the Bill. We were informed that the Government is already taking some steps to try to overcome the delays. I believe that, as a result of the conference, further steps may be taken, the delays reduced, and the ultimate problem overcome. However, at the present stage, I must oppose the motion.

The Hon. R. C. DeGARIS (Leader of the Opposition): I support the Hon. Mr. Burdett's view, and I congratulate the Council managers on the manner in which the conference was conducted. The issues were discussed very freely by the managers, and I regret that the Bill has to be laid aside in this Council.

The Hon. N. K. Foster: It does not have to be. You can vote for the motion.

The Hon. R. C. DeGARIS: I do not think the course of laying the Bill aside accurately interprets the views of the Council managers or the Assembly managers. It appears that the questions raised both from the House of Assembly and from the Legislative Council deserve considerable research, which cannot be achieved in the limited time available to a conference. If the Government examines the issues raised by the Council managers (and we, for our part, understood some of the problems facing the Government) the problems seen by both sides may be taken into account in the next Bill that is introduced; that is why I said it was a shame that the Bill had to be laid aside to enable the Government to re-examine the position and probably introduce a Bill next session that would interpret the views of the managers of both Houses. At this stage the Bill will have to be laid aside, and I cannot support the motion.

The Council divided on the motion:

Ayes (8)—The Hons. D. H. L. Banfield, F. T. Blevins, T. M. Casey, B. A. Chatterton (teller), J. R. Cornwall, N. K. Foster, Anne Levy, and C. J. Sumner.

Noes (8)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, Jessie Cooper, R. C. DeGaris (teller), C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Pair—Aye—The Hon. C. W. Creedon. No—The Hon. R. A. Geddes.

The DEPUTY PRESIDENT: There are 8 Ayes and 8 Noes. There being an equality of votes I give my casting vote to the Noes. Therefore, the Bill is laid aside.

QUESTIONS

MAWSON HIGH SCHOOL

The Hon. R. C. DeGARIS: Has the Minister of Agriculture a reply from the Minister of Education to my question of April 14 about Mawson High School?

The Hon. B. A. CHATTERTON: The honourable member has stated that he has been approached by parents of children attending Mawson High School who have told him that it is grossly overcrowded and that the toilet facilities are quite inadequate. However, the Minister of Education informs me that neither the Principal nor the Acting Principal of Mawson High School are aware that such complaints have been made and, in fact, they deny that the school is overcrowded and that the toilet facilities are inadequate. They both expressed surprise that no approach was made to the school regarding the matter before the alleged deficiencies were drawn to the attention of the honourable member. When the school first became co-educational in 1975 some problems did exist, in view of the imbalance of the number of boys and girls, with toilet accommodation. This problem was rectified quickly and, with the provision of new buildings and the upgrading of existing buildings, it no longer exists.

SECOND ORCHESTRA

The Hon. C. M. HILL: On behalf of the Hon. M. B. Dawkins, I ask whether the Chief Secretary has a reply to the honourable member's recent question about a second orchestra for Adelaide.

The Hon. D. H. L. BANFIELD: An agreement is already in existence with the Australian Broadcasting Commission which provides for augmentation of the Adelaide Symphony Orchestra above its usual complement of players. It may be that that augmentation could be drawn from a second orchestra.

GREEN ARGON LASER

The Hon. J. R. CORNWALL: I seek leave to make a short statement prior to directing a question to the Minister of Health.

Leave granted.

The Hon. J. R. CORNWALL: I have recently been approached by a constituent whose daughter has a serious problem with one of her eyelids. With my constituent's permission I approached Dr. Gwyn Morgan, the patient's specialist. As the Minister is aware, Dr. Morgan is a visiting specialist at Flinders Medical Centre. He told me that the patient has haemangioma on her eyelid. Several surgical interventions by conventional means have failed to correct the problem. Unless equipment known as a green argon laser with special dermatological attachment is available for surgery, this patient will lose her eye. At present no such equipment is available in South Australia. I understand that the basic unit plus attachments costs about \$30 000, but it could be used in both the ophthalmology unit, where it is used for "spot welding" detached retinas (saving sight in many instances), and it could be used also in the dermatology unit for cases such as this. Dr. Morgan has seen such equipment used in California, and is most impressed with it. He assures me that it is the only means satisfactorily to treat haemangioma, a common condition. This morning I discussed the matter with Mr. Jack Hehir (Assistant Administrator, Flinders Medical Centre), and I gather that there is something of an unavoidable chicken and egg situation applying regarding funding for capital equipment. Individual items costing over \$5 000 are listed in submissions to the Hospitals Department for funds but, when the actual total funds are allocated, the centre must decide its own priorities. As this patient will lose her sight if the equipment is not available, will the Minister, first, investigate the possibility of providing funds specifically for a green argon laser at Flinders Medical Centre and, secondly, as the time element is crucial, will he instruct his officers to enter into consultation with Dr. Morgan and investigate whether such equipment is in use anywhere in Australia? From my inquiries I have been unable to determine whether there is such equipment elsewhere in Australia.

The Hon. D. H. L. BANFIELD: I am not aware of any green argon lasers being available in Australia. From the information given by the honourable member it seems that, indeed, there may not be many such lasers in use around the world, apart from California, but I am not sure. As the honourable member pointed out, funds are allocated to hospitals, which then decide their own priorities. Regarding special funds, I have received no requests for added funds for any specific piece of equipment. I will look at the suggestion advanced. However,

I do not know whether this is a case of one specialist trying to get in ahead of other specialists regarding the allocation of funds, and the situation may create some precedent. As I have every sympathy for the patient, I will take up the matter, possibly with Flinders Medical Centre, and see whether it can change the order of its priorities if that situation is warranted.

TUNKALILLA BEACH

The Hon. ANNE LEVY: I seek leave to make a short statement before directing a question to the Minister of Lands, representing the Minister of Local Government. Leave granted.

The Hon. ANNE LEVY: On the Southern Ocean side of Fleurieu Peninsula is a beautiful beach known as Tunkalilla beach. About 20 years ago I visited this beach and was struck by its beauty and splendour. It is one of the most magnificent beaches I have ever seen. More recently I have attempted to visit that beach again and have used detailed area maps showing several tracks leading in the direction of the beach. However, on any track along which I have travelled I have come up against locked gates, and have been unable to get to the beach. I know of other people who have had the same experience of encountering locked gates and, although I cannot maintain that the gates are always locked and that access to the beach is permanently denied, I believe that this is frequently the case; indeed, I am told that some time ago a Victor Harbor shopkeeper displayed a fishing map of the South Coast on which Tunkalilla beach was marked as being private property. As I understand it, no beach can be considered to be private property.

I have also been told that there is at least one surveyed road that leads to Tunkalilla beach, although I do not know which of the tracks in the area are the surveyed roads. If such surveyed roads do exist, they should certainly not be crossed by locked gates that prevent public access, as I doubt whether the exemption that a council can give under section 375 of the Local Government Act would apply in an area such as that at the bottom of the Fleurieu Peninsula. Will the Minister ascertain whether there is a public road or roads to Tunkalilla beach and, if so, inquire into the locking of gates across the road or roads, and will he see whether appropriate steps can be taken to ensure that gates across the road or roads are not locked so that the public can have access to this magnificent beach?

The Hon. T. M. CASEY: I shall be pleased to convey the honourable member's question to the Minister of Local Government and bring back a reply.

SPORT GRANTS

The Hon. M. B. CAMERON: I seek leave to make a short explanation before asking the Minister of Tourism, Recreation and Sport a question.

Leave granted.

The Hon. M. B. CAMERON: I have received correspondence from a group of people in South Australia representing the International Fireball Association of South Australia, which is a yachting association. It recently addressed correspondence to the Minister, seeking assistance to send representatives to Cork, Ireland, for the world championship of the international Fireball-class yachts in September, 1977. In the letter, which I am sure the Minister has received, was the following relevant paragraph:

The cost of air fares to Cork is being met (to a substantial degree) by Fireball sailors throughout Australia, through the International Fireball Association of Australia, and it is in regard to the cost of shipping the boat that we earnestly seek the help of the Government of South Australia.

In reply, the Minister indicated that no State funds were available for this purpose, and directed the organisation's attention to the Commonwealth Environment, Housing and Community Development Department. It has been indicated recently that certain funds have been made available to a soccer team to enable it to go to Yugoslavia, and I understand that, as a result of the assistance given to that soccer team, these people consider that perhaps they deserve some assistance in relation to their attempt to represent Australia at this competition in Ireland. Will the Minister say what criteria the Government sets to help persons travelling overseas to represent Australia at sporting fixtures and, in view of any answer he may give, will the Minister reconsider the answer he has given to these people in which he has refused them assistance but directed their attention to the Commonwealth department to which I have referred?

The Hon. T. M. CASEY: It has always been the department's policy (and I have been following that policy since I have been Minister) that it is not its role to fund championships overseas. That role is specifically undertaken by the Commonwealth, and, indeed, it was always undertaken by the Commonwealth Government until the present Liberal Government assumed office and cut off all funds for world championships outside Australia in which Australia was competing.

One reads in the press that so many millions of dollars in subsidies will be made available by the Commonwealth Government to Australian teams travelling overseas to compete in world championships. I will believe that when I see it, because South Australia was the first State in Australia to implement a policy under which it funds sportsmen from South Australia who attend national championships in Australia. It is a feather in this State Government's cap that it instigated a scheme of this nature. I understand that some other States are now following suit.

Regarding the soccer team that went overseas, the grant was the result of a tour undertaken by the Premier, I think last year, and it is all tied in with increasing trade with Yugoslavia. However, I will refer that part of the honourable member's question to the Premier, who knows exactly what were the circumstances obtaining when he was in Yugoslavia, so that he can give a reply.

DRINKING WATER

The Hon. ANNE LEVY: Has the Chief Secretary a reply to the question I asked recently regarding drinking water?

The Hon. D. H. L. BANFIELD: The Engineering and Water Supply Department carries out routine monitoring of the chemical quality of reticulated water throughout the State. This monitoring programme includes heavy metal concentrations such as cadmium. Maximum recorded values for cadmium in metropolitan storages (including the Murray River) have not exceed five parts a billion and have an average figure of three parts a billion. These figures are well below the recommended World Health Organisation level for drinking water, which is 10 parts a billion.

The Public Health Department does not know of any evidence of ill-health due to cadmium from this source, and thus does not plan to issue any warning. This is supported by the low levels of cadmium found in the National Health

and Medical Research Council market basket surveys. The levels are such that, even if a weekly intake of 0.1 mg of cadmium was obtained from beverages, the total intake would not exceed the recommended Food and Agricultural Organisation and World Health Organisation tolerable weekly intake.

CANS

The Hon. R. C. DeGARIS: Has the Minister of Lands a reply to the question I asked yesterday relating to can deposit legislation?

The Hon. T. M. CASEY: It is expected that regulations under the beverage container legislation will be made in the latter half of May. The final form of the regulations is contingent upon discussions with industry that are almost completed.

RAILWAY ROLLING STOCK

The Hon. C. M. HILL: Has the Minister of Lands a reply to the question asked by the Hon. Mr. Dawkins regarding railway rolling stock?

The Hon. T. M. CASEY: The 13 trailer cars will be built to the same general design and appearance as the existing fleet of "red hen" cars. In the longer term, new rolling stock of different design will be introduced and the main consideration of the State Transport Authority will be that this new generation of railcars will incorporate the most modern technical advances and be attractive to the travelling public.

ADVERTISER NEWSPAPER

The Hon. N. K. FOSTER: I seek leave to make an explanation before asking a question of the Chief Secretary. Leave granted.

The Hon. N. K. FOSTER: I was very disturbed this morning when I gathered, as I usually do, my copy of the local rag, the *Advertiser*, from my front lawn and found about seven completely blank pages in it. I realise that the Liberal Party has its policy printed in the *Advertiser* from time to time, and I wonder whether those blank pages represent that Party's policy, both Federal and State. I do not expect the Chief Secretary to waste his time dealing with Liberal Party policy, but I ask him whether Advertiser Newspapers Limited has infringed the Trade Practices Act and the consumer protection laws of this State.

The Hon. D. H. L. BANFIELD: There is doubt that the company will have done that until it has been paid for the newspaper. If the newspaper sent a credit, I doubt that it would be in breach. In relation to the blank pages representing Liberal Party policy, my copy of the newspaper did not have any blank pages, so it could not have referred to that Party's policy.

SWIMMING POOLS

The Hon. R. C. DeGARIS: Has the Minister of Agriculture a reply to the question asked recently by the Hon. Mr. Dawkins, in relation to swimming pools?

The Hon. B. A. CHATTERTON: Assistance for the administration and maintenance of school-community pools

is undertaken by the Education Department for pools constructed on land owned by the Minister of Education.

The DEPUTY PRESIDENT: Order! If the Council will come to order and if the Minister speaks up, I may be able to hear what he is saying.

The Hon. B. A. CHATTERTON: Special agreements have been made with the Minister of Education regarding the ownership of land which has enabled community pools to be taken over, administered and maintained by the Education Department and Public Buildings Department. In general terms, the administration and maintenance assistance offered applies to departmental pools. These are primarily swimming pools provided on subsidy in primary and area schools. The *Swimming Administration Handbook*, available from the Physical Education Branch, sets out most of the issues related to these pools. Local swimming pool committees who have their swimming facilities frequently used by schools may obtain advice for systems upgrading, provision and maintenance by approaching the Principal of the local school. He may then forward requests for advice or assistance to the Directorate of Educational Facilities. Technical advice on swimming pools can be arranged through the Mechanical Maintenance Section, Public Buildings Department (Netley). Administrative advice and related information is available through the Physical Education Branch, Cremorne Street, Netley. Each of these groups is represented on the Swimming Pools Advisory Committee.

CHARTER WORK

The Hon. C. M. HILL: Has the Minister of Lands a reply to a question asked by the Hon. Mr. Dawkins about bus charter work?

The Hon. T. M. CASEY: The State Transport Authority Bus and Tram Division, is now operating a fleet of 25 charter coaches under the registered name of S.T.A. Roadliner. These coaches were acquired from private bus owners when their services were integrated into the Bus and Tram Division. Since the opening of Morphettville bus depot the coaches have been consolidated and operated as one fleet, instead of from their former private depots. The S.T.A. Roadliner fleet is large by Adelaide standards and continues to undertake a significant proportion of the charter work available in Adelaide and environs. Some charter work continues to be done for the South Australian Government Tourist Bureau, and the Tourist Bureau also acts as a selling agent for S.T.A. Roadliner Tours. Apart from the normal seasonal increase in charter work experienced in autumn, and the increased utilisation of coaches resulting from consolidation of the coach fleet, the amount of work being done by S.T.A. Roadliner has not increased significantly.

STAMP DUTY

The Hon. J. C. BURDETT: Has the Chief Secretary a reply to a question I asked recently regarding stamp duties?

The Hon. D. H. L. BANFIELD: Objections have been lodged against the Commissioner's assessment of stamp duty in circumstances similar to those referred to in the honourable member's question. These objections have been referred to the Crown Solicitor for his advice. The Government's attitude in relation to the assessment of stamp duty on these documents will be made when that advice is received.

NARACOOORTE LAND

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: I have received a letter from the District Council of Naracoorte concerning the question of certain blocks of land in small townships in its area, in particular blocks in Hynam, Kybybolite and Frances. The council is beginning to clean up these blocks and in the past few months has cleaned all the flammable material from them. However, much of this land is Crown land, and the council has requested that the Minister make a grant towards keeping these blocks in a tidy condition. The department has pointed out that it is not the Government's responsibility and that the council can do the work at its own expense. The council has taken the matter up with the Minister of Local Government asking for amendment of the Local Government Act. I do not know whether that is the correct procedure, but I ask the Minister whether he will examine this matter to find out whether grants can be made to councils that have large numbers of small unallotted Crown land blocks in country towns that have to be cleared of rubbish. I ask the Minister to find out whether a change of policy can be made.

The Hon. T. M. CASEY: Yes, I will do that.

LIBEL CASE

The Hon. ANNE LEVY: I seek leave to make a short statement before asking a question of the Minister of Health, representing the Attorney-General.

Leave granted.

The Hon. ANNE LEVY: Members may be aware that the wellknown Australian playwright, Dorothy Hewett, has had a libel case against her recently for a poem that she published in her book *Rapunzel in Suburbia*. I understand that more recently further libel actions have been taken against Ms. Hewett regarding plays that she has published recently. These libel actions are being undertaken in Western Australia. Further, I understand that threats are being made to publishers, libraries, bookshops, and university libraries in South Australia to prevent them from handling any works written by Ms. Hewett. I seek leave to have her poem "Uninvited Guest" inserted in *Hansard*, so that members may judge this matter for themselves.

The DEPUTY PRESIDENT: Is leave granted?

The Hon. R. C. DeGaris: No.

The DEPUTY PRESIDENT: Leave is not granted.

The Hon. C. J. Sumner: Read it out.

The Hon. R. C. DeGaris: Question!

The DEPUTY PRESIDENT: "Question" has been called. The Hon. Miss Levy must ask her question.

The Hon. ANNE LEVY: I have two questions. First, can the Attorney-General indicate whether anything can be done to stop intimidation of publishers, retail traders and libraries in this State because of a libel action in Western Australia? Secondly, can he indicate whether the poem I am about to read is in fact the one on which the libel action was based? The poem "Uninvited Guest" is as follows:

With her bare fat suffering feet,
With her head stuffed full of tranquillizers and her
ovaries removed,
My ex-husband's wife stands under the green potato
plant
In her subterranean kitchen and hates me.
The potato plant grows and covers the walls and
ceiling,
A climbing monstrous ganglia, green nerves, groping
arms.
One day it will lovingly circle her throat and stop her
yammering heart.
Her delinquent boys piss over each other in bed, crazy
with laughing,
Her autistic girl's pale dopey eyes are blank with
unconcern.
Her voice from an old table-model "His Master's
Voice", endlessly discusses her hysterectomy.
I watch him come in from his fish-ponds, his hanging
baskets of Babylon,
Myopic eyes fixed on some point in the middle distance.
Where are you while your wife sits strangling in a
great green vine in the kitchen,
Your sons are lying in sheets soaked with angry yellow
urine,
Your daughter sits in a deep freeze, tranced out of
hatred?
Once you danced "L'Après-Midi d'une Faune" in a
green garden,
With an ancient parrot swearing away like a stable
hand,
And the cumquats rosy, cloven on the trees,
The leaves made ferny patterns on our buttocks,
My breasts hung down like unpicked ripening
cumquats,
My belly swelled with the child who died of cancer.
What poison did you carry in you genes?
All the bright children of your body turned to death,
The white flesh bruised as grapes under miniature
tombstones.
I want to cry after you, "Rip off those cataracts",
But haven't the heart: we keep to our own towers
Locked in with our victims and our murderers.
Put on dark glasses and a blind man's head,
A blind man's listening uneasiness.
Sit still beside the tranced child on the bench,
The water lilies drowning at her feet.
The voice goes on and on through the kitchen gauze,
The locusts' drum, the river storms outside.

The DEPUTY PRESIDENT: Order! I think we have heard enough of the poem for the Minister to recognise whether or not it is the poem about which the honourable member is asking her question.

The Hon. F. T. BLEVINS: I rise on a point of order. Surely, if there are a few words in dispute in this poem it would be most unfair, and virtually impossible, for the Attorney-General to answer the question unless the whole poem was inserted in *Hansard*.

The Hon. C. J. Sumner: Particularly if it is not available in South Australia.

The Hon. F. T. BLEVINS: If only a few words are in dispute those few words may be in the last line of the poem. It is impossible for the Attorney-General, unless he has the whole poem, to know which words are in dispute.

The DEPUTY PRESIDENT: Order! There is no point of order. I believe that the Hon. Miss Levy has read enough of the poem for the Attorney-General to be able to identify it, if, indeed, he wishes to do so. I call upon the Chief Secretary to reply.

The Hon. D. H. L. BANFIELD: I think, Sir, you are exceeding your rights in this area, but that is a matter of opinion. I am disappointed that the Council has not allowed the poem to be inserted in *Hansard*.

The DEPUTY PRESIDENT: "Question" was called.

The Hon. D. H. L. BANFIELD: "Question" had not been called when the Hon. Miss Levy sought leave to have the poem inserted in *Hansard*. "Question" had not

been called at that stage, but it is the prerogative of the Council to exercise that right. However, I doubt very much whether your ruling would stand up. How can we draw the attention of the Attorney-General to half a poem (I do not know the length of it because we did not hear it all)?

The Hon. R. C. DeGaris: You can't seek an opinion under Standing Orders, anyway.

The Hon. D. H. L. BANFIELD: We are not seeking an opinion.

The DEPUTY PRESIDENT: Order! The Minister will reply to the question.

The Hon. D. H. L. BANFIELD: I am replying to the question. I shall draw attention to the question raised by the Hon. Miss Levy. I would also draw the Attorney-General's attention to the fact that, as a result of the actions of this Council, we were not able to hear the full poem, and I will suggest that he obtain a copy so that he can assess the position.

The DEPUTY PRESIDENT: Order! Question Time has expired.

The Hon. D. H. L. BANFIELD moved:

That Standing Orders be so far suspended as to allow Question Time to be extended until 3.30 p.m.

Motion carried.

The Hon. C. J. SUMNER: I ask the Chief Secretary, representing the Attorney-General, whether he will investigate the following five lines in a poem "Uninvited Guest", in a book published by Dorothy Hewett entitled *Rapunzel in Suburbia*, in the same manner as he said he would investigate the previous question asked by the Hon. Anne Levy. The lines are as follows:

One day I will push open the wicket gate,
Go silently into the house and find you there
On the kitchen tiles, wrapped in each other's arms,
smiling serenely, choked black.
The boys make muffled water spouts under the bed-clothes,
The potato plant rampages, curling and tendrilling from
tea-caddy to flour-bin to discarded flesh.

The Hon. D. H. L. BANFIELD: I will certainly refer the honourable member's question to my colleague the Attorney-General and point out that they may or may not be the offending words referred to.

TRAFFIC COUNTS

The Hon. C. M. HILL: Has the Minister of Lands a reply to my recent question concerning traffic counts and other matters concerning Main South Road at Darlington?

The Hon. T. M. CASEY: At present the average daily traffic on the Main South Road at Darlington is about 50 000 vehicles a day. The rate of increase in traffic volume for this section of the Main South Road has been practically constant at 11 per cent a year for more than 10 years. Based on development in accordance with the Metropolitan Development Plan, traffic using Tapley Hill Road from areas south of Tapley Hill is projected to increase to 75 000 vehicles a day in five years time and 100 000 vehicles a day in 10 years time. The amount of traffic using South Road at Tapley Hill will depend on what relief roadworks are possible during the period. Although 60 000 vehicles a day can be accommodated on South Road at Tapley Hill, considerable congestion would occur at intersections. The amount of congestion would depend on the distribution of traffic throughout the day.

The construction of a two-lane undivided road linking Dyson Road with Lonsdale Road is planned within five years, subject to the availability of funds, and this will accommodate 15 000 vehicles per day. Future duplication of this road would at least double its capacity. This would alleviate vehicular traffic congestion from suburbs south of Tapley Hill along Main South Road. Land has also been reserved along the route of the north-south transport corridor for the future construction of the north-south freeway should this become necessary.

CAR PARKING

The Hon. C. M. HILL: I recently asked a question of the Minister representing the Minister of Works concerning the possibility of the disadvantaged staff at Parliament House who find that they are without parking space close to Parliament House as a result of the parking arrangements which have altered in recent times. Only this week a press report stated that it would not be long before parking on North Terrace in front of Parliament House would be prohibited. I am sorry that I have not received that reply as yet. I assume either that the Minister has not been able to conclude negotiations or that, because of pressure of work within his department, he has not been able to bring down a reply. As this session concludes today, could the reply be sent to me by mail as soon as possible?

The Hon. T. M. CASEY: Yes.

INSURANCE

The Hon. J. C. BURDETT: I understand the Chief Secretary has a reply to a question I asked on the first day of this part of the session relating to insurance.

The Hon. D. H. L. BANFIELD: Following the announcement by the Commonwealth Banking Corporation in January, 1974, that it was introducing its own insurance scheme covering homes mortgaged to that bank at substantially lower rates than those normally available to the general public, an insurance offer was made to the trustees of the Savings Bank of South Australia by the State Government Insurance Commission. The main basis of the offer was that, if the bank would make insurance with the commission a condition of all future mortgages, the commission would provide conditions of insurance to mortgagors at least comparable to those offered by the Commonwealth Banking Corporation. It was realised by the bank's trustees that, if the bank was to retain its competitive position in the savings market, which is influenced to some degree by comparative mortgage loan conditions, it should accept the offer. The proposal offered substantial advantages to the bank's borrowing customers.

In February, 1975, the Savings Bank of South Australia decided that the Trades Practices Act was possibly being contravened by the bank's requirement that properties be insured with the S.G.I.C. The bank applied for authorisation from the Trade Practices Commission and subsequently an interim authorisation was received and is still current. As a general rule, the bank requires new mortgagors for housing loans to insure with the commission. However, in instances where mortgagors have specifically requested that they be exempted from this requirement, the bank has agreed. The Government sees nothing in this arrangement which is inconsistent with its consumer protection policy.

BAROSSA VALLEY INSURANCE

The Hon. ANNE LEVY: Has the Minister of Agriculture taken out insurance against rain in the Barossa Valley on May 7?

The Hon. B. A. CHATTERTON: No.

HOSPITALS COMMISSION

The Hon. C. M. HILL: Can the Minister of Health tell me whether any full-time or part-time members of the Hospitals Commission have yet been appointed, and can he say when, in his view, the commission will be fully appointed and operative?

The Hon. D. H. L. BANFIELD: No full-time or part-time appointments have been made so far. However, it has been announced that Dr. Shea will be the Chairman of the commission, although that appointment has not yet been made. Applications for positions of full-time commissioners have been advertised and are now closed. We are considering the applicants, and an announcement will be made as soon as possible.

SEX CRIMES

The Hon. J. C. BURDETT: I understand the Minister of Health has a reply to a question I asked recently about sex crimes.

The Hon. D. H. L. BANFIELD: The honourable member has asked for the institution of an inquiry "into the increased incidence of the crime of rape and the causes thereof, and to investigate whether it appears that it has any connection with the distribution of hard-core pornographic material". First, let me say that there is no available evidence that there has been an increase in the incidence of the crime of rape. The figures quoted by the *Advertiser* in the report of March 17 relate to the number of offences that were reported to the police. The figures prove no more than that. Maybe there has been an increase in the number of offences, or maybe the increase is in the number of offences reported. It seems more likely that the latter is the case rather than the former.

Over the last few years the topic of rape and rape laws has received a good deal of media coverage and community discussion. This, of course, culminated in the Mitchell committee's report to the Attorney-General last year and the legislative reforms which ensued. I think it likely that the publicity and discussions on rape have brought the whole subject of rape out into the open, with a result that more victims have been prepared to report crimes. In short, it is highly likely that the recent increase of complaints to police about rape reflects more an increased willingness to report the crime rather than an increase in the numbers of actual rapes. The second part of the question relates to the possible link between the incidence of rape and the distribution of pornographic material. There has been no study of this issue in Australia, nor of course is it possible to conduct such a study with any degree of accuracy, because it may be that there are more rapes unreported than there are reported. Oversea surveys on the number of unreported rapes put the proportion of reported to actual rapes at 44 per cent or less.

It is likely that a study of cases of people tried for the offence of rape would provide any useful information on this issue, for it is seldom that the reading or otherwise of

pornographic literature is brought up at trials. The Government is as concerned about the crime of rape as it is about the incidence of crime generally. It is also aware that there is a need to upgrade the method of collection and storage of crime statistics. In this regard it has recently commissioned Mr. G. D. Woods, a criminologist from the University of Sydney, to study the problem with the object of improving the crime statistics of the State.

The Hon. C. M. HILL: I ask a question—

The Hon. D. H. L. Banfield: I thought Question Time had expired.

The DEPUTY PRESIDENT: The time for asking questions has expired.

The Hon. C. M. HILL: Can we have another five minutes?

The Hon. D. H. L. Banfield: No.

IMPOUNDING ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

PROROGATION

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That the Council at its rising adjourn until May 31, 1977, at 2.15 p.m.

Every honourable member knows that this is the last day of sitting of this session of Parliament, so I take the opportunity to express my appreciation to all members of this Chamber for the attention they have given to the legislation that has come before them. I may say that at times we wonder whether we shall ever get through our business by the end of the session. However, at the end of the session we find that much has been accomplished.

The Hon. C. M. Hill: But we can't ask our questions!

The Hon. D. H. L. BANFIELD: The honourable member says he cannot ask questions, but I moved for an extra quarter of an hour in which questions could be asked, so I am not being too hard on the Hon. Mr. Hill. Nor do I think there has not been co-operation from both sides of the Council. On reflection, members will agree that we have worked very well, from time to time, we may get excited, but I suppose that is what it is all about. I express my thanks and appreciation to the Clerks at the table, to Mrs. Jan Davis, and especially to the Messengers who look after us so well in our Parliamentary work.

I have to congratulate *Hansard* on the very fine reproduction of our speeches. In fact, some of us cannot realise, when we read them, that that was the way we put it over, but I am sure that *Hansard* correctly reports what we say, and I congratulate the *Hansard* staff on not missing a beat.

I express special thanks to you, Mr. Deputy President, and to Cec. Creedon, our unpaid acting Whips. I believe in voluntary labour from time to time.

The DEPUTY PRESIDENT: That is something of which the Government could take note.

The Hon. D. H. L. BANFIELD: It is a good community effort on the part of the two unofficial Whips; they do a good job, as you, Sir, are doing as Deputy President in the absence of the President. My own colleagues on the front and back benches have certainly raised the standard of

debate in this Council. They have been most helpful. When I was the only honourable member on the Government back-benches, it was very quiet, but things have improved considerably since then! I trust that honourable members who are going overseas or elsewhere will have an opportunity to recuperate from this heavy session. I again thank everyone who has assisted during the session. I refer particularly to the dining-room staff, who during the latter part of the session have worked under great difficulties but have managed very well.

The Hon. R. C. DeGARIS (Leader of the Opposition): I, too, would like to compliment the officers and staff of Parliament on the work they have done during this session. As the Chief Secretary has said, this session has been reasonably productive, although the noise level might have been reduced a little! I look forward to a continuation of the standard of debate that we have experienced during this session. I thank honourable members for their co-operation. Once or twice there have been differences of opinion but, by and large, I appreciate their co-operation.

I turn now to a matter I raised when I dealt with the Land Commission Act Amendment Bill. It appears to me that our procedures are lacking in respect of conferences between the Houses, particularly a conference like that on the Land Commission Act Amendment Bill, where the managers from both Houses understood that the problem was complex and not easy to solve by a simple amendment.

I make the following suggestion for the Standing Orders Committee to consider: where, during any conference between the two Houses, there is no real problem in principle, the conference should have the power to agree to refer the Bill to a Select Committee, which could then report to Parliament. That would be an excellent way of handling the position. It is unfair that, where a situation exists of the kind that arose in connection with the Land Commission Act Amendment Bill, this Council should be duty bound to lay the Bill aside to allow further research to be done on it. My suggestion would assist Parliament in making decisions on complex matters where the principle is agreed on.

The Hon. F. T. Blevins: Do you want us to be ruled by conferences now?

The Hon. R. C. DeGARIS: No. I turn now to the reply I received from the Minister of Lands in connection with the Beverage Container Act. The regulations under

that Act will probably be introduced some time in May and operate from July 1. I indicated earlier to the Council that, if the regulations provided for a deposit of more than 2c, I would seek to disallow the regulations.

The Hon. C. J. Sumner: Didn't you agree to a deposit of 5c?

The Hon. R. C. DeGARIS: No. We agreed to 5c as a maximum, but I indicated that, if the regulations provided for 5c, I would seek the disallowance of those regulations. If the regulations come down in May, if they apply from July 1, and if Parliament does not sit until, say, August, there will be a period of one month during which Parliament will have no chance to debate the issue of deposits on cans, which issue will be a *fait accompli*. I indicate now that I will still be proceeding with a disallowance motion even if the regulations have been operating. So, the Government will know exactly where I stand before the regulations are framed to operate, I presume, from July 1. I make clear that I have not changed my mind on the question of deposits on cans.

Once again I thank members and the officers and staff of Parliament for their assistance. Further, I congratulate you, Mr. Deputy President, on the magnificent performance that you have given in your role this afternoon.

The DEPUTY PRESIDENT (Hon. M. B. Dawkins): I would like to join with the Chief Secretary and the Hon. Mr. DeGaris on my own behalf and on behalf of the President, who is unavoidably absent on Commonwealth Parliamentary Association business, in offering my best wishes to honourable members for a period of beneficial rest from sessional work but not rest from Parliamentary work. I hope those honourable members who will be travelling interstate or overseas will have a helpful rest from their duties and will come back refreshed when this Council meets again. On behalf of the President, I extend my thanks and best wishes to all honourable members and to the officers and staff of Parliament.

Motion carried.

ADJOURNMENT

At 3.44 p.m. the Council adjourned until Tuesday, May 31, at 2.15 p.m.

Honourable members rose in their places and sang the first verse of *God Save the Queen*.