

LEGISLATIVE COUNCIL

Tuesday, September 21, 1976

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

QUESTIONS

FIREARMS

The Hon. C. M. HILL: I seek leave to make a short explanation before directing a question to the Minister representing the Leader of the Government in this Chamber. Leave granted.

The Hon. C. M. HILL: As I recall, in the Governor's Speech at the opening of this session the Government gave notice that it intended to introduce legislation so that firearms could not be purchased in future in this State without the purchaser first holding a licence. Since that announcement, there has been some publicity about the matter and representations are being made to me along the lines that legislation is needed; I have been asked to find out whether or not the Government intends to proceed, in the balance of this session, with that proposed legislation. Can the Minister tell the Council whether or not the Government intends still to proceed with that proposed legislation?

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

NEWSPRINT INDUSTRY

The Hon. J. C. BURDETT: I seek leave to make a brief explanation prior to directing a question to the Minister of Lands, representing the Minister of Works. Leave granted.

The Hon. J. C. BURDETT: Some time ago I asked the Minister of Works a question about the establishment of a newsprint industry at the head waters of the Murray River. I received a reply to the effect that the Minister of Works was obtaining particulars about that project from the New South Wales Government. My concern was pollution in the lower waters of the Murray River. On September 14, 1976, I received the following letter from the Minister of Works:

Further to my letter dated July 20, 1976, the Minister for Conservation and Water Resources in New South Wales has assured me that the interests of South Australia will be carefully considered when his Government assesses the implications of establishing a pulp and paper mill in the Tumut area. I have been advised that Australian Newsprint Mills Limited has begun negotiations with the New South Wales Government for the right to purchase 450 000 cubic metres of softwood timber annually from the Tumut forestry district. The company is carrying out a study to determine the most suitable site for the plant. The company proposes to use a thermo-mechanical process for the production of pulp for use in an associated newsprint mill. The proposed pulp and paper complex would use approximately 45 000 000 litres of mainly recycled water, finally treated and returned to the stream a day. The process involves no chemical effluent or odour. Suspended solids and coloration by organic matter which occur in the liquids would be reduced by clarification to meet requirements under the New South Wales State Pollution Control Commission Act. The company will be required to prepare an environmental impact statement and during the next 12 months negotiations will be carried out between the company

and several departments, including the Forestry Commission, the Public Transport Commission, the Electricity Commission, the Department of Decentralisation and Development, and the State Pollution Control Commission in order to satisfy the decision-making authorities and allow prescription of appropriate conditions to approvals. As an integral part of this development, the Government will take steps to ensure that adequate safeguards are taken to protect the environment.

A newsprint industry representing 450 000 cubic metres per annum is fairly large, about five times the size of Cellulose Australia Limited, in the South-East. I agree with the statement in the letter that the thermo-mechanical process, as opposed to the chemical process, involves no chemical effluent or odour. However, my information is that it involves fine fibres passing into the water, and this would be to the Tumut River, virtually the headwaters of the Murrumbidgee River, which eventually flows to the Murray River. I have been told that there is no mechanical way to get these fibres out of the water and that the fibres will flow into the Murray. My question is twofold. First, is the Minister satisfied that this process will not involve dangerous contamination of South Australian waters by these fibres? Secondly, because the site is the Tumut forest, would it not be possible that the plant could be sited on the other side, the eastern side, of the Great Dividing Range and of the watershed so that the water would come from a river flowing into the Pacific Ocean and would not enter the Murray River system? There would seem to be arguments to suggest that, if it were economically possible (and that I do not know) to site the factory so that the effluent containing the fibres flowed into a short, fast stream flowing into the Pacific Ocean, this would be less potentially dangerous to many people than if the fibres were discharged into waters that flow into the Murray River.

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague, who, I am sure, will be equally as concerned as the honourable member. I will bring down a report.

PETRO-CHEMICAL COMPLEX

The Hon. R. A. GEDDES: On August 17, I asked the Minister of Agriculture, representing the Minister of Mines and Energy, a question about the petro-chemical complex, and I now ask the Minister whether he has a reply.

The Hon. B. A. CHATTERTON: I believe the honourable member was referring to a letter published by Michael Burr in the *Advertiser* of August 16, 1976, in which it was contended, as fact, that "there is money for the oceanographic research which is assessing the capacity for polluting Spencer Gulf by a plant at Redcliff". Later in the same letter reference is made to "the powerful tidal currents which have been found", presumably in Spencer Gulf. The Minister for the Environment states that no oceanographic research is being carried out in Spencer Gulf by the Government in relation to the Redcliff site. The reference to "powerful tidal currents" is unclear, although the Minister understands that a report prepared for one industrial group referred to tidal currents on the western side of the northern part of Spencer Gulf. However, the mass of water which could be moved in that area is small and would be unsuitable for power generation. Such tidal generation is used only in regions of France and Russia where mean tidal heights are in the order of 8 metres, in contrast to the much smaller tides, of about 2 metres, found in Spencer Gulf.

RURAL RELIEF

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

Leave granted.

The Hon. A. M. WHYTE: I refer the Minister to a report in this morning's *Advertiser* stating:

Refusal by the Federal Government to exempt a State-funded unemployment scheme for farmers in drought-affected areas may cost South Australia \$10 000 000 in assistance.

Can the Minister explain fully the requirements that must be met by farmers wishing to apply for unemployment relief under the present State scheme? If a farmer retains stock on his property that would involve part of his time looking after it, will he be ineligible to apply for such unemployment assistance?

The Hon. B. A. CHATTERTON: Obviously, there is some confusion in the honourable member's mind. Unemployment benefits are provided now by the Commonwealth Government on a relaxed basis, and there are relaxed rules applying to unemployment benefits for farmers. The Agriculture and Fisheries Department has put out a facts sheet showing those new relaxed rules, and I do not intend to go through those rules here, because they are long and complex. However, relaxed rules apply in respect of farmers, as they are self-employed people, who are now eligible for such benefits for the first time.

The Hon. A. M. Whyte: Who provides those benefits?

The Hon. B. A. CHATTERTON: The Commonwealth Social Security Department. The suggestions we are putting forward in respect of relief involve the payment of funds to local government to provide jobs and no conditions are attached concerning farmers applying for jobs with local government. The situation that applied on previous occasions in relation to this form of drought relief in South Australia was that local government took a relaxed attitude towards this matter and provided jobs on a flexible basis so that farmers could maintain their properties. This is what happened in the past, particularly in 1967, when funds were made available to local government to provide jobs for farmers who were affected by the drought. The important point I was making in the statement reported in the press is that funds have been offered by the Commonwealth Government, but the \$10 000 000 referred to is for southern Australia—not South Australia. It refers to the whole of the drought-affected area. This sum will not be available to the States because the approvals required from the Federal Government are so difficult to obtain in relation to State expenditure. The position is not unique to South Australia. I refer to statements by the Victorian Minister of Agriculture (Mr. I. W. Smith), who has made a bitter attack on the Commonwealth Government because it will not accept the sort of expenditure Victoria has undertaken in relation to drought relief. Victoria must spend \$3 500 000 before it is eligible to obtain Commonwealth assistance. It has spent that sum but the Commonwealth Government will not accept the area of expenditure which the Victorian Government has gone into. The statement I made, which was reported in this morning's press, concerned this matter.

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

Leave granted.

The Hon. M. B. CAMERON: I point out to the Minister that the headline of the report in this morning's *Advertiser* states "South Australia may lose \$10 000 000 in

aid". I thank the Minister for making the point that South Australia will not lose \$10 000 000. That is an improper allegation to be made regarding the Federal Government—

The Hon. B. A. Chatterton: I did not make it.

The Hon. M. B. CAMERON: —and I trust the Minister has clarified the position with the press. The whole statement, which is aimed at the Federal Government, makes serious allegations against that Government. In the article, the Minister is reported as saying:

However, the terms and conditions made it almost impossible for South Australia to qualify. Unemployment schemes for farmers in drought-affected areas had always been accepted in the past as a practical and efficient method of helping primary producers.

I am aware that a question was asked in the Senate today concerning this matter. In reply, the Commonwealth Minister made clear that at no time in the last 15 years had this been accepted as part of the terms and conditions laid down under the National Disaster Relief Fund. So, that part of the article is also incorrect, and it makes almost the whole of the Minister's statement incorrect in its present form. This morning I went through various sections of the guidelines laid down, and I understand that the guidelines have been expanded to agree with all requests put forward by the South Australian Government, except one—unemployment relief. That offer has been made to all States. There has been an extension of the existing transport and stock subsidies, and water cartage to drought affected stock. The Commonwealth Government is also providing up to \$1 a head for stock slaughtered by State and local government authorities, and 15c a head for disposal of surplus sheep by State and local government authorities.

The Hon. J. E. Dunford: When are you going to ask a question?

The Hon. M. B. CAMERON: I will get around to it. I am informed that any requests that the South Australian Government makes will be immediately considered by an inter-departmental committee, which meets at least once a week. All matters will be considered urgently.

The Hon. J. E. Dunford: How long is this speech going on?

The PRESIDENT: Order! The Hon. Mr. Dunford will cease interjecting.

The Hon. J. E. Dunford: You ought to stop the Hon. Mr. Cameron.

The Hon. M. B. CAMERON: I am only quoting things that have been in the paper in the past.

The Hon. J. E. Dunford: Behave yourself!

The PRESIDENT: Order!

The Hon. M. B. CAMERON: If South Australia does not spend its base amount of \$1 000 000 and if it decides on other methods of expenditure, I believe the Commonwealth Government is willing to meet \$1 for \$1 of all expenditure. Most important of all, one item has not been taken up, as far as I am aware.

The Hon. J. E. Dunford: For how long will this go on?

The Hon. M. B. CAMERON: I refer to the sum of \$1 a head for all cattle slaughtered. Victoria has already taken this up, but in South Australia no Government action has yet been taken. Is the Minister aware, following his meeting on Thursday with his Federal counterpart, that the Federal Government is also willing to include in the allowable terms, under the National Disaster Relief Fund, grain fed to stock? What steps has the Minister taken to take advantage of this item, which now becomes eligible under the fund? If the Minister has failed to convince his Cabinet colleagues of the necessity to spend \$1 500 000 within the guidelines always recognised and, in

fact, expanded by the present Federal Government, is he aware that he will be held responsible for the loss of the money offered by the Commonwealth Government? Why has the State Government consistently refused to allocate funds to pay \$10 a head for cattle slaughtered on the property (this is one of the terms offered by the Commonwealth Government)? Is the Minister aware that, if he had offered this subsidy early enough, vast numbers of cattle, whose numbers have been depleted, would have been held back from market and slaughtered on the property, thus reducing numbers on the market and increasing returns to farmers on stock suitable for market? Is it not a fact that the guidelines laid down under the National Disaster Relief Fund, even under a Federal Labor Government, have never included unemployment relief? Also, is it not a fact that the Federal Minister has agreed in principle to all South Australia's requests for subsidy, except one?

The Hon. B. A. CHATTERTON: It is a pity that the honourable member does not seem to read the press or any of the statements I have made—

The Hon. M. B. CAMERON: I read inaccurate press statements.

The Hon. B. A. CHATTERTON: —because I said last week that the South Australian Government did accept the \$10 bounty on cattle.

The Hon. M. B. CAMERON: When?

The Hon. B. A. CHATTERTON: Before last Wednesday.

The Hon. M. B. CAMERON: About five months later!

The Hon. B. A. CHATTERTON: It was on that occasion (and I am sorry that the honourable member does not seem to be informed on this matter) that—

The Hon. M. B. CAMERON: How much have you spent on it?

The Hon. B. A. CHATTERTON: The point which I was making, and which I make again, is that the Federal Government has laid down certain terms and conditions. It knows perfectly well, however, that under those terms and conditions it will be impossible for South Australia to spend the \$1 500 000.

The Hon. M. B. CAMERON: It will be now. You're too late.

The Hon. B. A. CHATTERTON: I have demonstrated clearly that it is impossible for us to do so. Therefore, it makes the Federal Government's offer to all States of \$10 000 000 for drought relief completely hollow, as the Federal Government has not approved the sort of expenditure that could reach as much as \$1 500 000. The South Australian Government will be spending State funds, but the Federal Government will not accept that expenditure as being part of the contribution to the \$1 500 000. Our estimates on freight, fodder and water subsidies, to which the honourable member has referred, and the bounty on cattle will not reach \$1 500 000.

The Hon. M. B. CAMERON: What about grain?

The Hon. B. A. CHATTERTON: We have only just had the figures on that, but have not yet got an estimate. However, I doubt whether, even with that aspect, it will reach the required sum. The Federal Government would not accept the Victorian Government's retrospective payments. Victoria has been caught badly, because the payments that it made to farmers for drought relief before June 30 have been excluded completely from its payments, and that expenditure cannot be used as part of that State's contribution towards the \$3 500 000. Therefore, my point is valid: the Federal Government is putting forward the view that it is prepared to put this \$10 000 000 into

drought relief. However, it has made the conditions attached to that offer so impossible that the money cannot be drawn on by the States. This situation is not confined solely to South Australia. The Victorian situation is as bad as, if not worse than, that in South Australia, and so is the situation in Western Australia.

The Hon. M. B. CAMERON: Was the Minister aware earlier in the year that the \$10 a head would have been part of the conditions attached to the expenditure of funds? Also, how much has the Minister spent on the subsidy for the slaughter of stock on farms, and why did he not participate in this scheme earlier and make this money available to South Australian farmers?

The Hon. B. A. CHATTERTON: I have made that clear many times in the past. The South Australian Government did not consider that the \$10 slaughter bounty payment to farmers was an equitable and effective way of providing drought assistance. It is easy to demonstrate that the distribution of funds in this manner does not meet the needs of farmers.

The Hon. M. B. CAMERON: Ha!

The Hon. B. A. CHATTERTON: We have stated clearly that the main thrust of our drought assistance would be to provide money on a needs basis through the Primary Producers Emergency Assistance Act. This has consistently been our policy. When the Federal Government announced that this would be an acceptable form of drought assistance, the South Australian Government accepted those terms. As I said to the honourable member previously, if he had read the press last week, he would have seen my acceptance of that.

AUSTRALIAN OPERA

The Hon. ANNE LEVY: Has the Minister of Lands, in the absence of the Chief Secretary, a reply from the Premier to my recent question regarding the Australian Opera?

The Hon. T. M. CASEY: The Premier reports that at present the Government is unable to give firm indications of the extent of any subsidy to the Australian Opera during the 1976-77 financial period. Although sympathetic to the opera's plight, the Government does not believe that the Federal Government should be aided in its attempts to avoid its own direct responsibility by passing those responsibilities on to State authorities. The Government is, however, hopeful that the Australian Opera may improve its financial position, and visit this State. It is also examining costs associated with the recent Joan Sutherland recital series, presented by the national company, and may make a grant towards those costs. The honourable member is assured that everything possible will be done to assist the Australian Opera with costs incurred in maintaining its South Australian activities.

FLOWERS

The Hon. J. C. BURDETT: I understand that the Minister of Lands has a reply to the question I asked recently, directed to the Attorney-General, on the subject of the production of *Flowers*.

The Hon. T. M. CASEY: In reference to the honourable member's request for additional information to six questions which were raised on July 27, I have been advised of the following. First, yes. Secondly, no. In any case, the request to seek an injunction on the relation of interested parties was made too late to enable reasonable time for the taking of such action. Further, see answer dated

August 27, 1976. Thirdly, this answer was given on August 27, and I refer the honourable member's attention to *Hansard* of that date. Fourthly, the Attorney-General has not seen the mime *Flowers* and accordingly is not in a position to be able to give an opinion as to whether the mime constitutes a breach of the common law offence of blasphemy or not. Fifthly, various Government Ministers have received a large number of letters and petitions, both supporting and objecting to the showing of the mime. It is difficult to give any accurate assessment of the number of letters and petitions received. Sixthly, this answer was also given on August 27, 1976.

MUSSELS

The Hon. J. E. DUNFORD: I recently asked the Minister of Health a question relating to mussels taken from Hobson's Bay and I understand the Minister of Lands has a reply to that question.

The Hon. T. M. CASEY: My colleague reports that the Chief Inspector of the Victorian Department of Health advises that mussels taken from Hobson's Bay and eaten raw have been the source of infections in the past. The source of the infection is considered to be sewage discharge to the bay from oversea passenger vessels. There is a prohibition on taking mussels from Hobson's Bay, but there are other mussel producing areas in Port Phillip Bay. No trouble has been experienced with bottled mussels produced by cooking the mussel until it opens and then sousing it in vinegar solution and filling hot into the bottle. This is the type of bottled mussel offered for sale in this State.

DROUGHT

The Hon. J. C. BURDETT: I understand the Minister of Agriculture has a reply to a question I asked on August 17, 1976, relating to the drought.

The Hon. B. A. CHATTERTON: The Minister of Works reports that he has approved the issue of special Murray River water diversion licences to primary producers who are not holders of a current water diversion licence. The licences will enable producers to divert water from the Murray River for the irrigation of stock fodder only. However, it is not the intention of the Government to retain the special licences in normal years; they are to cater for the present drought situation. Application forms for the special licences and conditions under which licences will be issued may be obtained from the Diversions Officer, Engineering and Water Supply Department, Box 1751, G.P.O., Adelaide, 5001, or telephone 227 2497. In addition, irrigators on the Murray River who were holders of current diversion licences would have to make special application if they required an additional 10 per cent on their water allocations during this financial year. The additional allocations had been granted automatically in previous years when there was an excess flow. Applications must be submitted by September 30, 1976, after which no further applications would be accepted. They should be directed to the Diversions Officer, Engineering and Water Supply Department, Box 1751, G.P.O., Adelaide, 5001.

PRESS CORRESPONDENT

The Hon. R. A. GEDDES: On behalf of the Hon. Mr. DeGaris, I ask whether the Minister of Lands has a reply to a question that the Hon. Mr. DeGaris asked recently of the Chief Secretary about a press correspondent.

The Hon. T. M. CASEY: Mr. Muirden has been employed over the past five years as Press Secretary to the Minister for the Environment (formerly Minister of Environment and Conservation). On several occasions Opposition members of Parliament have questioned his right to undertake journalistic work in his leisure time. After the last occasion (House of Assembly, March 12, 1975) a ruling was obtained from the South Australian District of the Australian Journalists' Association which confirmed such a right subject to certain conditions, one of which was "that, where a possible conflict of interest occurs between the leisure time work and his/her regular employment, the specific permission of the employer be sought". Mr. Muirden has in fact been given such permission by the Minister. I understand Mr. Muirden writes occasionally for the *Nation Review* but has never written for the *Canberra Times*.

MINES DEPARTMENT BUILDING

The Hon. M. B. DAWKINS: I understand the Minister of Agriculture has an answer to the question I asked on August 10 about a Mines Department building.

The Hon. B. A. CHATTERTON: The Minister of Mines and Energy advises that Cabinet approval was given in June, 1976, for the construction of a core library for the Mines Department. The current programme for this work allowed for tenders to be called in late August with completion expected in November, 1977.

MEAT MEAL

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

Leave granted.

The Hon. A. M. WHYTE: The Minister has been kind enough to get information about the processing of meat meal by the South Australian Meat Corporation from drought-affected stock. I should like further information from the Minister: is there any provision for persons taking their own stock to Samcor to be processed for meat meal? What would be the cost of, say, 100 sheep being processed, and approximately how much meat meal would be acquired from such processing?

The Hon. B. A. CHATTERTON: I will obtain an answer for the honourable member.

PORT LINCOLN HIGH SCHOOL

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

Leave granted.

The Hon. M. B. DAWKINS: Fairly recently I visited Port Lincoln High School and, through the good offices of the Principal of that school, I was able to inspect the work at that school done under stage 1. I was most impressed with the facilities provided under stage 1 of the new Port Lincoln High School. The Principal also gave me the opportunity to inspect the remainder of the school, which would house nearly half the students; it consists of temporary classrooms that are kept in very good order. However, that high school, like so many other schools, is only half completed. Can the Minister ascertain from his

colleague when it is envisaged that stage 2, the completion of the Port Lincoln High School, is likely to be programmed?

The Hon. B. A. CHATTERTON: I will refer the honourable member's question to the Minister of Education and bring down a reply.

COMMONWEALTH ASSISTANCE

The Hon. C. J. SUMNER: I believe the Minister representing the Minister of Health has an answer to a question I asked on Commonwealth assistance to the Australian Council of Social Service.

The Hon. T. M. CASEY: I am aware that the grant by the Federal Government to the Australian Council of Social Service has been fixed at \$150 000 for this financial year. In 1975-76 two amounts were granted. The first grant was for \$150 000 and the second, which was made later in the financial year, was for \$60 000. From the total amount of \$210 000 the Australian council passed \$10 300 on to the South Australian Council of Social Service. The Australian Council of Social Service operates at the national level. It depends on the Commonwealth Government for the bulk of its funding. The amount of that funding is a matter for decision by the Commonwealth Government and I do not propose to make any representations in that regard.

The financial position of the South Australian Council of Social Service is a matter that concerns me greatly. The savage cuts in funding by the Commonwealth Government in the welfare area are already resulting in many requests by organisations in South Australia for the State to meet commitments previously met from Commonwealth funds. Because the Federal Government's grant to the Australian Council of Social Service has been reduced this year by \$60 000, the State council will not receive any finance from that source. In 1975-76 the South Australian Council of Social Service was granted \$20 000 from the State Community Welfare Grants Fund. The matter of an increased grant this year to help meet the council's expected deficit of \$15 000 is currently being examined by the Community Welfare Grants Advisory Committee.

PARLIAMENTARY PRIVILEGE

The PRESIDENT: Last week, the Hon. Miss Levy raised some questions concerning Parliamentary privilege and the publication of Parliamentary proceedings. The Hon. Mr. Foster later asked two supplementary questions concerning the matter of publication and I think that, in order that there should be no misunderstanding by honourable members of the position, I ought to set out the relevant information.

First, there is no doubt that whatever is said in either House of Parliament by honourable members is privileged and consequently can never be the subject of any court proceedings. Secondly, section 7 of the Wrongs Act makes it clear that a fair and accurate report published in any newspaper of the proceedings of either House of Parliament is privileged unless it is proved that the report or publication was published or made maliciously. The section further goes on to say that this privilege does not authorise the publication of any blasphemous or indecent matter and does not protect the publication of any matter which is not of public concern, and the publication of which is not for the public benefit. Thirdly, apart from the special position of

newspapers, to which I have just referred, publication by other persons outside Parliament is not necessarily protected. I refer to Erskine May on *Parliamentary Practice*, 18th edition, pages 77 to 81, where the protection of publication question is mentioned. I do not propose to read all these pages, but I think I should mention one matter of some importance, namely:

A member who publishes his speech made in either House separately from the rest of the debate is responsible for any libellous matter it may contain under the common law rules as to defamation of character.

The Hon. N. K. FOSTER: I have one question, if I may deal with what you have just read concerning the portion that any honourable member publishing separately his speech or speeches is not then necessarily accorded protection. I take it this does not include those individual speeches by individual members of a House that are taken down and made available through the normal channels available to honourable members from the *Hansard* reporters?

The PRESIDENT: I think it does. Erskine May declares that, if an honourable member publishes his speech, even if it is only a copy out of *Hansard*, without publishing the whole of the debate from beginning to end, he may not get any privilege whatsoever.

The Hon. N. K. FOSTER: Then I draw attention to the fact that there is the procedure in most Parliaments, both Federal and State, in this country, and indeed in most other countries using the Westminster system of government, where reports of the Parliamentary *Hansard* staff are made available through normal Parliamentary channels, and the individual members' speeches, which are widely used, particularly in the Federal Parliament of this country, have a very wide circulation. If I may seek latitude from you, in regard to a speech made during a Budget debate or an Appropriation session, to publish the whole might be a most considerable burden and expense, and it would be beyond the possibility of any member to undertake that very great task. Therefore, I ask whether you would inform yourself, accurately, if you are able, with all due respect, so as, in turn, to be able to inform members of this Council what their rights are. If it is found that you have been correct in what you have said so far, members of this Parliament and of all other Parliaments, in order to protect themselves against libel, will need to ensure that something is done in future to be sure that such protection as is accorded to members of the public is accorded to members in this place and in other places.

The PRESIDENT: It is quite a common practice for members to ask for an extract or copy of their speech to be supplied by *Hansard*. It has been laid down many years ago that *Hansard* is quite protected from any possible action under the laws of libel. That really is what we are talking about, not about whether members have individual rights to publish their speeches; of course they have. The extract I read from May says that he is responsible for any libellous matter it may contain, under the common law rules as to defamation of character. The publication by a member of his own speech is, therefore, his own separate publication. I think that, if the honourable member reads the pages in May to which I have referred, he will see how the whole matter is quite covered in that publication.

The Hon. N. K. Foster: I was referring only to where the member had lifted out—

The Hon. ANNE LEVY: I wonder whether I could ask a question in clarification, following the statement that you have read out. I have not the details of the statement in front of me, but you spoke of the fair and unbiased account in newspapers of proceedings of the House being

not actionable for libel. I wondered whether your mention of newspapers was specific, thereby excluding radio and television, or whether radio and television also would be protected in regard to fair and unbiased reporting of proceedings in the Chamber.

The PRESIDENT: Of course, many of these matters are not for me to make decisions on but for the courts of law. I merely quoted section 7 of the Wrongs Act, which uses the words "a fair and accurate report published in any newspaper". They are the only words in the section.

PAY-ROLL TAX

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Chief Secretary, representing the Premier.

Leave granted.

The Hon. R. C. DeGARIS: It has been brought to my attention that certain provisions of the Pay-roll Tax Act, specifically subsection (1) of section 18j, have had rather a dramatic effect on certain business operations in South Australia. For example, a company that has a shareholder living in another State and with other interests in another State cannot get the rebate of \$41 600. Because that shareholder owns more than 50 per cent of the company operating in South Australia, that subsection precludes full application of the veto. Will the Chief Secretary take the matter up with the Premier to find out whether this is what the Government intended and, if it is not, whether the Government will consider some amelioration of this provision in the Pay-roll Tax Act?

The Hon. D. H. L. BANFIELD: I will refer the question to my colleague and bring back a report.

MOTION FOR ADJOURNMENT: ABALONE LICENCES

The PRESIDENT: I have to inform the Council that, in accordance with Standing Order 116, the Hon. Mr. Burdett has handed to me a statement in writing that he wishes to move the adjournment of the Council to debate a matter of urgent public importance relating to the issue of additional abalone fishing licences. It is necessary to establish proof of urgency by the rising in their places of at least three honourable members.

Several honourable members having risen:

The Hon. J. C. BURDETT: I move:

That the Council at its rising do adjourn until 1.30 p.m. tomorrow.

The matter of urgency relates to the statement issued some time ago by the Minister of Fisheries suggesting that further abalone fishing licences would be granted in South Australia. I refer to the report in the *Mail* of last Sunday, at page 9, wherein it was stated that the Minister had decided to allow eight more licences for divers to take abalone on the West Coast. It was stated that applications had been called for but subsequently the Minister had granted a stay to enable further investigations to be made.

The matter of urgency, as I see it, is that further licences to take abalone should not be issued until a proper and reasonable survey has been carried out on the matter by a team headed by a competent qualified marine biologist as to the existing abalone stocks in South Australia and the effect of issuing further licences. The case that has been presented to me on this matter (and it has come largely

from the Abalone Divers Association of South Australia) has been documented carefully. The documents include the reports on pages 9 and 47 of last Sunday's *Mail* and a report from the Ombudsman which was issued in September, 1976, and in which it was outlined that the function of the Ombudsman was not to comment adversely on Ministerial decisions.

What the Ombudsman has done mainly in this report is summarise the careful case presented to him by the Abalone Divers Association. The other documents include correspondence passing among the association, various Government departments, and the Ombudsman, as well as details of the economic survey carried out on abalone fishing at the direction of the South Australian Government. The economic survey seems to have been somewhat in a mess. It seems to contain some ridiculous conclusions, including the suggestion that the economic value placed on the work of an abalone diver is to be the basic wage plus 12½ per cent, to take into account the element of risk and the danger said to be involved.

We know there are grave risks and dangers associated with this industry. I refer to the recent shark attack at Whyalla, and there have been numerous cases of shark attacks or imminent shark attacks on abalone divers. Divers have told me that they frequently see white pointer sharks swimming past them. Divers run considerable risks, including the risk of an attack of the bends and similar risks and, to suggest that the only return placed on their labour, expertise and skill (bearing in mind that they have to pass stringent medical tests) is 12½ per cent above the basic wage, is ridiculous.

The Hon. R. C. DeGaris: Does that include interest on capital invested?

The Hon. J. C. BURDETT: No, that is what was said should be the figure placed on their labour, skill and expertise.

The Hon. B. A. Chatterton: Depreciation and interest were included in the survey.

The Hon. J. C. BURDETT: What I have said is entirely in accordance with the Minister's interjection. The value to be placed on the work of an abalone diver is the basic wage plus 12½ per cent. When one considers the fairly short time span of a diver's work, because of the stringent medical requirements, the risks and similar problems involved, this is a ridiculous figure. Although the economic survey does take into account depreciation of a diver's plant, most inconsistent statements have been made in the survey and in correspondence concerning the value of the capital involved.

According to one letter, an abalone boat was worth as little as \$10 000, and that is ridiculous. Some letters stated that the amount of capital necessary to get into the industry was between \$25 000 and \$50 000, and the survey referred to about \$30 000. Clearly, the urgency in this matter involves a proper biological survey. Although an economic survey has been undertaken, there should be a proper biological survey into abalone stocks.

I understand that Cabinet is presently considering this matter. Therefore, it appears appropriate to raise this issue and debate it now to bring forward the suggestions made by the Abalone Divers Association and others, so that Cabinet can consider the value of this debate and the points raised. Opponents of the proposition to grant additional licences include the association, which affirms that a proper survey headed by a qualified marine biologist is required.

The association has offered (and I have seen this documented in correspondence) its boats, its labour, expertise and equipment to assist in carrying out a biological survey.

The association has even offered financial assistance to see that a survey is carried out, because it believes that, by granting extra licences, abalone resources will be fished out. If a survey does establish that the granting of extra licences is feasible, the association will be satisfied. However, it will be most irate (and properly so) if extra licences are granted without a proper survey being undertaken.

Presently, five licences have been granted for central waters, and it is suggested that two additional licenses be granted; 20 licences have been granted on the West Coast, and it is suggested (as reported in the *Sunday Mail*) that an additional eight licences be granted. In the South-East, seven licences have been granted, some of which are part-time licences. I understand that the rough nature of the South-Eastern waters often makes abalone fishing difficult. There is a suggested 40 per cent increase in abalone licences.

The abalone industry represents a small but important export industry, earning \$2 000 000 annually for South Australia. Such an export industry cannot be discounted altogether. I am told that almost 100 per cent of the catch is exported to Asia. A strong demand for abalone exists there, partly because most other abalone resources in the world have been destroyed through being fished out.

The Hon. R. C. DeGaris: The Chinese believe abalone is an aphrodisiac.

The Hon. J. C. BURDETT: I do not know whether that is so, but there is a strong demand for abalone in South-East Asia.

The Hon. F. T. Blevins: It's not true.

The Hon. J. C. BURDETT: Can you vouch for that?

The Hon. F. T. Blevins: I had six the other day, but only three worked.

The Hon. J. C. BURDETT: There is a strong demand for South Australian abalone largely because the resource has been destroyed in other places. The abalone industry is fragile because of the limitations of the resource, and the provision of additional licences could cause stocks to be further depleted, thereby destroying this \$2 000 000 export industry. Certainly, there is a demand for abalone, and it would be a tragedy if this \$2 000 000-a-year export industry were destroyed.

Demand for abalone is strong because abalone resources elsewhere in the world have been depleted. The South African abalone industry has been destroyed by over-fishing. The Californian industry is in grave straits, also as a result of over-fishing. The Mexican industry has been destroyed, and the Asian fields have gone. I understand that New Zealand has an active abalone industry, but the species existing there is inferior in quality to our product. The industry in Western Australia is in order, but it is flagging in South Australia, and statistics prove this.

Statistics concerning the number of abalone taken and the value of the catch in past years show that the resource is diminishing, and it will diminish much more if new licences are granted. The industry in Victoria is in trouble. I have been told that Tasmania has the greatest abalone resource, but even there the resource is declining. In New South Wales, the industry is defunct, because of over-fishing.

The PRESIDENT Order! The honourable member's time has expired.

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

That Notices of Motion: Government Business Nos. 1 to 4 be postponed until the reply of the Minister of Fisheries to the motion has been concluded.

Motion carried.

The Hon. J. C. BURDETT: The areas to which I have referred constitute the main abalone fishing areas, because that industry flourishes only in temperate waters. There is a substantial risk element in regard to sharks, as has been evidenced recently. It is almost certain that the present stocks in shallow waters would be depleted if further licences were granted and, because divers would have to go deeper, they would expose themselves to greater risk. I believe that 12 m is regarded as the limit of a shallow dive; a dive of more than 12 m is regarded as a deep dive, with increased risk.

Many people at present in the industry were the pioneers of the industry in South Australia, and it would be a tragedy if they were driven out of it as a result of more licences being granted. There is a lack of flexibility between this and other industries, one of the reasons being the stringent medical requirements for abalone divers. It is a tragedy that the industry has not been consulted at all about the Ministerial decision to issue a further 10 licences. In the prawn fishing industry, there is an advisory council, and it is a disgrace that there is no such council with respect to abalone fishermen. There should be some sort of rapport between the Minister and the fishermen in such a fragile and dangerous industry. The Minister of Fisheries is being inconsistent; he has declined to grant more prawn fishing licences.

The life cycle of the prawn is between 14 months and 16 months; it has been established, particularly by the Japanese, that the prawn will survive in the face of heavy fishing because it reproduces so rapidly. However, the reverse applies to the abalone, which has a long life cycle of about 10 years. It is not until the fourth year that the abalone spawns at all, and it is not until the sixth year that it spawns completely. For abalone, reproduction is completely hit-or-miss affair. There is a mortality rate of between 99 per cent and 100 per cent among young abalone, so abalone are easily fished out. There is a limitation of 100 mm on the size of abalone that may be taken; I point out that this applies to the time when they are just starting to spawn, and it is therefore not sufficient protection.

The abalone fishing industry in South Australia could easily be destroyed, as have similar industries in other areas. What I say may be incorrect, but at least there should be a proper biological survey by a qualified marine biologist; such a survey has not been made. There is another aspect, apart from the economic aspect—the environmental aspect. Surely we do not believe that the abalone species should completely cease to exist; it has ceased to exist in many other areas. I stress that the species may cease to exist altogether if uncontrolled fishing goes on or if more licences are granted. I wonder what the Minister for the Environment thinks about the matter. We have seen from press reports what the Minister of Fisheries has said, and I wonder whether his colleague agrees with him. Does the Minister for the Environment consider that the species may cease to exist? Steps are being taken to protect some species of fauna, and it seems to me that steps may need to be taken to protect abalone, from the environmental viewpoint. Some of the matters I have raised may not be substantiated if there is a proper biological survey. The economic survey was not based on the stocks of abalone, and I contend that there must be a proper, reasonable, competent, biological survey headed by a properly qualified marine biologist.

The Hon. R. C. DeGARIS (Leader of the Opposition): The Minister and the Government must seriously consider the motion. I will not canvass the ground already covered

by the Hon. Mr. Burdett, but I should like to read to the Council a letter from the Ombudsman on this matter. It sums up the whole case put by the Hon. Mr. Burdett probably more effectively than does anything else I have read on this matter. The letter states:

I refer to our recent telephone conversation and also to previous correspondence on this matter. First, it might be helpful if I were to point out what the Ombudsman considers is the basis of his jurisdiction in this type of case. A Ministerial decision and/or a Cabinet decision, as such, is regarded as not being open to investigation by the Ombudsman. The Ombudsman's interpretation of the intention of the provisions of the legislation is that the particular decisions cannot be challenged since they are subject to other bases of inquiry and criticism either at a political level or from publicity.

The factors and background leading up to the making of a decision, either by a Minister or by Cabinet, are, however, regarded as open to inquiry by this office. For example, the recommendations of departmental officers and the general information available to the Minister and/or Cabinet which influences the particular decision can be subject to the Ombudsman's scrutiny. If it is considered that the recommendations are based on insufficient information and are inaccurate for any other reasons, then the Ombudsman is, in his and in my opinion, entitled to draw the attention of the Minister and/or Cabinet to any alleged inaccuracies or deficiencies and invite a review of the particular decision. That being the case, I wish to expand upon the contentions made to this office, by the above-named complainants.

I have had lengthy interviews with persons who allegedly represent the 30 or so divers who make up the particular association. I have spoken to Messrs. Murphy, Kroezen, McGovern, Polacco and Royans. In addition, I have this day also discussed the matter with the President of the association, Mr. Oliver. Mr. Oliver advises me that a special meeting of the association was held at Port Lincoln this morning. Sixteen members attended and, with six proxies, voted unanimously on a resolution that the Minister be requested not to issue the additional permits. The submissions made yesterday to my office by the Secretary and others were also unanimously endorsed. I understand a letter in confirmation is being forwarded this day. Although these matters have obviously been previously raised, it appears to me that the association's contentions are that the issuing of the additional 10 permits, at this time, has been based on insufficient information that has been available to the department and, hence, to the honourable the Minister.

Primarily the association considers that, with the issuing of the said permits, there is a distinct and real possibility that the industry could be "fished out" within a very short period of time. This, of course, is a serious statement that has a number of far-reaching consequences. I therefore inquired of my complainants as to what information was available to them that would support making this said statement. I am advised that basically it is their view that no proper assessment has ever been made of abalone stocks, in this State, by departmental officers. It is submitted to me that, fundamentally, the only persons in a proper position to make this assessment are the divers themselves. The department's previous inquiries have been limited to, mainly, the catch rate per diving hour. I am informed that there are obvious areas which the department has not given its attention to. For example, factors such as diving depth, the number of dives required to obtain the amount of abalone taken, the size of the abalone taken and the density of the abalone stocks available in a particular area are, it is contended to me, either now being overlooked or being given insufficient weight. My complainants are adamant that the department would have to accept that most diving, for abalone, now has to take place in much deeper waters than it did say some two to three years ago. I have been informed that there are now no substantial beds of abalone in shallow waters. Most of the diving and collection of abalone is, therefore, now taking place in waters over 40ft. in depth.

It has been put to me that the department's economic report has not had regard to the above factors and therefore could be challenged on a number of grounds. I do not intend to enumerate these grounds at this time since, it appears to me, Mr. Kroezen has personally outlined a number of points in his letter of July 30 to the Minister.

I do note, however, that the Professional Divers Association of Australia has indicated that it is dissatisfied with some of the contents of the said report. I have personally discussed the matter with Mr. McDonald, the Assistant Federal Secretary of the association and, whilst he concedes that it is not the association's intention to become involved in the matter of permits, he does however state, most strongly, that some of the contents of the said report are not only inadequate but misleading. To use his own words:

The association would oppose this document becoming regarded as constituting an authentic record. He therefore proposes to send to me information setting out his association's challenge to the said report.

A further point raised by the association is that, if additional permits are issued, then this will increase competition for the available abalone. I have stated that it has been contended to me that divers are now being obliged to work in deeper waters. It is considered that with, for example, at least 10 new divers then the existing members of the industry will have to continue to move and work in deeper areas since this is where the abalone are presently available. My complainants contend that this brings about an unsatisfactory situation whereby they are now and will be subject to increasing substantial health risks. Mr. Kroezen has previously referred to these factors in the letter referred to above. At the request of the association, I did discuss the matter, by telephone, with Professor Bryan Williams, of New South Wales, who is apparently a specialist medical practitioner acquainted with medical problems likely to be experienced by divers. Professor Williams informs me that recent surveys had been carried out, in Australia, and elsewhere, of the results of prolonged diving in various depths of water. He has apparently delivered a paper on the matter at a recent seminar. Although he, of course, could not make any comment on the present complaints concerning the permits, he did express the general view that competition, between divers, for example, by forcing them into deeper waters, did expose them to greater risks. In his opinion, the depth of the water, the frequency of the dive and the duration of the dive, all of which my complainants contend are, in the future, likely to be increased, would expose divers to substantial health hazards including what has been previously raised, the risk of "bone necrosis". He submitted that this was a serious aspect; however, he stressed that he was merely expressing a general opinion on the matter which I, of course, accepted.

A final aspect made by my complainants relates to what might be described as their present financial interest in the particular industry. I am informed that the average investment of a present permit holder, in the industry, is approximately \$30 000 to \$40 000. Indeed, I note that the department accepts that a capital outlay of approximately \$30 000 would be required by any new permit holder prior to his commencing operations. With an investment of this magnitude, it is submitted that a decision as to the issuing of new permits will have a variety of consequences that could conceivably be adverse to themselves and their families. On economic factors alone therefore my complainants consider that the whole situation should be reviewed.

In the circumstances, my complainants contend that the honourable the Minister should not issue the permits without some form of ecological further survey being made. I inquired as to how long it was considered that this survey would take to make. The estimates ranged over a number of years; however, the association agreed that one season would be sufficient to give an indication as to the state of the abalone stock. If the assessment indicated that stocks were sufficient, then my complainants agreed the additional permits should then be issued. In the event that the honourable the Minister is now prepared to authorise this survey then, it is stated to me, the association is prepared to stand by allegedly previous offers of practical and financial assistance in order to aid the department in its inquiry.

On present information before me, in my view, this is not a matter where I could do other than to suggest informally to the honourable the Minister that the additional permits be not issued pending the carrying-out of the proposed survey. If, however, the Minister is satisfied that the above matters have been fully and sufficiently ventilated in information previously available to him and that his decision has therefore a reasonable and proper foundation, I cannot see that I can take this complaint any further. If I can be of any additional assistance then please do not hesitate to contact me.

Yours sincerely, L. W. A. Myers, Acting Ombudsman.

I think that in these circumstances it was necessary that the letter should be included in *Hansard* in this urgency debate.

The Hon. B. A. Chatterton: To whom was the letter addressed?

The Hon. R. C. DeGARIS: It was addressed to the Assistant Director of Agriculture and Fisheries, Department of Agriculture and Fisheries, Box 1671, G.P.O. Adelaide, S.A., 5001. The Ombudsman's report seems to me to state the case very fairly. The penultimate paragraph contains the suggestion that I believe the Minister should follow, that the additional permits be not issued pending the carrying out of a full survey of the stocks available for exploitation. As the Hon. Mr. Burdett said, the abalone industry around the world has been one of over-exploitation.

If one looks at the industry in California, South Africa, and even in New South Wales, one will see that this industry has been over-exploited, and has not recovered from that exploitation. As regards New South Wales, if one goes back many years, one will find there was a tremendous abalone trade between Asia and Australia. The whole of Sydney Harbor and all of the coast of that State was worked upon by Chinese seamen who came to Australia until all of the stocks had been exhausted. No abalone industry is now left, to speak of, in New South Wales. The coastline of New South Wales was one of the prolific areas in the world as far as the density of abalone stocks was concerned. Today it is exhausted and does not look like recovering.

The Hon. Mr. Burdett has referred to the reproduction process of abalone, and I do not wish to enlarge upon that question, except to say that I know that with abalone reproduction about 99.9 per cent of the spawn never reaches maturity. I also know that one requires colonies of abalone to reproduce. In other words, there is a threshold limit to density of population in which there is propagation, and this is an important point in considering the industry, which has an export capacity of about \$2 000 000 a year in South Australia.

There are a number of other areas I can touch upon. One is the question of forcing divers to dive deeper for the abalone. It may be that we should only exploit water down to about 40 feet and leave the replacement stock alone at the deeper depths. That seems to me to be a reasonable means of controlling the industry if the abalone stocks at a deeper depth were allowed to be the replacement stock.

I would like to know what the Environment Department thinks about this matter, because on the whole question of exploitation of this type of fishing around the world we have the clear information that quite fertile abalone grounds have been over-exploited, and they have not returned to carrying the stocks of abalone that were carried there 50 years earlier. What is the viewpoint of the Minister for the Environment in this State to the issue of further permits? Is that information known to Parliament? If not, it should be, because I believe that the Minister for the Environment is one who should express his viewpoint on this matter. What is the viewpoint of the department apart from the Minister?

The Hon. J. C. Burdett: The senior officers.

The Hon. R. C. DeGARIS: Why has the Agriculture and Fisheries Department not accepted the offer already made by the abalone divers of assistance in research to assess the capacity for exploitation of this industry? At this stage I believe that the issue of further permits endangers the survival of the industry in this State, which has an export capacity of about \$2 000 000 a year.

One can refer to the crayfish industry in which controls should have been imposed on the exploitation of the industry long before they were. We are now in a situation where this industry, because of over-exploitation, has reached the stage of probably not being viable. Therefore, I think the urgency motion is desirable, and I would urge the Minister of Agriculture to reassess his position in regard to the issuing of permits at this stage, until we know more about the ability of this State to exploit its abalone resources.

The Hon. J. A. CARNIE: I support the motion before the Chamber. I believe probably the case for not issuing any more licences was best summed up in the letter from the Ombudsman which was read by the Hon. Mr. DeGaris. There are some aspects which I wish to deal with very briefly. First, I believe at this stage it is irresponsible of the Minister to propose to issue 40 per cent more licences. On the evidence available I believe it would be better served by a reduction in permits, not an increase. I am open to conviction one way or the other on that matter.

No adequate survey has been carried out in this industry. I believe the economic survey, which was the basis on which the Minister decided to issue extra licences, has many discrepancies, and one important discrepancy concerns the findings of the survey as regards the catch per hour, and the Minister, by interjection, referred to that as the "effort". I assume that is what he was referring to. The catch per hour has shown an increase over the past five or six years. I believe this to be the basis for the increase in licences. What is ignored is the fact that the annual average catch over that time has dropped by over 33 per cent. I do not know whether this is what prompted the Minister recently to state if the divers did not step up the abalone harvest he would get others into the industry who were prepared to do that. I believe the increase in catch per hour can be easily explained.

Divers are much more efficient, their technique is better, their knowledge of abalone beds is better, and their equipment is much more sophisticated. The Hon. Mr. Burdett mentioned that it is necessary to spend more than \$30 000 to be adequately equipped for abalone diving. This is vastly different from the early days of abalone diving that I can remember when I was in Port Lincoln, when one went out in a dinghy with a compressor on it. It is not only the high capital outlay which is involved; there is a very high degree of risk. Both the previous speakers have mentioned the constant threat of sharks. This is the first thing that comes to mind when we think about risks to divers.

There was an attack last Friday on a diver (certainly not an abalone diver) and this points to the higher risks that an abalone diver takes in the water almost constantly, whereas the fisherman attacked last Friday was a weekend diver. Over the last three years, two abalone divers have been taken by sharks, and any diver will tell of experiences with sharks. However, there is an even greater risk in this industry—the risk to the health of the diver. Recently, 30 divers at Mallacoota, in Victoria, were examined. Of those 30 divers, it was found that 20 per cent had incurable aseptic bone necrosis; a further 30 per cent had chronic ear damage problems; 10 per cent were said to have suffered some brain damage; nearly 90 per cent had reduced respiratory functions; and 25 per cent suffered from sinus problems brought on by diving.

These are real risks; yet the economic survey suggests that 12½ per cent above the average wage is a sufficient return for the diver. This figure is certainly not commensurate with the figure given in the Professional Divers

Award; it is ridiculous to suggest that divers should receive 12½ per cent above the average wage for these risks. I ask the Minister to ask the insurance companies what loading is placed on premiums to insure these men. This would give the Minister some idea of the risks involved. The abalone diver is almost uninsurable, and yet he is forced to take out insurances as some protection for his family.

Recently, there was a case concerning the transfer of a licence from a man taken by a shark, involving the destitute position in which his wife was placed. In Port Lincoln, in the middle of the 1960's, when 120 divers were working on the West Coast, as a pharmacist I knew that those men were taking risks. I knew them and spoke to many of them about the long hours they worked and the great depths to which they dived, and advised many of them of the risks they were taking. Now, those men are working fewer hours because they are responsible people, both to the industry and to themselves.

As has been mentioned, most divers at present operating in the central and western zones are operating as follows: out of 32, there are five and 20 in those two zones. The increase proposed is two and eight, or 40 per cent. This will have several effects, none of them good. It will bring about dangerous competition in what is a very high risk industry. It will bring about the disappearance of abalone in shallow waters, already seriously depleted, but the most serious effect will be that the abalone divers will be forced to go deeper and deeper for longer periods in order to make a living, and this will lead to an increase in compression illnesses. The "bends" is a common one, of which everyone has heard, in diving; another less well known one is subject to intensive research at the moment—dysbaric osteonecrosis.

That is a disease in which the bones and joints decay and collapse, which would obviously lead to agonising crippling but, unlike the "bends", it is not obvious for months or years. In the case of the "bends", there is usually rapid warning. The diver has to get into a decompression chamber quickly so that serious damage can be averted. This points to a serious fault in South Australia, where an inadequate number of decompression chambers is available. The effect of granting more licences will be to force divers to go into deeper water and will eventually cause fatalities due to the "bends".

In conclusion, I point out that over the years the abalone industry has found its own level as a viable operation. From about 140 to 150 divers in the State 10 or 12 years ago, the position has stabilised to 32; yet it is now proposed to increase the number by a large amount. On what basis is the Minister doing it? I am sure the responsible people in the industry would have no objection if it was being done on the basis of study and research; but it is not. As has been pointed out by previous speakers, no long-term research on the future viability of the industry is being done. There is no abalone advisory committee, as there is a Prawn Advisory Committee and a Rock-lobster Advisory Committee, to act as a liaison between the industry and the department. I believe the abalone industry is being neglected and abused by the department and the Minister, and I add my plea not to issue any more licences in this industry until an adequate survey has been carried out.

The Hon. C. M. HILL: I support this urgency motion. I was most impressed, as I am sure honourable members opposite were, by the arguments put forward on this side of the Council in support of the motion.

The Hon. N. K. Foster: You speak for yourself.

The Hon. C. M. HILL: There is an amazing contradiction in this policy that has been disclosed about the Minister and his general approach to conservation of the South Australian fishing resources. Surely, we all agree there is a need to conserve the fishing resources of this State. I recall taking a gentleman, as a deputation, to the Minister. He was seeking a prawn licence for certain parts of the gulf, and the Minister made the point (and I agreed with the principle he expounded) that the number of licences in that section of the industry at that stage, until further investigation had been made, had to be contained to a certain number because he was not going to run the risk of prawns being fished out.

The resource control of this area is vital to this section of primary industry. This, as I understand it, has been his general approach. It certainly was the approach of one of his predecessors, Mr. Story, a former Minister in charge of these matters. I regard Mr. Story as being the author of the need of this State to control these resources so that those within the industry received a fair reward for their labours but the resource remained so that people could remain in the industry in the years ahead.

It appeared to me, from an interview I had with the Minister at that time, that he placed special emphasis upon this aspect of reasonable and fair conservation. I was going along with that but I have listened to the debate today and I find that out of the blue comes a decision affecting one part of the industry that increases the number of licences on one part of our coastline by 40 per cent, which is a remarkable increase, to say the least.

I want to hear what the Minister has to say in answer to my claim that his policy generally has been one of conservation and emphasis on the need to control these resources in South Australia and for South Australia. Now, he has been expounding that policy, on the one hand, and then suddenly for this section of the industry he says, "The number of licences will be increased by 40 per cent", which just does not add up. There is a need for him to explain the turn-about. Until he can do that to my satisfaction and that of other members on this side, we will wholeheartedly support the motion and support those people in the fishing industry who are confronted by this complete change-about in general policy.

The Hon. A. M. WHYTE: I wish to support the motion. Having known many of the abalone divers over the years, going back to the time when abalone fishing was a boom industry and we had more than 100 divers working in it, I believe that it is time a true and proper reassessment of the position was made. It is not fair that people issue reports without thorough and proper investigation. The divers are willing to take the Minister or his appointees with them, and they ask that a proper survey should be made of the task that becomes their lot to gain a living from the abalone beds and in the sources of supply at present.

The industry has diminished over the years to a point where we have only 20 divers on the West Coast now, whereas more than 100 divers could make a splendid living in previous years. On top of this, the Minister says that he is going to increase the number of licences. I have seen the fishermen at work and I have watched the industry for several years, and it is obvious to me that it is fraught with much hardship. To worsen the lot of these people by increasing the number of divers seems most unfair.

The industry has had little support. It was engineered and perfected by people who are making a living, and nothing more, from it today. The industry never has had Government assistance for research or for any other part

of the enterprise, and I believe that the interests of people now earning a living from it should not be jeopardised further by an increase in the number of licences.

The Hon. Mr. Carnie has mentioned the rather ludicrous position regarding the transfer of a licence, and that also is a hardship. It creates a situation that does not apply in any other part of the fishing industry. These men supply their own equipment and they are denied the right to have a substitute diver. The licence belongs to the diver, not to the boat, the skipper, or anything else as is the case in other industries. To increase the number of licences now without a survey is, I believe, most unjust.

The Hon. B. A. CHATTERTON (Minister of Fisheries): I find it rather extraordinary that the Fisheries Department is now being cast in the light of being some sort of ogre that is out to destroy the abalone fishing industry. If we look back into the history of the industry in South Australia, we see that this is a completely wrong view of what the fishing policies have been. If it was not for the policy of the Government, through the department, many of our fisheries would have been destroyed, and it has been the management policy to maintain those arrangements in the prawn fishing industry, the rock lobster fishing industry, and the abalone industry.

If we put the matter into historical perspective, we see what opposition was raised in the industry when these policies were introduced. There was the idea that we could not harness the resource to a limited amount, that we had to limit and restrict the number who could be allowed in the industry, and all these concepts were opposed bitterly when they were first introduced. It seems extraordinary to say that now the Fisheries Department is out to destroy the abalone fishing industry.

If we look back, we see that consistently the policies of management have saved many of our fisheries. It has been stated that originally there were 110 abalone divers. This was the number licensed when the management policy was first introduced. Obviously, the number was too many, but it was considered that the number of people diving then had a right to work. Since then, the number has declined to 32: many people have left the industry. It now comes down to an extremely difficult decision regarding the management of this resource and the level to which we will allow the number of divers to decline. I consider that we have two responsibilities, and it is difficult to judge the responsibilities in each area. First, we have the responsibility to the divers. We must try to ensure as far as possible that they secure an adequate income.

The Hon. J. C. Burdett: Have you had a biological survey made?

The Hon. B. A. CHATTERTON: I will come to those points soon. It is one of the prime responsibilities to see that the divers are protected in terms of receiving an adequate income. The other responsibility (and it has not been mentioned in this debate) is that we are managing a common resource and we ought to ensure that it is exploited to a reasonable degree.

No honourable member so far has mentioned the evidence from the South Australian Fishermens Co-operative Limited, which has suggested that it would be uneconomic to continue with the co-operative's activities in Port Lincoln, because of the declining quantity of abalone going through the works. Other people depend on the catch, and we ought to ensure, as long as the harvest is sustainable, that we are getting as much as we can from it.

The Hon. J. C. Burdett: Have you had a biological survey to find this out?

The Hon. B. A. CHATTERTON: I will deal with that matter soon. Our decision must be to try to judge a reasonable compromise between the two aspects of trying to ensure as good a return as possible for the divers and trying to ensure that there is an adequate harvest of the resource. Figures have been mentioned several times this afternoon in regard to the decline in the catch from the abalone industry, and it is appropriate for me to refer to those figures. The figures that I will give are approximate. I have not the exact figures, because I did not have time to prepare documents for this debate.

The level of the catch was about 350 tonnes and it has declined to about 200 tonnes. There are two ways in which this sort of decline can take place. One is because the abalone are disappearing, and the other is because there is less effort in the industry. The numbers of days and hours that the abalone divers spend in the water show clearly why this decline has taken place. The amount of effort that has gone into the catch has declined considerably, and this throws the catch rate an hour into perspective. The fact that that catch rate has increased over this same period seems to show clearly that the declining amount of effort being put into the catch is the reason why the total catch has dropped. There are others, such as Safcol, who have supported this argument.

The Hon. J. C. Burdett: How many hours are now spent in the water?

The Hon. B. A. CHATTERTON: The number varies considerably from diver to diver. I do not have figures in front of me currently. It varies between divers who spend as little as eight or nine days in the water a year (these divers can be considered only as part-time divers) to those who spend more than 100 days in the water a year and who must be considered as full-time divers.

The Hon. J. C. Burdett: Safety has to come into it.

The Hon. B. A. CHATTERTON: True, and the amount of hours spent in the water varies considerably with the depth at which divers work, as has already been mentioned. Complaint has been made in this debate that an increase in the number of divers will force existing divers in the industry to dive in deeper water. Officers of my department have said, and have evidence, that this is not the case. There are areas further along the coast, which used to be fished by abalone divers and which are no longer being fished.

The Hon. J. C. Burdett: Where are these areas?

The Hon. B. A. CHATTERTON: Further along the coast from presently fished areas.

The Hon. J. C. Burdett: Whereabouts along the coast?

The Hon. B. A. CHATTERTON: Further west than the present fishing grounds. They claim that, as the number of divers has fallen, the effort has tended to be concentrated more in the Port Lincoln area, but there are other areas further along the coast that are still shallow-water areas that could be fished by divers stationing themselves in those areas.

The Hon. J. C. Burdett: Was that information given by a qualified marine biologist?

The Hon. B. A. CHATTERTON: Yes, we have a research officer in abalone. He has been working in the industry and much work has been done on the industry.

The Hon. J. C. Burdett: Who is he?

The Hon. B. A. CHATTERTON: I cannot name him now; I know him well, but I cannot remember his name.

The Hon. J. C. Burdett: What are his qualifications?

The Hon. B. A. CHATTERTON: I can get all the details for the honourable member. This officer has been working as a research scientist in abalone for some time. He is accepted in the industry, has written several papers on abalone and it is not as if it is something to which he is new—

The Hon. J. C. Burdett: Is it Mr. Shepherd?

The Hon. B. A. CHATTERTON: No. I cannot remember his name off-hand. There are a couple of other points I would like to raise. Reference has been made to a biological survey. This matter has been raised always in vague terms: there has merely been a request for some sort of biological survey. I have been told that that is what is needed. We have looked at this in some detail but find it difficult to pin the divers down about what sort of biological survey would make any relevant statistics available in relation to decision making. I do not know whether they suggest that we try and count every single abalone existing on our coastline. Obviously, that would be an impossible task, requiring many more divers than are in the industry.

The Hon. R. C. DeGaris: If divers are operating, we should use them.

The Hon. B. A. CHATTERTON: That is a point I am coming to. We cannot do that sort of accounting exercise of stock. It is not feasible, although we are looking at some sort of random sampling. It is extremely difficult to develop a random sampling method in this type of area where the stock is not mobile, as in other fishing industries. By choosing one's sampling areas, one can make great errors in the figures obtained. It is something we are looking at in more detail, but it is not easy to develop a random sampling technique.

The Hon. J. C. Burdett: If divers suggested a specific method, would you listen to their representations?

The Hon. B. A. CHATTERTON: Yes. Currently, divers have suggested that we undertake some sort of biological survey. That is a vague term and is difficult to develop. The essential point concerns the divers themselves: they know where the stock is as well as anyone else, and it is on their own evidence that we have been able to base our surveys.

The Hon. J. C. Burdett: They have told you that stocks have been depleted.

The Hon. B. A. CHATTERTON: But that conflicts with the evidence they provide in their returns to the department. Surely, this is the essential evidence, and they have provided it. It is through these returns that the divers have provided to the department that we have been able to build up the basic statistical knowledge.

The Hon. J. C. Burdett: The catch is becoming smaller.

The Hon. B. A. CHATTERTON: The catch is dropping, as I have explained, clearly and demonstrably because of the reduced effort in the industry.

The Hon. J. C. Burdett: You're not suggesting the divers are lazy?

The Hon. B. A. CHATTERTON: I am not suggesting that. Clearly, when there are 32 divers in the industry instead of 110 the return will decline. We are measuring effort in terms of diving days and, with the reduced number of divers, clearly the number of diving days has reduced. Also, some of the 32 divers now operating work only on a part-time basis and have other interests as well.

The Hon. R. C. DeGaris: You are basing the provision of new licences purely on the effort in the industry and not on a biological survey or stock assessment?

The Hon. B. A. CHATTERTON: Statistics are obtained from the figures provided by divers. Who can better determine what can be economically harvested than the divers?

The Hon. J. C. Burdett: You have undertaken no biological survey?

The Hon. B. A. CHATTERTON: A survey has been done based on the only means of assessing what can be harvested from the existing stock. What would be the purpose of doing a count of all abalone existing in South Australian waters if such a task were ever feasible? That does not tell us whether it is feasible in economic terms to harvest the stock.

The Hon. R. C. DeGaris: On what facts are you basing the provision of new licences?

The Hon. B. A. CHATTERTON: The new licences are based on the returns supplied by the divers themselves. Divers have supplied the basic statistical information.

The Hon. R. C. DeGaris: Are you working on less effort in the industry?

The Hon. B. A. CHATTERTON: There is increased catch an hour and a number of other facts supplied to us. It seems to be a sounder basis on which to provide management decisions for the industry.

The Hon. R. C. DeGaris: It is most unsound.

The Hon. B. A. CHATTERTON: One gets exactly the same situation in any managed fishery. It is an interesting situation and I refer to the position in other industries. The Hon. Mr. Hill raised this matter regarding the prawn industry. When we have successful management policies, as we have in the abalone industry, there will be a vested interest among the people in the industry not to increase their effort and, as I said earlier, we have a responsibility to ensure that the stock is not over exploited; we have a responsibility to ensure that it is not under exploited.

The Hon. J. C. Burdett: But you do not know what the stock is.

The Hon. B. A. CHATTERTON: We have to develop a happy medium between those two.

The Hon. J. C. Burdett: As you do not know what the stock is, a biological survey and its results would be part of the data you would need.

The Hon. B. A. CHATTERTON: I have demonstrated that the term "biological survey" is a catchword that is being thrown round with no clear definition of what is meant by this term.

The Hon. J. C. Burdett: Will you listen if a definition is put to you?

The Hon. B. A. CHATTERTON: We have not yet had a definition from anyone. It has been used as a catchword, but no-one has defined how we can get a biological survey that would provide any meaningful data and conclusions different from those we already have. I agree completely with those honourable members who raised the question of the economic survey and said that 12½ per cent above the basic wage for this high-risk industry was too low. If that had been the basis of the economic survey, I certainly would not have approved of it. It is a pity that some honourable members have not read the survey more completely; if they had done so, they would have seen that the price for each kilogram used in the survey was, from memory, \$3.80, while the current price is about \$5.50 for abalone. This shows the returns to the divers in a completely different light.

The Hon. J. C. Burdett: The living wage has increased, too.

The Hon. B. A. CHATTERTON: Yes, but not by anything like that factor. When we consider the costs involved, a price increase of that order increases the margin considerably. If honourable members recalculate the figures in the survey and use the new price level for abalone, they will see that the returns are very adequate. Unfortunately, I do not have those figures with me at present. Such a recalculation throws a completely different light on the returns. The returns referred to are average returns, and I believe that the returns are commensurate with the effort put into the industry.

The abalone divers, while opposing an increase of 10 in the number of permits, have themselves suggested that relief divers be allowed to operate in the industry on a permanent basis. Relief divers are allowed for those divers who can produce a medical certificate showing that they are unfit to dive. The divers have suggested that relief divers be allowed into the industry on a permanent basis for any diver who wishes to employ a relief diver. To me, the suggestion seems inconsistent: the divers claim that the industry cannot support 10 extra permits, yet they say that 32 additional divers should come into the industry; this is what would happen if each diver had a relief diver.

The Hon. J. C. Burdett: Would the relief diver relieve the usual diver only when the usual diver was not operating?

The Hon. B. A. CHATTERTON: No. The suggestion relates to a relief diver operating from the same boat while the usual diver is there. The usual diver can operate for so many hours and he can employ a relief diver as well; it is a doubling of effort. So, the divers' claim that the industry cannot support 10 additional licences is incompatible with their claim that they want relief divers. The Opposition's argument has also been put forward by the abalone divers themselves. The difficult aspect is this: people already in the industry can put forward their views to the media and members of Parliament.

The Hon. C. M. Hill: I have not seen them.

The Hon. B. A. CHATTERTON: Although people in the industry can make their views known, the views of people who are not in the industry (the applicants) are not being put forward, because the applicants are disorganised: there is no applicants association.

The Hon. J. C. Burdett: Did you give these replies to the Abalone Divers Association when representatives of that association saw you?

The Hon. B. A. CHATTERTON: I have given these replies to the abalone divers when I have met with them. They have had long discussions with the Acting Director of Agriculture and Fisheries, who has conveyed their submissions to me. These points and other points have often been discussed.

The Hon. M. B. Cameron: Why are abalone divers retiring? Is it because of the economics of the industry?

The Hon. B. A. CHATTERTON: For many reasons—some because of their age, some because they wish to enter other occupations, and others because they have bought prawn boats.

The Hon. A. M. Whyte: Because they cannot cope with the continual strain?

The Hon. B. A. CHATTERTON: Yes.

The Hon. A. M. Whyte: This is why you should protect those who are diving.

The Hon. M. B. Cameron: You should allow relief divers in.

The Hon. B. A. CHATTERTON: The honourable member destroys his argument if he wishes to allow relief divers

to take the risks while they cannot have the profits. The divers argue that the industry is risky and that they deserve a better return. The inconsistencies in the arguments defeat their case.

The Hon. J. C. BURDETT: I seek leave to withdraw my motion.

Leave granted: motion withdrawn.

The PRESIDENT: Call on the business of the day.

BRANDS ACT AMENDMENT BILL

The Hon. B. A. CHATTERTON (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Brands Act, 1933-1969. Read a first time.

The Hon. B. A. CHATTERTON: I move:

That this Bill be now read a second time.

This short Bill makes a number of machinery amendments to the Brands Act, 1933-1969, the principal Act. Clauses 1 and 2 are formal. Clause 3 amends section 4 of the principal Act by inserting a definition of "the department" and making certain other consequential amendments. Clause 4 repeals sections 17 and 18 of the principal Act and inserts in their place a new section 17, the effect of which is to allow free use of brands consisting of a numeral or any brand on the near or off ribs of cattle.

Clause 5 amends section 53 of the principal Act and recognises the fact that *The Stock and Station Journal* is no longer published. Clause 6 amends section 54 of the principal Act by removing a reference to a register that is no longer required to be kept. Clause 7 re-enacts section 62 of the principal Act in much the same form as it previously existed, with the exception that special provision is now made for branding cattle vaccinated against brucellosis. Clause 8 is formal and self-explanatory. Clause 9 is consequential upon the amendments made by clause 4, as are the amendments made by clauses 10 and 11.

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

CATTLE COMPENSATION ACT AMENDMENT BILL

The Hon. B. A. CHATTERTON (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Cattle Compensation Act, 1939-1974. Read a first time.

The Hon. B. A. CHATTERTON: I move:

That this Bill be now read a second time.

It amends the principal Act, the Cattle Compensation Act, 1939-1974, and is to some extent consequential upon the amendments effected to the Stock Diseases Act. Clauses 1 and 2 are formal. Clause 3 amends section 4 of the principal Act by changing the definition of "disease" to accord with that inserted in the Stock Diseases Act. Clause 4 is consequential upon the amendments made by clause 3.

Clause 5 enacts a new section 4b in the principal Act which will recognise a practice that has existed for some time in the computation of stamp duty, that is, the practice of "averaging". Clause 6 amends section 5 of the principal Act so as to ensure that, in appropriate cases, cattle destroyed under the new powers conferred on inspectors under the Stock Diseases Act will attract compensation under this Act. Clause 7 is consequential upon this. Clause 8 amends section 11 of the principal Act by recognising that the fund established under the principal Act may receive subventions from the Commonwealth.

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

STOCK DISEASES ACT AMENDMENT BILL

The Hon. B. A. CHATTERTON (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Stock Diseases Act, 1934-1968. Read a first time.

The Hon. B. A. CHATTERTON: I move:
That this Bill be now read a second time.

The purpose of this short Bill is to make certain amendments to the principal Act, the Stock Diseases Act, 1934-1968, to enable the disease brucellosis to be dealt with more effectively. Clauses 1 and 2 are formal. Clause 3 amends the long title to the principal Act to recognise its slightly wider coverage. Clause 4 amends section 5 of the principal Act, the interpretation section, (a), by striking out the definition of "disease" and substituting a somewhat wider definition; and, (b), by inserting a definition of "the department" expressed in more general terms.

Clause 5 amends section 6 of the principal Act, and the amendment set forth in paragraph (a) of that clause is in aid of the definition of "the department", and the amendment set out in paragraph (b) of that clause is consequential upon the amendment to "disease" in section 5. 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. Clause 7 repeals and re-enacts section 18 of the principal Act, and honourable members' attention is particularly directed to this re-enactment, which gives a wide power for the destruction of stock, a destruction that will, of course, attract compensation under the Cattle Compensation Act. Clause 8 is consequential upon the definition of "the department".

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

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

The Hon. B. A. CHATTERTON (Minister of Agriculture) obtained leave and introduced a Bill for an Act to make certain amendments to the Statute law in consequence of a change in the constitution and the name of the Fire and Accident Underwriters' Association of South Australia and to amend the Bush Fires Act, 1960-1972, the Commercial and Private Agents Act, 1972, and the Volunteer Fire Fighters Fund Act, 1949-1975. Read a first time.

The Hon. B. A. CHATTERTON: I move:

That this Bill be now read a second time:

As the explanation is lengthy, I seek leave to have it inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This Bill 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, an association that has in the past been recognised by legislation as representative of a wide section of the insurance industry in this State. By resolutions of the

Fire and Accident Underwriters' Association of South Australia in June last year, the name of the association was changed to "Insurance Council of Australia (South Australia Branch)", and the association adopted a new constitution and rules that made it possible for the composition of the association also to be altered. Both resolutions took effect on August 26, 1975. A Federal body known as the Insurance Council of Australia was formed at the same time, and the newly-formed body has now become representative of the collective interests of a substantial majority of the non-Government owned general insurers in Australia.

Although the Insurance Council of Australia has a branch in this State known as the Insurance Council of Australia (South Australia Branch), that branch now has very limited functions, and the council conducts its operations in this State mainly through a Regional Director for South Australia, to whom the council delegates its main functions in this State. The purpose of this Bill is to confer on the Insurance Council of Australia, acting by itself, or through its Regional Director or other agent in South Australia, the powers and functions that had previously been vested in the now defunct Fire and Accident Underwriters' Association of South Australia and to validate the performance of all functions and duties and the exercise of all powers, and so on, by the council or its agents which, if they had been performed or exercised by the Fire and Accident Underwriters' Association of South Australia, would have been lawful, valid and effectual for the purposes of any Act or law.

Clause 1 is formal. Clause 2 (1) provides for the amendment of three Acts specified in the schedule to the Bill, and I shall explain those amendments when I explain the provisions of the schedule. Clause 2 (2) is a provision built into the Bill that would have the effect of repealing any amendment made by the Bill to any Act where that Act (or that Act as amended) is repealed by or by virtue of some other Act, but that amendment and any provisions of this Bill that are ancillary to that amendment have not also been repealed by that other Act. For example, there is a Bill before Parliament which, if it becomes law, will repeal the Bush Fires Act, one of the Acts to be amended by this Bill. If that Bill should become law, the amendments in this Bill to the Bush Fires Act will also, by virtue of clause 2 (2), immediately thereafter be repealed, thus cleaning up the Statute Book of dead wood without the need for further corrective or consequential legislation to be passed.

Clause 3 (1) has the effect of interpreting all references in legislation or in documents to the now defunct Fire and Accident Underwriters' Association of South Australia as references to the Insurance Council of Australia. Clause 3 (2) has the effect of validating the performance of functions and duties and the exercise of powers, etc., by the Insurance Council of Australia or its duly appointed agents resident in South Australia which, if they had been performed or exercised by the defunct association, would have been lawful, valid and effectual for the purposes of any Act or law.

The schedule—Amendments to the Bush Fires Act, 1960-1972:

The first amendment to section 14 substitutes a reference to the Insurance Council of Australia for the reference to the Fire and Accident Underwriters' Association of South Australia in subsection (3). 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 subsection (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.

The first amendment to section 21 substitutes a reference to the Insurance Council of Australia for the reference to the Fire and Accident Underwriters' Association of South Australia in subsection (2). The second and third amendments to section 21 are consequential amendments that substitute for the reference to "that association" in subsection (2) and the reference to "the said association" in subsection (3) a reference to "the Regional Director for South Australia, or other agent, of the Insurance Council of Australia resident in South Australia". This is in line with the administrative procedures adopted by the Insurance Council of Australia, which conducts its operations in this State mainly through the Regional Director for South Australia.

Amendments to the Commercial and Private Agents Act, 1972:

The first and second amendments to section 7 substitute references to the Insurance Council of Australia for the references to the Fire and Accident Underwriters' Association of South Australia in subsections (2) and (3). When a vacancy last arose in the office of member of the Commercial and Private Agents Board, 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, which had made the nomination instead of that association, and the appointment was made on that nomination. The third amendment to section 7 accordingly adds a new subsection (4) to that section, which has the effect of validating the appointment of the member who had been nominated by the Insurance Council of Australia.

Amendments to the Volunteer Fire Fighters Fund Act, 1949-1975:

Subsection (2) of section 3 of the Volunteer Fire Fighters Fund Act provides, *inter alia*, that one of three trustees of the Volunteer Fire Fighters Fund is to be appointed by the Governor from a panel "nominated by the Fire and Accident Underwriters' Association of South Australia". Subsection (3) of that section provides, *inter alia*, that every trustee shall hold office for five years. The present holder of the office of trustee appointed from the panel nominated by that association was appointed for a five-year term in 1974, expiring in 1979, but, since his appointment, that association has been superseded by the Insurance Council of Australia and, although his appointment as such was a valid one, some question could well arise during his term of office as to whether that member continues to represent the sections of the insurance industry that had been represented by the Fire and Accident Underwriters' Association of South Australia after that association had ceased to exist.

Accordingly, section 3 of the Volunteer Fire Fighters Fund Act has been amended by inserting in subsection (2), after the reference to the Fire and Accident Underwriters' Association of South Australia, the passage "or by the Insurance Council of Australia". This will enable all successors to the present member to be appointed from a panel nominated by the Insurance Council of Australia. The second amendment to that Act adds a new subsection (3a) to section 3, which has the effect of confirming that the present member shall, subject to the Act, continue to

hold office as such, notwithstanding that the Fire and Accident Underwriters' Association from whose panel he was appointed has ceased to exist.

The Hon. R. A. GEDDES secured the adjournment of the debate.

DISTRICT COUNCIL OF LACAPEDE (VESTING OF LAND) BILL

Read a third time and passed.

PUBLIC PURPOSES LOAN BILL

Adjourned debate on second reading.

(Continued from September 15. Page 1021.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I do not think I have much more to contribute to this debate, having made the major points on the last day of sitting. However, I should like to make some comparisons between the Estimates for 1975-76 and those of 1976-77. The question of loans to producers remains nominally the same, \$2 850 000 last year and \$2 950 000 this year. As it is a habit of most people today to examine figures in relation to the inflation rate, I would ask the Chamber to bear that in mind when considering these figures. Advances to State Bank have increased from \$2 500 000 in 1975-76 to \$2 800 000 in 1976-77; the allocation for afforestation and timber milling has increased from \$6 200 000 to \$7 550 000; fishing havens, from \$930 000 to \$1 200 000; waterworks and sewers, from \$59 300 000 to \$65 800 000; Government buildings, land and services, from \$107 500 000 to \$111 400 000.

The allocation for the Flinders Medical Centre is down from \$18 760 000 to \$12 640 000, whilst the figure for Port Pirie Hospital is about the same. For the Royal Adelaide Hospital, it has gone from \$2 540 000 to \$4 272 000, the Glenside Hospital figure remaining about the same. The Lands Department, buildings, plant, etc., allocation has gone from \$965 000 to \$1 510 000, but the sums allocated to irrigation and reclamation of swamp lands and the Renmark Irrigation Trust are about the same. For harbors accommodation, it has risen from \$7 800 000 to \$8 350 000; Murray River weirs, dams, locks, etc., from \$3 600 000 to \$7 070 000; ETSA, from \$5 000 000 to \$6 000 000; the Monarto Development Commission, from \$1 200 000 to \$1 400 000 (and perhaps someone may care to comment on that). The Land Commission allocation has been decreased from \$34 800 000 to \$1 900 000, the actual expenditure in 1975-76 being \$20 100 000.

One can see most of the allocations are about the same as last year, although there is a marked reduction in the sum allocated to the Land Commission. I do not wish to make any comment on these allocations because, first, I believe that in the overall economy for Australia, of which South Australia is part, there is a need for some containment of Government expenditure. Logically, if one examines this, one will see that the inflation rate is directly proportionate to the amount of Government expenditure. Perhaps the Minister may wish to comment upon the very large drop in the Land Commission allocation. Perhaps he will say why, out of the allocation of \$34 800 000 last year, only \$20 100 000 was spent.

One could comment upon other matters, as I have done before in relation to afforestation. I have been in this

Chamber for 14 years, and the Hon. Mr. Foster has said I am a born loser, but, in fact, I am a born trier and, if one is right, and one keeps on pressing one's point of view, one day people may understand what one is talking about. I refer again to afforestation, and I do not state this on a Party political basis at all. I think the original legislation was introduced by way of a private member's Bill (by Mr. Krichauff), and it was designed to encourage afforestation in this State. It was a necessity in this State because there was a paucity of natural timber stands that could be used.

After a long search around the world, such people as Ednie Brown and others found that the Monterey pine was the most suited to South Australia. During this period the Government had assumed a position of dominance in this industry. Indeed, not only has it been the planter and the harvester of trees but it has also been the miller and the seller of timber. I believe one of the great problems in developing the private sector in this field has been the question of taxation, not only income tax but also death duties. The private person is not encouraged to move into this field of growing timber. The latest figures I saw indicated that we were still importing some \$200 000 000 worth of softwoods a year. Although 1 per cent of Australia is devoted to afforestation, in America, Japan and Great Britain 30 per cent to 60 per cent is devoted to economic forestry.

However, we are leaving the whole of our enterprise to the Government and I believe Governments could be examining this question with a view not to extending their own effort in this field but to encouraging private endeavour in relation to the growing of softwoods. We have on Kangaroo Island, in the South-East, and in other parts of South Australia, a large number of areas held in small sections that are capable of softwood production and of producing economic wood lots that would contribute a tremendous amount to the overall economy of this State. Yet at no time has an effort been made, except for the original Bill introduced by Krichauff back in 1873 when a subsidy was paid to assist in the establishment of wood lot farms, to encourage the wood lot farmer.

I do not believe in offering a subsidy in this matter but I do believe that taxation and the providing of an annual income for a wood lot farmer should be examined; it is a practical means of encouraging this sort of farming in South Australia. Rather than providing large sums of money for the purchase by the Government of excellent grazing land for the growing of pines, we should encourage the private farmer who has land that is relatively non-productive into forestry production. In this way we could double this State's area of economic forests. It is a scheme followed in many other countries. For example, in America about 15 783 000 hectares is under wood lot farming in a scheme like this. In New Zealand, the same sort of plan operates; in Great Britain, a somewhat similar plan operates; yet, here in this country, where there is an absolute dearth of economic forests, we are not setting ourselves out to encourage production in that respect.

It is a matter capable of being overcome by realistic policies. I do not seek subsidies but I do seek encouragement and realistic taxation measures directed towards such a scheme. In our forestry establishment, there should be a realistic annual income for that industry rather than waiting for 40 years for an income, which any private person cannot afford to do. So, for about the thirteenth time in a row, I refer to that matter. I believe it is a practical scheme that would make a tremendous impact and assist greatly, particularly those rural areas of this State that are at present undergoing severe economic times.

There are many other matters I could comment on in the allocation of Loan funds, but I make two points: first, the future of the Loan Council, which I regard as the cement of the Constitution and which I believe is under some cloud as to its future and should be clarified as quickly as possible; secondly, the encouragement of softwood plantations, which are desirable for the economic exploitation of some of our land that should be devoted to this type of production. I support the Bill.

The Hon. C. M. HILL: Whilst the passing of this money Bill is somewhat of a formality in this second Chamber, nevertheless the statement by the Treasurer and the facts and figures provided by him as part of this debate provide information that must come under close scrutiny by honourable members in this Council. I am concerned, first, about the policy that has now been adopted by the State Government to fund excess revenue to the Loan Account. It is, of course, a complete reversal of the practice as we have known it in the past. There have been occasions when money has been taken from the Loan Account and funded for revenue purposes. That, of course, is a practice that rightly came under strong criticism, because there was a time when it caused future allocations from the Commonwealth to be adversely affected.

In other words, the money for capital works allocated by the Commonwealth was not being used for that purpose. It was being used partly to fund the Revenue Account, and consequently allocations by the Commonwealth were reduced in future years. Now we have this reversed trend, as I call it, and I think that a basic principle should be laid down, that in times of economic buoyancy, in times of great prosperity, a case can be made out for the funding of some excess revenue for capital purposes. In such times, taxation revenue is high because of that economic buoyancy in the community.

However, on occasions such as we are passing through now in our economic life, we have the complete reversal of that situation: we have great economic difficulties, serious unemployment, and all the problems associated with difficult times in South Australia. When, in these circumstances and in a period such as this, the Government in February of the financial year found, as this Government did and as has been disclosed by the Treasurer in this document, that there would be \$25 000 000 surplus of revenue and when at the end of the financial year, in June, it was possible to fund \$50 000 000 from revenue towards capital works and then, on top of that, when a cumulative balance of \$27 600 000, also disclosed by the Treasurer, finished up in the Revenue Account, in my view that highlights the fact that the people of this State have been over-taxed and over-charged.

Instead of adopting a policy of rubbing one's hands with glee and taking such surplus and funding it for capital works, I believe a principle should be adopted that such taxes and charges must be too high and must, therefore, be reduced; but that is not the Government's intention. The Government has made certain adjustments in its taxation charges, but, of course, it has far exceeded that sum with its increased charges and taxes, and also it has received a bonus by way of the unexpected increase in revenue due to greater inflation than was expected; but those are debates that can be developed, I realise, in this Council on the Estimates in a week or two's time.

The Hon. M. B. Cameron: "Will" be developed, not "can" be.

The Hon. C. M. HILL: Yes. In June, the Government took \$20 000 000 and transferred it from Revenue Account to Loan Account, and that subsequently has been transferred to housing. It then took \$20 000 000 for urban transport expenditure on capital works, and \$10 000 000 was taken from revenue in June, too, for unemployment schemes in local government. These disclosures and actions by the Government highlight the situation that an immense amount of revenue has been acquired by the State in these most difficult times.

If the State had adopted a policy of joining with the Federal Government in agreeing that there was some need for restraint, on a selective basis, in regard to capital works and if it had then reduced future revenues by making some reasonable reductions in charges and taxation, then the changes that would have followed would have been that there would be less taxes, more incentive in the community to invest and work, and more employment, resulting in the area of unemployment being assisted. Generally speaking, there would have been more confidence in the South Australian community and more revenue to the State.

By gradual improvement, we could have got the State back on to the plane that we should have been aiming for. However, to adopt the policy, as set out in the Treasurer's explanation, of being pleased about this excess revenue and using it for capital works is not a policy that ought to be adopted for all time. I hope that the Government will consider these policies closely to see whether further alleviation of taxation and charges can be offered to the South Australian community, both to private citizens in regard to rates and taxes and also to commerce and industry, because they are the employers of labour and we all want to encourage them so that the unemployment problem can be solved.

My second point deals with the Treasurer's description of the current situation in South Australia when he says that it is a doleful picture. As usual, the blame for this is placed at the door of the Commonwealth Government. To try to give balance to this situation, I point out that, whilst the total Commonwealth Loan programme has been increased for the whole of Australia by only 5 per cent, there is in money terms, although perhaps not in real terms, because of inflation—

The Hon. J. R. Cornwall: In real terms, that is a decrease of 10 per cent.

The Hon. C. M. HILL: Yes, I mentioned money terms.

The Hon. J. R. Cornwall: You did not make it very clear, though.

The Hon. C. M. HILL: I am sure that members who were listening would have heard. Of that total, South Australia has received a very fair proportion and one that is comparable to former years. I know that members opposite get a little upset. They try to get everyone to go along with the idea that the Commonwealth is the cause of this doleful picture, but there is more to the matter than that. This year we are to receive 13.13 per cent of the total Federal allocation. Last year we received about the same percentage; in 1975-76 we received 13.12 per cent. In 1974-1975, on my calculations, we received 13.57 per cent. In 1973-74 we received 13.82 per cent, 13.71 per cent in 1972-73, and 13.71 per cent in 1971-72.

There has been no cut-back by the Commonwealth Government on this State regarding its usual percentage allocation for Loan purposes. I may say, as an aside, that 13.13 per cent is very fair when we consider the matter

on a per capita basis. Although it is difficult to get up-to-date figures, it seems from the population figures that I have been able to get by research that the population of South Australia compared to that of the whole of Australia is 9.14 per cent. A State that has that percentage of the population and receives 13.13 per cent of the total allocation is not badly treated by the Commonwealth Government in this area.

My third and last point, although perhaps it is the most important, deals with the lack of disclosure in these documents, and obviously the lack of plans by the Government, for a hospital in the Christies Beach and Port Noarlunga area. I refer back to just before the 1973 State election. In that election campaign, as reported in the *News* of February 21, 1973, the Treasurer stated, amongst other things:

A hospital is already in our building programme.

That was, in effect, an election promise. Since then, many questions have been asked in Parliament about this matter and I shall refer to only three of many that have been asked in consecutive years since then. On June 20, 1973, in this Chamber the Hon. V. G. Springett asked:

Can the Minister of Health tell me the position regarding arrangements for hospital services and facilities in the Christies Beach area?

The Hon. Mr. Banfield replied:

I cannot inform the honourable member of that. As honourable members know, when the Flinders Medical Centre is finished we shall be looking at the position at Christies Beach. We did have representations the other day from someone who wants to establish a private hospital at Noarlunga, but nothing positive has come of it.

On October 15, 1974, I asked:

Questions have been asked from time to time over the past few years in this Council about the possible provision of public hospital facilities to serve the rapidly growing suburbs south of Tapley Hill in metropolitan Adelaide. Particularly do I refer to the areas centred on Christies Beach and Port Noarlunga. As I recall the situation, the Government hopes (it hoped in the past, at any rate) that the facilities at the Flinders Medical Centre will provide a satisfactory service for this rapidly developing region of metropolitan Adelaide. However, people in those areas to which I refer, and particularly around Christies Beach and Port Noarlunga, still seek information whether or not the Government contemplates or plans the provision of a public hospital to serve specifically that region. Therefore, I again ask the Minister: has he any plans in train to provide public hospital facilities specifically for that region?

On that occasion, the Hon. Mr. Banfield replied:

It is not expected that a hospital will be built in that area before the completion of the Flinders Medical Centre. Land is reserved for a hospital to be built in that area but I think it will be more a type of subsidised hospital than a public hospital. This question is being looked at. Eventually, a hospital will be built in that region, but not before the completion of the Flinders Medical Centre.

On June 11, 1975, I asked this question:

I ask the Minister of Health again, because I know the question has been asked on several occasions in the past few years, whether his department has any definite plans to establish hospital facilities in the region of Port Noarlunga and Christies Beach.

The Hon. D. H. L. Banfield replied:

This area is being kept under notice all the time, but nothing will be done before the Flinders Medical Centre is under way.

About a month ago, I asked a similar question and received a similar reply. People in that area are becoming very concerned, because they feel that the Government is not giving them the consideration that it ought to be giving them on this matter. These people make the point that Noarlunga is growing tremendously. To substantiate this point I refer to a report in the *News* (September 8, 1976)

under the heading "Noarlunga fast growing area". The table to which I refer compares council areas and population increases and decreases, as follows:

	1976	1971	Change
Glenelg	14 413	15 237	—1·08
Henley and Grange	16 587	16 128	0·57
Hindmarsh	8 690	10 306	—3·14
Kensington and Norwood	9 647	11 081	—2·59
Port Adelaide	36 020	38 968	—1·51
Noarlunga	47 352	28 464	13·27
West Torrens	47 988	50 097	—0·84

We can see that Noarlunga had a percentage increase of 13·27 per cent in those five years. The population increase in the new city of Noarlunga increased from 28 464 in 1971 to 47 352 in 1976. The number of occupied dwellings in the Noarlunga council area increased from 7 922 to 13 923. There has been great expansion in that area.

Claims have been made by residents of the area and they have been substantiated by figures published in the press as recently as this month. To refer to expansion in terms of population and housing in this area deals only with part of the story, because there has been great development in commerce and industry in the area and further development is planned. It has been noted that tens of millions of dollars collectively have been spent at the Royal Adelaide Hospital, Flinders Medical Centre and other public hospitals such as Modbury Hospital. Although such expenditure is justified (and I am not at all critical of it), it must be appreciated that people at Noarlunga where such a facility is lacking—indeed, there are not even any plans for such a facility—see this expenditure elsewhere and it only adds to their concern about the matter.

Residents point out that visitors to beaches in the area (and the population swells considerably on holidays and over weekends) suffer many injuries necessitating hospital treatment. I refer to scuba divers (although I do not want to be sensationalist in this debate) and press reports of tragic accidents involving scuba divers at Port Noarlunga needing urgent hospitalisation.

There was a press report on this matter just the other day. South Road, as was highlighted in the press, is one of Adelaide's most dangerous roads. It is badly congested and traffic congestion prevents the rapid transportation of patients in life and death situations.

The Hon. D. H. L. Banfield: Where are the danger spots on South Road?

The Hon. C. M. HILL: I understand they include the intersection near the Victoria Hotel, where lights have been installed.

The Hon. D. H. L. Banfield: About 1·6 km from Flinders Medical Centre.

The Hon. C. M. HILL: It does not matter whether an ambulance is held up 100 m from the hospital. Noarlunga residents say that patients should be given hospital care in their region. It is as simple as that.

The Hon. D. H. L. Banfield: The problem concerning South Road does not extend that far.

The Hon. C. M. HILL: The Minister has misunderstood me: I said that South Road is a badly congested road. Accidents occur on beaches and elsewhere in Noarlunga with patients requiring urgent hospital attention. The nearest hospital to which accident victims can be taken is Flinders Medical Centre and it is difficult to get there in life and death situations.

The Hon. M. B. Dawkins: It's much too far away.

The Hon. C. M. HILL: Yes. Not only are individuals complaining and expressing their concern: the local paper *Southern Times* in that area on July 8, 1976, contained a report headed "Local hospital in demand". From replies given by the Minister from time to time I assume that there is some thought in his mind, or in that of his departmental planners, that the area is not far from Flinders Medical Centre, anyway.

The Hon. M. B. Cameron: It's a long way.

The Hon. C. M. HILL: Yes, and I have figures to illustrate this. Indeed, it is much farther than most people believe. For the purpose of comparison I will give figures as the crow flies. The distance from Royal Adelaide Hospital to Modbury Hospital is 12·08 km, and it is the same distance from Royal Adelaide Hospital to Flinders Medical Centre. However, the distance between Flinders Medical Centre and Port Noarlunga Post Office is 16·9 km as the crow flies. Other housing areas farther south than Port Noarlunga are even further disadvantaged in relation to hospital access.

The Hon. D. H. L. Banfield: How far are they from McLaren Vale hospital?

The Hon. C. M. HILL: I do not know.

The Hon. D. H. L. Banfield: Good facilities exist there.

The Hon. C. M. HILL: Yes, established by the Playford Government. True, people in that area can get there quickly, but I do not believe that hospital has the same facilities—

The Hon. D. H. L. Banfield: Are you not satisfied with the facilities at the McLaren Vale Hospital provided under the Playford Government?

The Hon. C. M. HILL: I have given the statistics and I challenge the Minister on this point. I have not given road distances and, as the crow flies, it is 16·9 km from Port Noarlunga Post Office to Flinders Medical Centre. That is a long way. The Minister has proposed the expenditure of \$33 000 000 on hospitals. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

ELECTORAL ACT AMENDMENT BILL (No. 3)

Third reading.

The Hon. R. C. DeGARIS (Leader of the Opposition): I move:

That this Bill be now read a third time.

I thank the Council for its support of the passage of this Bill. I know that the Chief Secretary would not like me to continue with a long speech at this time, but I do wish him a happy birthday.

Bill read a third time and passed.

ROAD TRAFFIC ACT AMENDMENT BILL

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

ADJOURNMENT

At 5.16 p.m. the Council adjourned until Wednesday, September 22, at 2.15 p.m.